

From:

Cc: [Planning](#)

Subject: NYM/2019/0730/FL - Lady Cross Caravan Park

Date: 04 August 2020 17:38:54

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Hi Ailsa

I have now looked through the information provided for this application since my last comment.

PEA: The survey is reasonably comprehensive, although there are a few errors and omissions that are concerning. No records search was commissioned from the local data centre meaning that we don't know what species have been recorded previously, whilst the phase 1 habitats map does not appear to include all of the area of the proposed new car park (the section south of the access road doesn't look as large as indicated on the site works plan). The site description refers to 'conifer woodland' despite the species present, and the phase 1 map, showing mixed woodland with both deciduous and coniferous species present. The report also asserts that no invasive non-native species (INNS) are present, despite the clear presence of *Rhododendron ponticum* (a Schedule 9 invasive species), identifiable in a site photograph provided on p10 of the report, and which should be marked on the Phase 1 map. Despite these errors, I accept the conclusion that protected species/habitats are unlikely to be materially affected by the proposals and therefore will withdraw my objection to planning approval being given, although the recommendations and enhancements of the report (Section 4.2) should be conditioned.

Lighting: the specification of the proposed lamps appear to be of around 4000K. Specific guidance as to what heat (ie wavelength) of light is acceptable varies, however whilst this falls within the range as suggested by the PEA submitted, the guidance referenced in that document - "*Bats and Artificial Lighting in the UK*" produced by BCT and ILP - refers to a preferred heat of 2700K or less to minimise impacts on nocturnal wildlife which are more detrimentally affected by shorter wavelengths of light emitted from bulbs exceeding this temperature. We have tended to use a rule of thumb of <3000K, classified as 'warm white' which should include many readily available bulbs whilst also minimising impacts on nocturnal wildlife. I also note that uplighters are specified at the site entrance, although no information is given on how these will be shielded to prevent upwards light spillage into the sky or the surrounding tree canopy.

Many thanks

Elsbeth

**Elsbeth Ingleby MA<sub>Cantab</sub> ACIEEM**

**Ecologist**

North York Moors National Park Authority

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP

**From:**  
**To:** [Ailsa Teasdale](#)  
**Cc:** [Planning](#)  
**Subject:** NYM/2019/0730/FL - Lady Cross Plantation Caravan Park  
**Date:** 20 November 2019 11:47:55

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Dear Ailsa,

Unfortunately insufficient information has been provided to enable me to assess this application. Around 0.1ha of woodland is proposed to be removed to allow creation of a new carpark which in addition to the loss of trees, is also a significant loss of habitat. Whilst the area appears to be mainly coniferous trees, site photos demonstrate that there is an established ground layer and potential for the site to support a range of species. The submitted bat and badger report is dated February 2011 and therefore, whilst providing useful background information, it is no longer valid for this planning application.

In order to determine the potential ecological impact of this development, I require the applicant to submit a Preliminary Ecological Appraisal of the site. This should include an assessment of habitats and species within the proposed car park area, as well as an assessment of priority species outwith of the car park area itself that may be affected by the proposals – a qualified ecologist engaged to carry out this work will be able to advise on the appropriate scope of area they will need to survey to determine this.

I note lighting details have already been submitted for the development. Any lighting scheme used will need to be of low impact for foraging bats that are likely to use the access road and woodland edges, and therefore should be focussed downwards with no upwards light spill and bulbs must have a heat rating of less than 3000K.

Best wishes

Elsbeth

**Elsbeth Ingleby MA<sub>Cantab</sub> ACIEEM**

**Ecologist**

North York Moors National Park Authority

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP

**From:** [Mark Antcliff](#)  
**To:** [Planning](#)  
**Subject:** NYM/2019/0730/FL Lady Cross Plantation  
**Date:** 05 November 2019 10:25:45

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NYM/2019/0730/FL Lady Cross Plantation

The supplied tree survey dates from 2011. It may suffice for the current application but I can't check that as the plan at appendix 3 is incomplete, or hasn't scanned correctly. Can this be checked and then let me know the outcome please?

Thanks

Mark

Mark Antcliff

**From:** [Victoria Franklin](#)  
**To:** [Planning](#)  
**Subject:** Bird and Bat Informatives  
**Date:** 01 November 2019 15:16:02

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If the following applications are approved please can a bird informative be included in the decision notice.

NYM/2019/ 0730/FL

If the following applications are approved please can a bat informative be included in the decision notice.

NYM/2019/  
0730/FL

Kind regards,  
Victoria

Date: 04 November 2019  
Our ref: 299051  
Your ref: NYM/2019/0730/FL



Mrs Ailsa Teasdale  
North York Moors National Park Authority

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

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Dear Mrs Teasdale

**Planning consultation:** Application for construction of two storey side extension to dwelling, creation of car park to serve holiday park and alterations to site entrance

**Location:** Lady Cross Plantation Caravan Park, Egton

Thank you for your consultation on the above dated 25 October 2019 which was received by Natural England on 25 October 2019

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### **SUMMARY OF NATURAL ENGLAND'S ADVICE**

##### **NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Natural England's generic advice on other natural environment issues is set out at Annex A.

#### **Sites of Special Scientific Interest Impact Risk Zones**

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](https://data.gov.uk) website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

David Allinton  
Consultations Team

## Annex - Generic advice on natural environment impacts and opportunities

### Sites of Special Scientific Interest (SSSIs)

Local authorities have responsibilities for the conservation of SSSIs under s28G of the Wildlife & Countryside Act 1981 (as amended). The National Planning Policy Framework (paragraph 175c) states that development likely to have an adverse effect on SSSIs should not normally be permitted. Natural England's SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal. Our initial screening indicates that one or more Impact Risk Zones have been triggered by the proposed development, indicating that impacts to SSSIs are possible and further assessment is required. You should request sufficient information from the developer to assess the impacts likely to arise and consider any mitigation measures that may be necessary.

### Biodiversity duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available here.

### Protected Species

Natural England has produced standing advice<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

### Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. The list of priority habitats and species can be found here<sup>2</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

### Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

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<sup>1</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>2</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

## **Protected landscapes**

For developments within or within the setting of a National Park or Area of Outstanding Natural Beauty (AONB), we advise you to apply national and local policies, together with local landscape expertise and information to determine the proposal. The National Planning Policy Framework (NPPF) (paragraph 172) provides the highest status of protection for the landscape and scenic beauty of National Parks and AONBs. It also sets out a 'major developments test' to determine whether major developments should be exceptionally be permitted within the designated landscape. We advise you to consult the relevant AONB Partnership or Conservation Board or relevant National Park landscape or other advisor who will have local knowledge and information to assist in the determination of the proposal. The statutory management plan and any local landscape character assessments may also provide valuable information.

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Heritage Coasts are protected under paragraph 173 of the NPPF. Development should be consistent the special character of Heritage Coasts and the importance of its conservation.

## **Landscape**

Paragraph 170 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

## **Best and most versatile agricultural land and soils**

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [\*Construction Code of Practice for the Sustainable Use of Soils on Construction Sites\*](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

## **Access and Recreation**

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered



where appropriate.

### **Rights of Way, Access land, Coastal access and National Trails**

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer.

### **Environmental enhancement**

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
  - Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
  - Planting additional street trees.
  - Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

**From:** [Victoria Franklin](#)  
**To:** [Planning](#)  
**Subject:** Bird and Bat Informatives  
**Date:** 01 November 2019 15:16:02

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NYM/2019/ 0730/FL

If the following applications are approved please can a bat informative be included in the decision notice.

NYM/2019/  
0730/FL

Kind regards,  
Victoria

**NORTH YORKSHIRE COUNTY COUNCIL  
BUSINESS and ENVIRONMENTAL SERVICES**



**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**

**Application No:** **NYM19/730/FL**

**Proposed Development:** Application for construction of two storey side extension to dwelling,  
creation of car

park to serve holiday park and alterations

**Location:** Lady Cross Plantation

Caravan Park, Egton

**Applicant:** Mr & Mrs Robinson

**CH Ref:** **Case Officer:** Ged Lyth

**Area Ref:** 4/32/255A **Tel:** 01609 780 780

**County Road No:** **E-mail:**

**To:** North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
YO62 5BP

**Date:** 31 October 2019

**FAO:** Ailsa Teasdale

**Copies to:**

**Note to the Planning Officer:**

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:

The Local Highway authority have no objections in principle to the proposals on the understanding that the area of the works that falls within the publicly maintainable highway will be licensed to an approved contractor and is completed to the NYCC Highways specification.

It is assumed that an existing ditch at the back of the highway verge is piped under the existing access. When the access is widened, the pipe will also require to be extended to the revised edge of the access.

Consequently the Local Highway Authority recommends that the following **Conditions** are attached to any permission granted:

1. HC-07 Private Access/Verge Crossings: Construction Requirements

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

**NYM19/730/FL**

Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site has been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements

d. The crossing of the highway verge shall be constructed in accordance with the application plan drawing and the thicknesses and types of material from Standard Detail number E9A.

**HI-07      INFORMATIVE**

You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

**REASON**

In accordance with policy # and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience

**2. HC-13 DITCH TO BE PIPED (DETAILED PLAN)**

There shall be no access or egress by any vehicles between the highway and the application site until:

b. The surface water ditch from the high side of the access has been piped in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority

**REASON**

In accordance with policy # and to ensure satisfactory highway drainage in the interests of highway safety and the amenity of the area.

**INFORMATIVE**

It is recommended that the applicant consult with the Internal Drainage Board, the Environment Agency and/or other drainage body as defined under the Land Drainage Act 1991. Details of the consultations shall be included in the submission to the Local Planning Authority. The structure may be subject to the Highway Authority's structural approval procedures.

**Signed:**

**Issued by:**

Whitby Highways Office  
Discovery Way  
Whitby  
North Yorkshire  
YO22 4PZ

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

**NYM19/730/FL**

*For Corporate Director for Business and Environmental Services*

**e-mail:** \_\_\_\_\_