

From:

Cc: [Mark Hill; Planning](#)

Subject: RE: New application post - NYM/2020/0293/FL - Church Farm, Kilburn - Natural England

Date: 18 August 2020 17:18:33

Attachments: [image001.png](#)
[image003.png](#)

Hi Hilary

In light of the resource issues facing NE which has meant they are unable to provide us with further guidance on the issues surrounding air quality relating to this application, I have gone over relevant past applications for agricultural buildings to ensure that our assessment would be in line with previous NE guidance regarding the thresholds at which further information is necessary in order to assess an application, and at what level a significant impact on the designated site is considered likely.

The SCAIL assessment submitted by the applicant has identified that impacts relating to ammonia for Snape Hill Quarry SSSI exceed significance thresholds. Snape Hill Quarry is notified for geological features, being the best locality for North Grimston Cementstone. There are no biological features included in the designation and therefore the site is unlikely to be detrimentally affected by local emissions of ammonia. Potential impacts on all other designated sites included in the SCAIL are below significance level and can therefore be scoped out of further assessment.

On this basis there is no likely significant effect on designated sites in the region and no further assessment on this basis is required.

For the purposes of the Habitats Regulations I assert that:

- The application is not necessary for the management of any European designated site
- The application will not cause a likely significant effect on any European designated site, and thus can be scoped out of any further assessment.

It is worth noting that the submitted SCAIL assessment was conducted on the basis of cattle emissions only. Given some allusions early in the planning process to an increase of pigs, it is worth stating that any increase in pig stocking numbers as a result of the application would require further assessment. I would therefore recommend that, if approved, a suitably worded condition is used to ensure that pig stocking numbers on the farm are not increased as a direct result of this application.

If approved, appropriate guttering systems should be used to capture clean water off the new shed roof and direct to either a water tank for farm use, or to a nearby watercourse or soakaway to prevent potential fouling by livestock or machinery.

Please let me know if you need any more information.

Thanks very much

Elsbeth

From: [Hilary Saunders](#)
To: [Planning](#)
Subject: FW: New application post - NYM/2020/0293/FL - Church Farm, Kilburn - Natural England
Date: 27 August 2020 07:32:14
Attachments: [image001.png](#)
[image003.png](#)

Please upload - public

Kind regards

Hilary

H. Saunders

Mrs Hilary Saunders MRTPI
Planning Team Leader
Development Management

****Due to the current Covid-19 restrictions we are all working from home. Therefore, please can we request that you continue to contact us by email and not by post. Thank you.***

The Authority charges for providing planning and administration advice. A copy of the charging schedule is available to view on the Authority's website.

From: Forecast, Lauren [mailto:
Sent: 17 August 2020 17:07
To: Hilary Saunders
Subject: RE: New application post - NYM/2020/0293/FL - Church Farm, Kilburn - Natural England

Dear Hilary,

Thank you for your email.

The Yorkshire and northern Lincolnshire Sustainable Development team is currently very low on staff resource as a result of Covid-19 and other staffing issues. Because of this we do not have the capacity at present to provide detailed comments on the planning application in question. We acknowledge that in our previous response we highlighted that insufficient information had been submitted with regards to air quality impacts on Gormire SSSI and North York Moors SSSI, and advised that a SCAIL assessment be undertaken. At present due very limited staff resource we are unable to provide further comment on the output of the SCAIL assessment, therefore I recommend that you seek advice on this. The APIS website may also be of some help: <http://www.apis.ac.uk/>

Kind Regards,

Lauren

Lauren Forecast
Team Leader
Conservation Delivery Team and Marine and Coast Team
Yorkshire and Northern Lincolnshire Area Team
Foss House,
Kings Pool, 1-2 Peasholme Green,
York, YO1 7PX



During the current coronavirus situation, Natural England staff are working remotely to provide our services and

support our customers and stakeholders. All offices and our Mail Hub are closed, so please send any documents by email or contact us by phone or email to let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>. Stay alert, protect the NHS, save lives.

From: Hilary Saunders [mailto:h.saunders@northyorkmoors.org.uk]
Sent: 17 August 2020 13:28
To: SM-Defra-Plan Cons Area Team (Yorkshire & Northern Lincolnshire) (NE)

Subject: FW: New application post - NYM/2020/0293/FL - Church Farm, Kilburn - Natural England

Your ref:- 319774

Thanks for your response but in your initial response on 17th June you requested a SCAIL assessment? They have submitted this – but are you now not able to consider this?

Kind regards

Hilary

H. Saunders

Mrs Hilary Saunders MRTPI
Planning Team Leader
Development Management

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From: Planning
Sent: 03 July 2020 16:53
To: Hilary Saunders
Subject: New application post - NYM/2020/0293/FL - Church Farm, Kilburn - Natural England

From: SM-Defra-Plan Cons Area Team (Yorkshire & Northern Lincolnshire) (NE)

Sent: 03 July 2020 15:47
To: Planning
Subject: RE: F.A.O Clare Foster FW: New application post - NYM/2020/0293/FL - Church Farm, Kilburn - Natural England

Thank you for consulting Natural England on the above planning application. Natural England's Yorkshire and northern Lincolnshire Team are not in a position to review the above application at present or to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes. If you consider there are significant risks to statutory nature conservation sites or protected landscapes then please re-consult us detailing the areas on which you would like us to provide detailed advice.

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" (SSSI) (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 website.

Please note that our initial screening of this consultation indicates that one or more Impact Risk Zones have been triggered by the proposed development indicating that impacts to SSSIs are likely and may be significant. Natural England is unable to provide a more detailed response to this consultation, as we have to take a risk based approach in deciding when to provide detailed advice to planning consultations. Consequently, the Council as decision maker should request from the developer sufficient information as may be necessary for it to assess the impacts likely to arise and any mitigation measures that may be necessary. You should use the Impact Risk Zones to inform any requests for further information, as they have been designed to inform local authorities when proposed development is likely to affect a SSSI.

Local authorities have responsibilities towards the conservation of SSSIs under s28g of the Wildlife & Countryside Act (1981 as amended), and your biodiversity duties under s40 of the NERC Act 2006. If you have not already done so, we recommend that you ensure that sufficient information in the form of an SSSI impact assessment report or equivalent is built into the planning application validation process. Please note that Natural England is preparing additional standard advice to cover a range of development scenarios, but as these do not yet cover this planning application we are unable to provide further comments.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

Please contact us again should you wish to discuss this advice further.

Yours faithfully

Lauren Forecast
Natural England

From: Hilary Saunders [<mailto:h.saunders@northyorkmoors.org.uk>]

Sent: 27 June 2020 08:05

To: SM-NE-Consultations (NE)

Subject: F.A.O Clare Foster FW: New application post - NYM/2020/0293/FL - Church Farm, Kilburn - Natural England

Dear Clare,

Please find attached additional information from the applicant's agent.

Kind regards

Hilary

H. Saunders

Mrs Hilary Saunders MRTPI
Planning Team Leader
Development Management

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From: Peter Midgley
Sent: 26 June 2020 1
To: Hilary Saunders
Subject: RE: New application post - NYM/2020/0293/FL - Church Farm, Kilburn - Natural England

Hi Hilary,

Please find attached predicted air quality calculations as requested by Natural England.
Not having previously carried out these type of air pollution programmes we can only assume we have provided the correct information . would you please advise if not.

Thanks pete

Sent from [Mail](#) for Windows 10

From: [Hilary Saunders](#)
Sent: 18 June 2020 08:53
To:
Subject: FW: New application post - NYM/2020/0293/FL - Church Farm, Kilburn - Natural England

Dear Peter,

Please find attached the consultation response from Natural England, requiring additional information be provided.

Kind regards

Hilary

H. Saunders

Mrs Hilary Saunders MRTPI
Planning Team Leader
Development Management

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From: Planning
Sent: 17 June 2020 16:57
To: Hilary Saunders
Subject: New application post - NYM/2020/0293/FL - Church Farm, Kilburn - Natural England

From: SM-NE-Consultations (NE)
Sent: 17 June 2020 13:51
To: Planning
Subject: Planning Consultation NYM/2020/0293/FL - NE Response

For the attention of Mrs H. Saunders

Please find Natural England's response to the consultation attached herewith.

Kind regards

Clare Foster
Natural England
Consultation Service
Operations Delivery
Hornbeam House
Crewe Business Park
Electra Way,
Crewe
Cheshire, CW1 6GJ

Tel:

Email:

www.gov.uk/natural-england

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

For further information on the Discretionary Advice Service see [here](#)

For further information on the Pre-submission Screening Service see [here](#)

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North York Moors
National Park

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www.northyorkmoors.org.uk

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From:
To: [Planning](#)
Subject: Application Number NYM/2020/0293/FL Church Farm, Kilburn
Date: 27 July 2020 11:01:39

Kilburn Parish Council objects to the application on the grounds of the application being inconsistent with NYMPA's planning Development Policy 3 (Protecting & Enhancing Cultural & Historic Assets), and in particular referenced Development Policy 4 points 1 and 2. This objection was unanimously agreed by all Council members.

The Parish Council is concerned about inconsistencies in the planning documentation as to whether pigs will be housed in this building or not. The Design and Access statement produced by the applicants agent clearly states that pigs will be housed in the new building throughout summer. The village already has a problem with noise and smell from pigs which causes residents considerable distress, this can be evidenced through the Parish Plan Questionnaire results where 50% of respondents mentioned the negative impact the pigs are having on their lives.

The Parish Council also feels this development will be intrusive. The proposed buildings scale and proportions will impact greatly on the surrounding area, being adjacent to St Marys Church and a footpath between Kilburn and High Kilburn which is used by villagers and tourists.

Thank you

Sandra Langthorne Clerk and Responsible Officer to Kilburn Parish Council

Please visit our website at - <https://www.kilburnyorks.com/parish-council>

Please be advised that this is a part time post and I will respond to your e-mail as soon as possible.

From:
To: [Planning](#)
Subject: RE: F.A.O Clare Foster FW: New application post - NYM/2020/0293/FL - Church Farm, Kilburn - Natural England
Date: 03 July 2020 15:46:51
Attachments:

Thank you for consulting Natural England on the above planning application. Natural England's Yorkshire and northern Lincolnshire Team are not in a position to review the above application at present or to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes. If you consider there are significant risks to statutory nature conservation sites or protected landscapes then please re-consult us detailing the areas on which you would like us to provide detailed advice.

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Please contact us again should you wish to discuss this advice further.

Yours faithfully

Lauren Forecast
Natural England

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM/2020/0293/FL**

Proposed Development: Application for erection of agricultural livestock building

Location: Church Farm, Kilburn

Applicant: Mr Henry Thompson

CH Ref: **Case Officer:** Graham Hind

Area Ref: 2/78/101 **Tel:**

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

To: North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 6 July 2020

FAO: Hilary Saunders **Copies to:**

There are no local highway authority objections to the proposed development.

Signed:

Graham Hind

For Corporate Director for Business and Environmental Services

Issued by:

Thirsk Highways Office
Thirsk Industrial Estate
York Road
Thirsk
North Yorkshire
YO7 3BX

e-mail:

Date: 17 June 2020
Our ref: 319774
Your ref: NYM/2020/0293/FL



Mrs H. Saunders
Planning Officer
North York Moors National Park Authority
planning@northyorkmoors.org.uk

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

BY EMAIL ONLY

Dear Mrs Saunders

**Planning consultation: Application for erection of agricultural livestock building
Location: Church Farm, Kilburn**

Thank you for your consultation on the above dated 12 June 2016 which was received by Natural England on 12 June 2020.

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.

Insufficient information provided

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and re-consult Natural England. Please note that you are required to provide a further 21 day consultation period, once this information is received by Natural England, for us to respond.

Natural England is not able to assess this case as there is insufficient information provided in relation to air quality impacts.

Manure stores, slurry lagoons and livestock sheds are a major source of emissions of ammonia which is directly toxic to vegetation and especially to lower plants (mosses, liverworts and lichens). Ammonia is also a major contributor to the deposition of nitrogen, which reduces habitat biodiversity by promoting the growth of a relatively small number of the more vigorous plant species which then out-compete the other species present.

Our Impact Risk Zones¹ have identified that interest features of the below designated sites may be sensitive to impacts from aerial pollutants, such as those emitted from this proposed development.

¹ SSSI Impact Risk Zones layer within Statutory Land Based Designations on Magic Map available at: <http://magic.defra.gov.uk/>

- Gormire Site of Special Scientific Interest (SSSI)
- North York Moors Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC) and Special Protection Area (SPA)

The consultation documents provided do not include any assessment of air quality impacts.

In order for us to advise on this case an initial screening for air quality impacts should be completed. Simple screening tools are available via the internet, such as the Simple Calculation of Atmospheric Impact Limits (SCAIL) model: <http://www.scail.ceh.ac.uk/>. The results of this screening should inform the need for any further, more detailed assessment which may be required to fully assess the impacts of the proposal. Where screening results indicate a more detailed assessment is necessary this should be carried out and completed prior re-consulting Natural England.

Natural England has not considered any other matters at this stage. We will provide advice on all relevant matters upon receipt of this information.

Should the developer wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, we recommend that they use our [Discretionary Advice Service](#).

Please send further correspondence, marked for my attention, to consultations@naturalengland.org.uk quoting our reference 319774.

Yours sincerely

Clare Foster
Consultations Team

From:
To: [Planning](#)
Subject: Comments on NYM/2020/0293/FL - Case Officer Mrs H Saunders - Received from Simon Bassindale - Ranger West at NYMNPA,
Date: 17 June 2020 16:24:37

Please maintain access to public footpaths 411001 and 411503 during construction.

Comments made by Simon Bassindale - Ranger West of NYMNPA

Preferred Method of Contact is: Post

Comment Type is Comment
Letter ID: 546201

From:

Subject: Comments on NYM/2020/0293/FL - Case Officer Mrs H Saunders - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,

Date: 16 June 2020 18:22:39

Provided it has no impact on the established hedgerow which would increase visibility to the Church of St Mary, I raise no objection

Comments made by Building Conservation of The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Preferred Method of Contact is: Post

Comment Type is Comment
Letter ID: 546196

From:

Subject: Comments on NYM/2020/0293/FL - Case Officer Mrs H Saunders - Received from Mr Paul Robertson at Hambleton Borough Council, Civic Centre, Stone Cross, Northallerton, North Yorkshire, DL6 2UU

Date: 16 June 2020 16:42:18

I am the Environmental Health Officer consulted on the application. This service has a history of noise and smell complaints associated with the keeping of pigs at this premises. I have spoken to the agent and read the application that states this is for cattle only. Because of the previous issues with pigs kept at this premises, if approved, I would recommend a condition is placed, restricting the use to cattle. The reason for this is to prevent nuisance and protect the amenity of nearby occupiers.

Comments made by Mr Paul Robertson of Hambleton Borough Council, Civic Centre, Stone Cross, Northallerton, North Yorkshire, DL6 2UU

Preferred Method of Contact is Email

Comment Type is Approve with conditions