

From:
To: [Planning](#)
Subject: Newgate Farm: Notification of Designation Decision
Date: 06 October 2020 15:53:48

Mr Chris France
Mr Chris France
Director of Planning
North Yorkshire Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

06 October 2020

Dear Sir or Madam,

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT
1990 BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC
INTEREST**

Newgate Farm, Hackness, Scarborough

As you will know from our earlier letters we have been considering adding the above building to the List of Buildings of Special Architectural or Historic Interest.

We have taken into account all the representations made and completed our assessment of the building. Having considered our recommendation, the Secretary of State for Digital, Culture, Media and Sport has decided not to add Newgate Farm to the List of Buildings of Special Architectural or Historic Interest.

Please follow the link below to download a copy of our advice report, prepared for the Department for Digital, Culture, Media and Sport, which gives the principal reasons for this decision. The annex of this report will be published on our Heritage Gateway website in order to provide clarity about the building's designation status. The website makes it clear that the buildings and sites included on the Heritage Gateway are mostly privately owned and are not open to the public.

<http://services.historicengland.org.uk/webfiles/GetFiles.aspx?av=3FADA5CF-CAC6-4EEE-A47A-35DE8BEC1F40&cn=6F715119-FB43-4906-AA75-977899495FC0>

If you consider that this decision has been wrongly made you may contact the DCMS within 28 days of the date of this letter to request that the Secretary of State review the decision. An example of a decision made wrongly would be where there was a factual error or an irregularity in the process which affected the outcome. You may also ask the Secretary of State to review the decision if you have any significant evidence relating to the special architectural or historic interest of the building which was not previously considered. Further details of the review criteria and process and how to request a review are contained in the annex to this letter.

Please do not hesitate to contact me if I can be of any further assistance. More

information can also be found on our website at <https://historicengland.org.uk>.

Yours sincerely

Cara Organ

Listing Coordinator

Listing Team North
Historic England
37 Tanner Row
York
YO1 6WP

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We will always store your personal details securely. We collect data that you provide to us and only ever collect the information we need in order to carry out our statutory purposes and that helps us to deliver and improve our services. We will only share personal data when we are required to by law or with carefully selected partners who work for us. If you would like to know more or understand your data protection rights, please take a look at our privacy policy.

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For a hard copy of the privacy policy please contact us.

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Historic England is subject to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 which provide a general right of access to information we hold. We may provide the information you have supplied in response to a request made under this legislation, subject to any exemptions which apply. Historic England will consult with external parties as necessary prior to releasing information.

Annex 1

Review Criteria and Process

A review will only be carried out in the following circumstances:

(1) there is evidence that the original decision has been made wrongly. Examples would include:

- where there was a factual error, eg. the wrong building was listed; or
- where there has been some irregularity in the process which has affected the outcome, eg. relevant considerations were not taken into account or irrelevant considerations were taken into account.

(2) there is significant evidence which was not previously considered, relating to the special architectural or historic interest of the building, as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990. An example would be where new evidence relating to the date of a building has been discovered which might make a material difference to the architectural or historic interest of the building. Having conducted a review, the Secretary of State will either affirm or overturn the original decision. It is important to understand that the original decision will stand until the Secretary of State has made a decision on whether the original decision should be affirmed or overturned. If the original decision is overturned, this will not have retrospective effect.

How to request a review of a listing decision

Reviews are carried out by the Department of Digital, Culture, Media and Sport and review requests should be made on the Department's 'Listing Review Request Form'. The Form is accompanied by Guidance to assist you in making a review request. Both the Form and the Guidance can be downloaded from the 'Reviews of Listing Decisions' page of the Department for Digital, Culture, Media and Sport's website at:

<https://www.gov.uk/how-to-challenge-our-decision-to-list-or-not-list-a-building>

If you are unable to access the website please contact:

The Listing and Scheduling Review Team (Heritage)
Department for Digital, Culture, Media and Sport
4th Floor
100 Parliament Street
London
SW1A 2BQ

Review requests should normally be made within 28 days of the date of this letter. Requests made beyond this period may be considered in exceptional circumstances.



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From:
To: [Planning](#)
Subject: Newgate Farm: Invitation to comment on Consultation Report
Date: 14 September 2020 18:23:37

Mr Chris France
Mr Chris France
Director of Planning
North Yorkshire Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Our Ref: 1472172

14 September 2020

Dear Sir or Madam,

Newgate Farm, Hackness, Scarborough

Invitation to Comment - closing date 21st September

I am writing to inform you that on behalf of the Secretary of State for Digital, Culture, Media and Sport, Historic England is currently considering whether Newgate Farm (marked on maps as Highdales) has special architectural or historic interest.

Please click on the link below to download a copy of our consultation report, which sets out the factual information upon which we will base our recommendation to the Secretary of State:

<http://services.historicengland.org.uk/webfiles/GetFiles.aspx?av=3FADA5CF-CAC6-4EEE-A47A-35DE8BEC1F40&cn=6F715119-FB43-4906-AA75-977899495FC0>

If you have any further information or observations on the consultation report which you believe might be relevant to our assessment we would be pleased to hear from you. You can send these to us by email to arrive before the close of play on Monday 21st of September, this being a shortened consultation period to accommodate a planning deadline. If you do not intend to send us any comments we would be grateful if you could let us know so that we can proceed with the case. We will consider all representations made before finalising our assessment and making our recommendation. We will notify you of the Secretary of State's decision in due course.

If you have any questions please do not hesitate to contact me, quoting our reference 1472172. Further guidance on how to respond to this consultation and the type of information we are interested in can be found on our website at <https://historicengland.org.uk>. We look forward to hearing from you.

Yours sincerely

Eric Branse-Instone

Listing Adviser - North

Listing Team North
Historic England
37 Tanner Row
York
YO1 6WP

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From:
To: [Planning](#)
Subject: Notification of Designation Application - Newgate Farm, Hackness, Scarborough
Date: 28 August 2020 14:12:58

Mr Chris France
Mr Chris France
Director of Planning
North Yorkshire Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Our Ref: 1472172
Direct Line:
EMail:

28 August 2020

Dear Sir or Madam,

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT
1990 BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC
INTEREST**

Newgate Farm, Hackness, Scarborough

I am writing to inform you that we have received an application to add the above building to the List of Buildings of Special Architectural or Historic Interest.

As the Government's statutory adviser on the historic environment with responsibility for listing, the Secretary of State for Digital, Culture, Media and Sport has asked us to assess whether the building holds special architectural or historic interest.

We are now beginning our assessment of the building and will be preparing our advice for the Secretary of State. If you would like to provide information or comments about the architectural or historic interest of the building at this stage, please send these to me by email or post. These will be taken into account when formulating our advice.

Once we have carried out the preliminary assessment we will be in touch again to send you a copy of our consultation report. This report will set out the factual information on which we will base our recommendation. At that stage you will again be invited to make any comments you wish to about the architectural or historic interest of the building. We will consider all representations made before finalising our assessment and making our recommendation to the Secretary of State. We will notify you of the Secretary of State's decision in due course.

In the meantime if you have any questions please do not hesitate to contact me on _____, quoting our reference 1472172. Further information can also be found on our website at <https://historicengland.org.uk>.

If this request is more relevant to one of your colleagues, I would be grateful if you could forward this correspondence to them. We look forward to hearing from you.

Yours sincerely

Cara Organ

Listing Coordinator

Listing Team North
Historic England
37 Tanner Row
York
YO1 6WP

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From:
To: [Planning](#)
Subject: Comments on NYM/2019/0619/FL - Case Officer Mrs J Bastow - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,
Date: 06 August 2020 22:07:11

Please see email to case officer

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

Preferred Method of Contact is: Post

Comment Type is Raise Concerns
Letter ID: 548962

From:

Cc: [Planning](#)

Subject: Comments on NYM/2019/0619/FL

Date: 06 August 2020 22:08:35

It is clear from the photos in the design and access statement that the site has retained historical and architectural integrity and makes a very strong positive contribution to the historical landscape. The lack of heritage statement is regrettable but in its absence based on the information to hand I make the following comments.

To the principal elevation the introduction of a formal porch is regrettable. This will as the design and access statement identifies add formality to the property. Central plan houses of this period if any embellishment tended to utilise a rusticated surround of alternate quoins. Visible at Hammer and Hand, Hutton le Hole; Fryup Hall, and nearby Thirley Cotes Farm, Harwood Dale to name a few. This type of embellishment is particularly characteristic of the lexicon of the North York Moors and it is a shame to dilute this with flat Doric porch which are not typical of the area, and where they do exist it is to higher status gentle buildings. If emphasis is required perhaps a lime wash to the quoins would achieve the same emphasis? It would also be better to maintain the solid roof and omit the rooflight which appears odd on the otherwise charming roofscape. Of course I accept that these elements of the design are PD but would appreciate the applicant considering my comments.

Loss of rear element – I have concerns as the approach appears to be that because it is not ‘original’ it is not of significance, which is not necessary the case. From at least 1881-1901 the farm was run by Edward Hopper, but by 1911 his wife was the head of the household. In 1913 Hopper Bros, is listed in the Kelly’s directory as a trade at the farm and by the 1914 OS map this section of building is depicted. Kitchens had been moved to allow for the relief of functions to rooms within the main house for some time. It was common for them to have mens’ rooms over, often with no fire place as they were over the kitchen. Often mens’ rooms did not have direct access into the main house to restrict movement, alterations of the two doorways will likely had rubbed out any evidence of this. The timing of the extension and the layout alongside known patterns of inhabitation suggest this this was constructed upon the death of the farmer to relive space in the house and to a degree a new owner want to ‘make their mark’. Another factor could be that often wives were left with dedicated rooms to inhabit in their husbands will, which would have reduced the space available for the son’s family. This type of development is seen elsewhere in the area such as at West Farm; Pockley and Becksid Farm, Danby. Whatever the history extending to the rear is another layer of this and so reasonable. It is regrettable to lose this layer of historical value which is executed in such a typical fashion for this type of central plan farmhouse, and in harmony with the building. No more space is achieved by the proposal for this element and there is no plan to reinstate the probable stair window, instead to light the space the uninspired approach has been to insert yet another rooflight. It does seem a shame not to incorporate this element of the building into the design scheme and the proposal seems based purely on the desire to create a roof terrace, which it totally incongruous to a farm complex. Roof terraces were born out of the desire for outside space in settlements (mostly in Europe) where land was a premium and could not be turned over for outside space. With over 400 acres, this does not appear to be the reason here. In particular I think the combination of stonework with a flat roof, and glass and pole balustrade is acutely jarring to the eye in this setting. It does not pay sufficient homage to the host building like the side extension, nor is it sufficiently honest like the glazed link both discussed later.

It was not uncommon to extend to the side of a central plan farmhouse either for human or animal inhabitation. Whilst it is modestly regrettable to lose the view from the entry of that very solid gable, it is not particularly harmful. The design of the extension seeks to utilise traditional materials and profiles, with a modern twist, which I am not objectionable to. I do believe it could be better executed with the omission of the high level window to the stone bay and the use of a chimney stack rather than a flue to reflect the rest of the house. The chimneys in the outbuilding set a precedence for their use away from the principal dwelling. Flue’s protruding off centre of the roof never achieve the same level of finesse that a chimney will. The roof lantern although bold, because it is nestled against the main property despite its size is more discrete than the rooflight to the main dwelling, I therefore raise no concerns about its inclusion. What is highly regrettable is the loss of the garden wall to this section which is evident from the earliest mapping and has potential to predate the farm. It is always been the northern boundary of domestic curtilage associated with the farmhouse, separating it clearly from the agricultural space. Its loss adds to the impact of the attrition of agricultural character through landscaping which is proposed which is in my opinion the most harmful element of these proposals. The loss of this wall on balance is not acceptable for the sake of a view in my professional opinion and would I would

better be able to support an application that secured its retention.

Normally I would have more concerns about the bisecting of a farmyard but in this instance the enclosure from the east is not an uncommon in design with this period of building in the area (reference to again to nearby Thirley Cotes Farm) and the use of glazing will help maintain the readability of the site. I appreciate the 'bookend' theme but think this would be better achieved with a pitched roof stone section. This would maintain the integrity of the range roofscape in a similar approach to the side extension. I appreciate the revision in this regard.

The revised plans for the outbuildings are a vast improvement than the original proposals which were almost brutalist inspired and created too many openings on the north elevation which is typically blank or with a high solid to void ratio for thermal mass. Ordinarily I would suggest that the large rooflight be placed face inward to the yard, more typical for openings but as the first floor level of this inward elevation is totally blank it would be a shame to break it up. Thus the rear in this case is the least harmful option. I would suggest that the rooflight for the en-suite should be smaller to allow for ventilation and building regulations but remain discrete. The remaining development appears to largely utilise the existing openings, if this was a designated farmstead I would have concerns but on balance (the test for non-designated heritage assets) I raise no objection.

The relatively sensitive treatment of the outbuildings is unfortunately invalidated by the treatment domesticating landscaping of the site in particular the creation of a terrace with the farmyard and to the front of the principal building and the loss of the stairs is harmful. Whilst I appreciate is it pleasing to the eye, it compromises the integrity of the space and the separation of domestic and agricultural; and overall undermines the significance of the site. Whilst many elements of the design are completely compatible with the building the landscape treatment and the roof terrace in particular will pollute the character of the place. The impact these elements have overall is that the design does not appear draw inspiration from the existing. It is particularly damaging to the strong positive contribution it makes to the agricultural historic landscape of the North York Moors. Whilst there are ways to mitigate this loss in terms on the farmstead as whole such as Historic Building Recording, this is unlikely to mitigate the landscape impact of the domestication and intensification of the site in this remote dale.

From:

Subject: FW: Newgate Farm NYM/2019/0619/FL
Date: 12 August 2020 10:05:08

Revised Building Conservation comments to book in please.

From: Building
Sent: 12 August 2020 09:32
To: Jill Bastow
Subject: Newgate

It is clear from the photos in the design and access statement that the site has retained historical and architectural integrity and makes a very strong positive contribution to the historical landscape. The lack of heritage statement is regrettable but in its absence based on the information to hand I make the following comments.

To the principal elevation the introduction of a formal porch is regrettable. This will as the design and access statement identifies add formality to the property. Central plan houses of this period if any embellishment tended to utilise a rusticated surround of alternate quoins. Visible at Hammer and Hand, Hutton le Hole; Fryup Hall, and nearby Thirley Cotes Farm, Harwood Dale to name a few. This type of embellishment is particularly characteristic of the lexicon of the North York Moors and it is a shame to dilute this with flat Doric porch which are not typical of the area, and where they do exist it is to higher status gentle buildings. If emphasis is required perhaps a lime wash to the quoins would achieve the same emphasis? It would also be better to maintain the solid roof and omit the rooflight which appears odd on the otherwise charming roofscape. Of course I accept that these elements of the design are PD but would appreciate the applicant considering my comments.

Loss of rear element – I have concerns as the approach appears to be that because it is not 'original' it is not of significance, which is not necessarily the case. From at least 1881-1901 the farm was run by Edward Hopper, but by 1911 his wife was the head of the household. In 1913 Hopper Bros, is listed in the Kelly's directory as a trade at the farm and by the 1914 OS map this section of building is depicted. Kitchens had been moved to allow for the relief of functions to rooms within the main house for some time. It was common for them to have mens' rooms over, often with no fire place as they were over the kitchen. Often mens' rooms did not have direct access into the main house to restrict movement, alterations of the two doorways will likely have rubbed out any evidence of this. The timing of the extension and the layout alongside known patterns of inhabitation suggest this was constructed upon the death of the farmer to relieve space in the house and to a degree a new owner want to 'make their mark'. Another factor could be that often wives were left with dedicated rooms to inhabit in their husbands will, which would have reduced the space available for the son's family. This type of development is seen elsewhere in the area such as at West Farm; Pockley and Beckside Farm, Danby. Whatever the history extending to the rear is another layer of this and so reasonable. It is regrettable to lose this layer of historical value which is executed in such a typical fashion for this type of central plan farmhouse, and in harmony with the building. Very little additional space is achieved and there appears to be sufficient space to accommodate a downstairs WC and corridor as desired.

It was not uncommon to extend to the side of a central plan farmhouse either for human or animal inhabitation. Whilst it is modestly regrettable to lose the view from the entry of that very solid gable, it is not particularly harmful. The design of the extension seeks to

utilise traditional materials and profiles, with a modern twist, which I am not objectionable to. I do believe it could be better executed with the use of a chimney stack rather than a flue to reflect the rest of the house. The chimneys in the outbuilding set a precedence for their use away from the principal dwelling. Flue's protruding off centre of the roof never achieve the same level of finesse that a chimney will. The roof lantern although bold, because it is nestled against the main property despite its size is more discrete than the rooflight to the main dwelling, I therefore raise no concerns about its inclusion. What is highly regrettable is the loss of the garden wall to this section which is evident from the earliest mapping and has potential to predate the farm. It is always been the northern boundary of domestic curtilage associated with the farmhouse, separating it clearly from the agricultural space. Its loss adds to the impact of the attrition of agricultural character through landscaping which is proposed which is in my opinion the most harmful element of these proposals. The loss of this wall on balance is not acceptable for the sake of a view in my professional opinion and would I would better be able to support an application that secured its retention.

Normally I would have more concerns about the bisecting of a farmyard but in this instance the enclosure from the east is not an uncommon in design with this period of building in the area (reference to again to nearby Thirley Cotes Farm) and the use of glazing will help maintain the readability of the site. I appreciate the 'bookend' theme but think this would be better achieved with a pitched roof stone section. This would maintain the integrity of the range roofscape in a similar approach to the side extension. I appreciate the revision in this regard.

The revised plans for the outbuildings are a vast improvement than the original proposals which were almost brutalist inspired and created too many openings on the north elevation which is typically blank or with a high solid to void ratio for thermal mass. Ordinarily I would suggest that the large rooflight be placed face inward to the yard, more typical for openings but as the first floor level of this inward elevation is totally blank it would be a shame to break it up. Thus the rear in this case is the least harmful option. I would suggest that the rooflight for the en-suite should be smaller to allow for ventilation and building regulations but remain discrete. The remaining development appears to largely utilise the existing openings, if this was a designated farmstead I would have concerns but on balance (the test for non-designated heritage assets) I raise no objection.

The relatively sensitive treatment of the outbuildings is unfortunately somewhat invalidated by the treatment domesticating landscaping of the site in particular to the front of the principal building and the loss of the stairs is harmful. Although landscaping if often a smaller part of the development on a site this size it is a greater impact on character than many building alterations. Whilst I appreciate it is pleasing to the eye, it compromises the integrity of the space and the separation of domestic and agricultural; and overall undermines the significance of the site. Unlike normal domestic houses the domestic garden space for farmhouses of the period was almost exclusively to the front with the agricultural activity to the rear with clear delineation. Whilst many elements of the design are completely compatible with the building the landscape treatment will pollute the character of the place. The impact these elements have overall is that the design does not appear draw inspiration from the existing, rather they are superimposed. It is particularly damaging to the strong positive contribution the site makes to the agricultural historic landscape of the North York Moors. Whilst there are ways to somewhat mitigate this loss in terms of the farmstead as a unit such as Historic Building Recording, this is unlikely to mitigate the landscape impact of the level of domestication of the site in this remote dale.

From:
To: [Planning](#)
Subject: FW: Response To Application Number NYM19/619/FL at Newgate Farm, Rice Gate, Hackness
Date: 11 August 2020 10:06:04

Highway comments to book in please

From: Kay Aitchison
Sent: 07 August 2020 13:26
To: Jill Bastow
Subject: RE: Response To Application Number NYM19/619/FL at Newgate Farm, Rice Gate, Hackness

Hi Jill

Sorry for not responding to this one, we don't appear to have received the notification of the amended details.

I have looked at the new details and the application still appears to be an intensification of use of the site, upgrading and extending the existing farmhouse, converting the barns into two more dwellings and a new large storage barn. In my original recommendation I have concerns regarding the narrow access roads from Hackness to Newgate Farm and the lack of available space for existing passing places or the possibility to add new passing places. The changes I can see do not alleviate my concerns, I have particular issue with the access during the development period with large vehicles delivering materials needing to access the site and the effect this would have on the other properties along that route.

I appreciate that this is an existing house and it would be beneficial to renovate it and bring it back into use, however the proposed revised details are for a more intensive development of the site. I can't see that the revisions have reduced the development of a level I would be happy with.

Please consider my original recommendation for refusal as unchanged.

Kind Regards

Kay Aitchison

Project Engineer

Area 3 Whitby
Whitby Highways Depot
Discovery Way
Whitby
YO22 4PZ

If you intend to reply to this message please respond to:

<https://www.northyorks.gov.uk/coronavirus-advice-and-information>



Please find attached my response in relation to the above planning application.

Regards

Kay Aitchison

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North Yorkshire County Council.



North York Moors
National Park

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www.northyorkmoors.org.uk

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North Yorkshire County Council.

From: Elspeth Ingleby
Sent: 10 July 2020 15:08
To: Jill Bastow
Subject: RE: Newgate Hackness

Hi Jill

I am disappointed that there is nothing further provided regarding the general ecology of the tributary, which was omitted from the original ecological survey, however as the proposed culverted stretch is so near the source it is likely that the tributary behaves more as a field drain than a watercourse, and therefore is likely to be of less permanence and lower biodiversity value than the main stream. With the absence of the white-clawed crayfish now established, it would be on balance be unreasonable to maintain my objection and so I will withdraw it. Works should be carried out at a period of low water flow, with any water present pumped around the work site until the culverting is complete and can be brought fully into use.

Thanks

Elspeth

From: Elspeth Ingleby
Sent: 22 June 2020 14:18
To: Jill Bastow
Subject: RE: Newgate Hackness

Hi Jill

Regarding the bat issue specifically, whilst I would prefer a loft to be located in a comparable (ie 2 story) building, the revised mitigation proposals include two large lofts in unheated spaces which are relatively unlikely to be modified or altered in future which should therefore secure appropriate alternative maternity roost and day roost habitat for the species present and I **withdraw my objection** to this aspect of the scheme. A bat licence will be required for the development to go ahead, and if approved we should condition that a copy of this licence is submitted to the LPA prior to the licensable works commencing. Section 7.0 of the Bat Survey covering mitigation and compensation should also be conditioned as this incorporates appropriate method statements and details regarding the compensatory habitats including the provision of bat tubes and boxes in addition to the bat lofts with integrated access gaps and boards to diversify the roosting habitats inside. It should be noted that works are seasonally restricted by the requirement to not disturb maternity bat roosts, and therefore breeding birds should not be impacted by the development, however it would be useful to include a bird informative with the decision notice to inform the applicant about their legal responsibilities in this regard.

I do not believe we have received any further information regarding the culverting of the stream to enable landscaping proposals to proceed and I therefore **maintain my objection** to this aspect of the scheme until further information regarding the potential ecological impact of these proposals are submitted. As identified within the previously submitted PEA and in my previous comments, white-clawed crayfish, which are a UK Protected Species, are known to be present downstream of the application site, and therefore a survey is required to determine potential presence at the application site itself. This cannot be conducted until mid-July at the earliest, and would typically be required pre-determination. As details of the suitability of the length of stream affected by the culverting works for crayfish have been submitted, insufficient information has been given to enable us to determine whether the risk of potential impacts is sufficiently low to enable this to be dealt with by condition, or whether the findings could be pivotal to the acceptability of the scheme.

Many thanks

Elsbeth

Elsbeth Ingleby MA_{Cantab} ACIEEM

Ecologist

North York Moors National Park Authority

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

From: Elspeth Ingleby
Sent: 22 June 2020 14:18
To: Jill Bastow
Subject: RE: Newgate Hackness

Hi Jill

Regarding the bat issue specifically, whilst I would prefer a loft to be located in a comparable (ie 2 story) building, the revised mitigation proposals include two large lofts in unheated spaces which are relatively unlikely to be modified or altered in future which should therefore secure appropriate alternative maternity roost and day roost habitat for the species present and I **withdraw my objection** to this aspect of the scheme. A bat licence will be required for the development to go ahead, and if approved we should condition that a copy of this licence is submitted to the LPA prior to the licensable works commencing. Section 7.0 of the Bat Survey covering mitigation and compensation should also be conditioned as this incorporates appropriate method statements and details regarding the compensatory habitats including the provision of bat tubes and boxes in addition to the bat lofts with integrated access gaps and boards to diversify the roosting habitats inside. It should be noted that works are seasonally restricted by the requirement to not disturb maternity bat roosts, and therefore breeding birds should not be impacted by the development, however it would be useful to include a bird informative with the decision notice to inform the applicant about their legal responsibilities in this regard.

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Many thanks

Elspeth

Elspeth Ingleby MA_{Cantab} ACIEEM

Ecologist

North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York YO62 5BP

From:
To: [Jill Bastow](#)
Cc: [Planning](#)
Subject: NYM/2019/0619/FL - Newgate Farm, Rice Gate, Hackness
Date: 09 June 2020 16:52:22

Dear Jill

I have now had time to look through the recently submitted information, including the updated bat survey, the Preliminary Ecological Appraisal, and the amended plans. I am now satisfied regarding some points, although further information and/or clarification is required before the application can be determined.

Protected species within the buildings

The revised bat survey is thorough, and identifies use of both the farmhouse and barn by a range of species and includes maternity, day and hibernation roosts. I am satisfied that the information, in terms of bat activity and roost presence provided is sufficient to determine the application (with the proviso that this is of course time limited and should development be delayed significantly further surveys may be necessary to inform the planning process). I note however, that although the mitigation within the bat survey report identifies that a bat loft will be provided in the main house (and the illustration in 7.10.4 of the survey indicates that this is recommended to be in the main two-story section of the existing farmhouse) the revised plans submitted on 14 April 2020 as shown in plan reference 1346_AR30_01_B indicate that this section of the building is proposed to be opened to living space with roof lights and a standard window in the western gable end wall. I would assert that this does not appear to be compatible with the proposed mitigation.

If the applicant, architect and bat ecologist are in agreement that the required replacement bat loft can be adequately provided elsewhere, including consideration of height of the loft and any flues or other features which could impact roosting conditions, then the bat survey should be updated to reflect this and plans provided to indicate where this will be, access points etc. If other locations on the site would not provide appropriate mitigation as required due to the proposed destruction of three maternity roosts and a hibernation roosts (in addition to the day roosts), then plans will need to be modified to enable the inclusion of the bat loft within the main roof area of the farm house as proposed by the surveying ecologist.

PEA and general landscaping

The PEA provided is detailed and thorough, however I note that the survey area as illustrated in Appendix 2 (11.2) of the report does not include the whole length of the tributary to be culverted and diverted to enable the creation of barns and parking in the west of the site. If there is a specific reason why this area appears to have been excluded from assessment, then this should be presented for our consideration.

I also note that the assessment of impact has been carried out prior to the decision to remove the proposed lake from the plans. This will have a significant influence on the assessment of impact made by Wold Ecology, as for a wide range of the features assessed the lake was cited as either a benefit, for example in the case of some foraging bird and bat species, or as a negative impact, such as the potential loss of bullhead fish and valuable riparian habitat. It is not possible for us to accurately assess the level of importance the surveying ecologist gave to these different features and so it would be appropriate for the survey report to be updated in light of this significant alteration to the landscaping proposals. It will be important within the update for the

impact of proposals for Highdales beck to 'be cleared of obstructions, dredged and reinstated as required' (as indicated in drawing number 1346_AR10_02_E submitted on 30 April 2020) and the extensive culverting of the tributary proposed to be assessed.

The report indicates that further survey to determine the potential presence of White-clawed Crayfish is required. This cannot be carried out until July 2020 at the earliest. Typically this survey would be required pre-determination as the potential impact on this rare and declining species could be significant, however since proposals for the aquatic environment of the site have now changed substantially, I will reserve judgement of whether this survey can be conditioned or required prior to determination until the updated assessment of the likely ecological impacts of the stream culverting and modifications has been submitted.

I hope that's all clear, but any questions please let me know.

Thanks

Elspeth

Elspeth Ingleby MA_{Cantab} ACIEEM

Ecologist

North York Moors National Park Authority

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

From:
To: [Planning](#)
Subject: Comments on Newgate Farm, Rice Gate, Hackness, - NYM/2019/0619/FL
Date: 30 April 2020 12:00:29

In exercise of my delegated powers, I would confirm the amended application has been considered by councillors. The objections as stated on 10th November 2019 stand.

Councillors struggle to place much weight on the statements made by Ric Blenkarn at points 1 and 2 in his email of 8/4/2020 to Jill Bastow.

While there have been some minor changes in the configuration of the internal layout of the two storey annexe accommodation resulting in the loss of a downstairs bedroom, it should be pointed out that re-naming the gun room as boots/cloaks/utility doesn't really convince people that there is no intention to use the property for commercial shooting purposes. It is also noted that the internal staircase has been removed and placed on the outside wall as well as replacing the glazed roof panel with a huge projecting oriel window which look totally out of keeping.

It is stated that the house and barn are no longer to be used as a commercial shoot location - the shoot having been organised by a third party. The applicant for 2019/0619/FL is also a director of the company 4Gun Estates LLP which has submitted 2019/0832 as a part retrospective application to create new tracks and repair existing ones. Councillors have considerable difficulty in believing that there is no long term intention to run a shoot from Newgate Farm or to shoot over its land.

Councillors are aware of strong feelings held by parishioners regarding the impact of the shooting activities of recent months and the problems caused by the huge numbers of birds released, many of which are left to rot where they drop on shoot days or (if they survive the shoot) have to scavenge for food in parishioners land/gardens.

The road to Newgate Farm is public highway and very narrow - there are minimal passing places. Council would not be in favour of any attempts to increase or restrict the use of this road or reduce the length of the public highway since that would have an unacceptable impact on the highway access rights of the other dwellings on the road.

--

J Marley (Mrs) CiLCA
Clerk to Hackness and Harwood Dale Group Parish Council
(comprising the parishes of Broxa cum Troutsdale, Darncombe cum Langdale End, Hackness, Harwood Dale, Silpho, and Suffield cum Everley).

Annan,
41 Scalby Road,
Burniston,
Scarborough

ame before your call is accepted.)

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Any opinions expressed are those of the author and not necessarily the view of the Council.

On 15/04/2020 11:22, planning@northyorkmoors.org.uk wrote:

From:
To: [Planning: Jill Bastow](#)
Subject: RE: Newgate Farm, Rice Gate, Hackness, - NYM/2019/0619/FL
Date: 17 April 2020 09:11:28

Hi Jill

I have the following comments to make on this re-consultation:

With the amended plans now showing the omission of the lake, public footpath 020 will no longer be affected. I therefore withdraw my previous objection relating to this particular element of the original planning application.

However, there is still the outstanding issue with public footpath 712, which I believe has previously been unofficially diverted. I understand the legal line of this footpath to run to the west of Highdales Beck and east of the existing stone boundary wall. I therefore believe this footpath to be currently obstructed by the existing fence to the north east of the property. Looking at the amended plans, the legal line of this footpath will run within the fenced garden for a short distance and it will remain obstructed as there is no indication to show a way through the boundary fence.

There are two possible options to resolve this outstanding issue with footpath 712.

1. Open the legal line by providing a hand gate in the boundary fence.
2. Legally divert the public footpath onto an acceptable new line.

Option 2 would still require the current legal line to be open and available to allow for statutory consultees to compare both current and proposed routes. The procedure to legally divert the path could be a lengthy process, particularly if objections are made. The landowner/developer would need to meet all the costs incurred to divert the footpath.

I'm happy to discuss in more detail if necessary.

Many thanks
Regards
David

David Smith
Senior Ranger (South)
Park Services

-----Original Message-----

From: Planning
Sent: 15 April 2020 11:17
To: David Smith
Subject: Newgate Farm, Rice Gate, Hackness, - NYM/2019/0619/FL

You have received this email from North York Moors National Park Authority (Planning Service) in relation to a planning matter at Newgate Farm, Rice Gate, Hackness, .

The attached correspondence contains important information; please retain it for your records.

If this is a consultation/re-consultation and you are set up with a log-in username and password, please click the link <http://tinyurl.com/z5qmn4j>

In any correspondence, please quote the Council reference number, which is included in the attached letter.

If you are a statutory consultee and would like to use electronic correspondence via our e-consultation site please contact the Planning Dept via email at planning@northyorkmoors.org.uk who will be happy to set you up with a log-in username and password..

From: [Elsbeth Ingleby](#)
To: [Jill Bastow](#)
Cc: [Planning](#)
Subject: NYM/2019/0619/FL - Newgate Farm, Hackness
Date: 02 December 2019 14:01:42

Dear Jill

This application incorporates plans for extensive re-landscaping of the land around the existing building, including but not limited to the creation of a new lake, diversion to culvert and infilling of a watercourse, dredging/channel alterations to another watercourse, removal of trees/shrubs and the installation of an impounding structure for the lake creation. All of these impacts may have a material impact on the local ecology and biodiversity features present.

Before this application can be fully considered, the applicant will need to submit a Preliminary Ecological Appraisal to illustrate the existing ecological interest of the site and appraise how the interest will be affected by the proposals along with any priority species that may be supported by the site.

I note that a Bat Survey has already been submitted in support of this application. Further information has been requested relating to this survey by YWT and so I have not fully assessed this report, however it was identified that birds are nesting in the existing buildings although further details regarding the likely number or species affected have not been supplied. The required PEA will need to include an assessment of existing/potential bird breeding sites of the buildings as well as the wider site to enable us to assess the likely impact of the proposals.

Many thanks

Elsbeth

Elsbeth Ingleby MA_{Cantab} ACIEEM

Ecologist

North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York YO62 5BP

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM19/619/FL**

Proposed Development: Application for demolition of existing two-storey rear extension, alterations and construction of single storey side and rear extensions to dwelling together with link extension to outbuilding, conversion of outbuilding to form annexe accommodation, conversion of barn to form garaging and storage, erection of detached storage barn, landscaping works, formation of lake and works to existing driveway

Location: Newgate Farm, Rice Gate, Hackness

Applicant: Mr & Mrs Ramsey

CH Ref: **Case Officer:** Kay Aitchison

Area Ref: 4/21/89 **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 25 November 2019

FAO: Jill Bastow **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 application is for the refurbishment and renovation of an existing farmhouse which has been un-lived in for a number of years and the conversion of a barn to two self contained residential units. The proposal also includes works to the un-adopted access track, construction of a new lake and diversion of a watercourse. These proposals are quite extensive in a very rural location will the site being accessed by a very narrow single track highway with very few passing places, most of which are un-constructed. There is no available verge space to provide additional passing places as the road is bounded by a river on one side and high verges on the other. The local highway authority has concerns that the construction traffic and equipment needed to build the proposals contained in the application would not be suitable in terms of size and weight for the existing highway and could cause severe damage to the carriageway and unsupported banks of both Lowdales Beck and Highdales Beck. There is also no indication contained in the application what the two additional residential units would be used for, and any intensification of the use of this very narrow highway with very few passing places is not supported by the local highway authority. A more modest renovation of the property could be supported subject to the submission and approval of the amended design.

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

NYM19/619/FL

Application No:

Consequently, the Local Highway Authority recommends that Planning Permission is **REFUSED** for the following reasons:

1. R1 ROADS LEADING TO THE SITE

The Planning Authority considers that the roads leading to the site are by reason of their poor alignments, poor junctions, insufficient widths, poor condition, proximity of an unsupported river bank and lack of passing places and lack of turning area considered unsuitable for the traffic which would be likely to be generated by this proposal.

2. R4 WIDTH OF EXISTING HIGHWAY

The Planning Authority considers that the public highway leading to the site is of insufficient width to accommodate the increase in heavy traffic, without serious damage to the carriageway and verges of the highway and loss in amenity value

Signed:

Kay Aitchison

For Corporate Director for Business and Environmental Services

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

e-mail: |

From:
To: [Planning](#)
Cc: [Elsbeth Ingleby](#)
Subject: NYM/2019/0619/FL
Date: 25 November 2019 11:58:24

Thank you for consulting the Trust on the above application.

We have a few queries with regards to the bat survey report which we would like resolved prior to determination.

Two nocturnal surveys have been conducted of the buildings which have identified a significant number of roosts within the buildings. However, these surveys were conducted in close proximity (within the same week) which is not in accordance with BCT guidance to undertake surveys as far as part as possible over the survey season, at least two weeks apart. We would like to request further justification from the ecologist why these surveys were done so close together. We would also like clarification over why the third survey of the house (again in accordance with BCT guidance) has not yet been conducted. As the building was assessed to provide high roosting potential a minimum of three nocturnal surveys must be conducted in order to identify the presence/absence of roosts in other areas of the building. This would also identify the presence/absence of other species and would be appropriate to be spread across the survey season due to the potential of roost sharing by different bat species.

We would also like to request some clarification over the timing of the mitigation strategy. 7.3.2.1 states that the winter period will be avoided (to avoid impacts to hibernating bats), however 7.3.2.2 recommends works are undertaken mid-September to mid-April. Whilst the winter period could still be avoided, it is not clear when the works will be conducted and if they can be completed within this shortened time frame. There also does not appear to be consideration of the usage of the buildings as transitory roosts which are used by bats in between summer roosting and hibernation roosts. Bats will still be active over the period suggested and may move to different roosts, particularly if the weather is mild (above 7°C). Ideally we would wish to see the mitigation (bat loft) created prior to exclusion of the roosts, however this does not appear to be possible with the current design. We would therefore like to see clear clarification over the timeline proposed for works and exclusion. We would be encouraged to see monitoring of the site for transitory and hibernation roosts which would provide further confidence and flexibility for the proposed works.

Protected species are a material consideration and the LPA must be confident that their favourable conservation status is protected by the proposals, prior to granting permission.

I would be happy to discuss this further with yourselves or the ecologist if necessary.

Regards,

Laura Hobbs

Conservation Planning Officer
Yorkshire Wildlife Trust

Tel:

Email:

Website: <http://www.ywt.org.uk>

From:
To: [Planning](#)
Subject: RE: Newgate Farm, Rice Gate, Hackness, - NYM/2019/0619/FL
Date: 21 November 2019 11:19:01
Attachments: [image002.png](#)

Dear Sir or Madam,

Thank you for seeking the Forestry Commission's advice about the impacts that this application may have on Ancient Woodland. As a non-statutory consultee, the Forestry Commission is pleased to provide you with the attached information that may be helpful when you consider the application:

- Details of Government Policy relating to ancient woodland
- Information on the importance and designation of ancient woodland

Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless "*there are wholly exceptional reasons and a suitable compensation strategy exists*" (National Planning Policy Framework paragraph 175).

We also particularly refer you to further technical information set out in Natural England and Forestry Commission's [Standing Advice on Ancient Woodland](#) – plus supporting [Assessment Guide and Case Decisions](#).

As a Non Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather we are including information on the potential impact that the proposed development would have on the ancient woodland.

These comments are based upon information available to us through a desk study of the case, including the [Ancient Woodland Inventory](#) (maintained by Natural England), which can be viewed on the [MAGIC Map Browser](#), and our general local knowledge of the area.

We suggest that you take regard of any points provided by Natural England about the biodiversity of the woodland.

We also assume that as part of the planning process, the local authority has given a screening opinion as to whether or not an Environmental Impact Assessment is needed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. If not, it is worth advising the applicant to approach the Forestry Commission to provide an opinion as to whether or not an Environmental Impact Assessment is needed under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended.

We hope these comments are helpful to you. If you have any further queries please do not hesitate to contact me.

Yours faithfully,

Serena Clifford

Y&NE Area Administration Officer
Forestry Commission
Yorkshire & North East Area
Foss House, King's Pool,
1-2 Peasholme Green,
York
YO1 7PX

Please note our new email address, please update your records.

Tel:

www.gov.uk/forestrycommission

Protecting and expanding England's forests and woodlands, and increasing their value to society and the environment

A summary of Government policy on ancient woodland

[Natural Environment and Rural Communities Act 2006](#) (published October 2006).

Section 40 – “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.

[National Planning Policy Framework](#) (published July 2018).

Paragraph 175 – “*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*”.

[National Planning Practice Guidance](#) – Natural Environment Guidance. (published March 2014)

This Guidance supports the implementation and interpretation of the National Planning Policy Framework. This section outlines the Forestry Commission's role as a non statutory consultee on “*development proposals that contain or are likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites (PAWS) (as defined and recorded in [Natural England's Ancient Woodland Inventory](#)), including proposals where any part of the development site is within 500 metres of an ancient semi-natural woodland or ancient replanted woodland, and where the development would involve erecting new buildings, or extending the footprint of existing buildings*”

It also notes that ancient woodland is an irreplaceable habitat, and that, in planning decisions, **Plantations on Ancient Woodland Sites (PAWS) should be treated equally in terms of the protection afforded to ancient woodland in the National Planning Policy Framework**. It highlights the Ancient Woodland Inventory as a way to find out if a woodland is ancient.

[The UK Forestry Standard](#) (4th edition published August 2017).

Page 23: “Areas of woodland are material considerations in the planning process and may be protected in local authority Area Plans. These plans pay particular attention to woods listed on the Ancient Woodland Inventory and areas identified as Sites of Local Nature Conservation Importance SLNCIs”.

[Keepers of Time](#) – A Statement of Policy for England's Ancient and Native Woodland (published June 2005).

Page 10 “The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland”.

[Natural Environment White Paper “The Natural Choice”](#) (published June 2011)

Paragraph 2.53 - This has a “renewed commitment to conserving and restoring ancient woodlands”.

Paragraph 2.56 – “The Government is committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland sites”.

[Standing Advice for Ancient Woodland and Veteran Trees](#) (first published October 2014, revised November 2018)

This advice, issued jointly by Natural England and the Forestry Commission, is a material consideration for planning decisions across England. It explains the definition of ancient woodland, its importance, ways to identify it and the policies that are relevant to it.

The Standing Advice refers to an [Assessment Guide](#). This guide sets out a series of questions to help planners assess the impact of the proposed development on the ancient woodland.

[Biodiversity 2020: a strategy for England’s wildlife and ecosystem services](#) (published August 2011).

Paragraph 2.16 - Further commitments to protect ancient woodland and to continue restoration of Plantations on Ancient Woodland Sites (PAWS).

Importance and Designation of Ancient and Native Woodland

Ancient Semi Natural Woodland (ASNW)

Woodland composed of mainly native trees and shrubs derived from natural seedfall or coppice rather than from planting, and known to be continuously present on the site since at least AD 1600. Ancient Woodland sites are shown on Natural England’s Inventory of Ancient Woodland.

Plantations on Ancient Woodland Site (PAWS)

Woodlands derived from past planting, but on sites known to be continuously wooded in one form or another since at least AD 1600. They can be replanted with conifer and broadleaved trees and can retain ancient woodland features, such as undisturbed soil, ground flora and fungi. Very old PAWS composed of native species can have characteristics of ASNW. Ancient Woodland sites (including PAWS) are on Natural England’s Inventory of Ancient Woodland.

Other Semi-Natural Woodland (OSNW)

Woodland which has arisen since AD 1600, is derived from natural seedfall or planting and consists of at least 80% locally native trees and shrubs (i.e., species historically found in England that would arise naturally on the site). Sometimes known as ‘recent semi-natural woodland’.

Other woodlands may have developed considerable ecological value, especially if they have been established on cultivated land or been present for many decades.

Information Tools – The Ancient Woodland Inventory

This is described as provisional because new information may become available that shows that woods not on the inventory are likely to be ancient or, occasionally, vice versa. In addition ancient woods less than two hectares or open woodland such as ancient wood-pasture sites were generally not included on the inventories. For more technical detail see [Natural England's Ancient Woodland Inventory](#). Inspection may determine that other areas qualify.

As an example of further information becoming available, Wealden District Council, in partnership with the Forestry Commission, Countryside Agency, the Woodland Trust and the High Weald AONB revised the inventory in their district, including areas under 2ha. Some other local authorities have taken this approach.

Further Guidance

[Felling Licences](#) - Under the Forestry Act (1967) a Felling Licence is required for felling more than 5 cubic metres per calendar quarter. Failure to obtain a licence may lead to prosecution and the issue of a restocking notice.

[Environmental Impact Assessment](#) - Under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended, deforestation which is likely to have a significant impact on the environment may also require formal consent from the Forestry Commission.

From: planning@northyorkmoors.org.uk [mailto:planning@northyorkmoors.org.uk]

Sent: 04 November 2019 15:22

To: FS, Yorkshire and North East Area

Subject: Newgate Farm, Rice Gate, Hackness, - NYM/2019/0619/FL

You have received this email from North York Moors National Park Authority (Planning Service) in relation to a planning matter at Newgate Farm, Rice Gate, Hackness, .

The attached correspondence contains important information; please retain it for your records.

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In any correspondence, please quote the Council reference number, which is included in the attached letter.

If you are a statutory consultee and would like to use electronic correspondence via our e-consultation site please contact the Planning Dept via email at planning@northyorkmoors.org.uk who will be happy to set you up with a log-in username and password..

If you cannot open the attachment you can download the following software free of charge:

- Microsoft Word Viewer for Word attachments.
- Adobe Reader for PDF attachments.



PRINCESS ROYAL
TRAINING AWARD
2018

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www.northyorkmoors.org.uk

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From: [Mark Antcliff](#)
To: [Planning](#)
Subject: NYM/2019/0619/FL Newgate Farm, Rice Gate, Hackness
Date: 13 November 2019 10:55:29

NYM/2019/0619/FL Newgate Farm, Rice Gate, Hackness

The application form states that there are no trees or hedges on the site and that there are none on adjacent land that could influence the development.

Our most recent aerial photographs indicate that there are trees, shrubs or hedges within the red line area and in close proximity to the proposed lake. We will require the applicant to submit a tree survey and arboricultural impact assessment covering these prior to determination.

Mark Antcliff
13 November 2019

From:
To: [Planning](#)
Subject: Comments on NYM/2019/0619/FL
Date: 10 November 2019 18:16:50

Demolition of existing two-storey rear extension, alterations and construction of single storey side and rear extensions to dwelling together with link extension to outbuilding, conversion of outbuilding to form annexe accommodation, conversion of barn to form garaging and storage, erection of detached storage barn, landscaping works, formation of lake and works to existing driveway at Newgate Farm, Highdales, Hackness

The above application has been considered by Hackness & Harwood Dale Group Parish Council.

It is believed the application site forms part of the Newgate Estate which was marketed in 2017 as comprising approx 200 acres grassland, approx 220 acres woodland, the Highdales Shoot (pheasant shoot and ponds offering duck shooting), an extensive range of traditional buildings and Newgate farmhouse.

The farmhouse has not been lived in for some years and, unless something has changed in the last 18 months or so, there are no mains services to the farmhouse or buildings. There is no indication in the application documents as to the original extent of the domestic curtilage of the farmhouse & buildings, but it is suspected it was considerably less than the green dotted area now shown on the proposed site plan.

Foul sewage is to go into a package treatment plant the discharge from which is to go to a soakaway. There is nothing to indicate that a soakaway would work - if it didn't then the discharge would go into Highdales Beck and the proposed lake.

The Parish Council is extremely unhappy about the scale of the proposals, which it considers to be "over the top". Council doesn't have a problem with the renovation of the house or the demolition of the existing two storey at the back of the house. It also accepts the single storey extensions to the rear (although the flat roof with balcony is not typical of the area) and side. However the conversion of the farm buildings to:-

- A. form another residential unit (ostensibly a residential annexe) and garaging,
- B. create a store room, boot room and gun room (more appropriate for use by a commercial shoot enterprise) and
- C. erect a detached barn

are considered excessive. The application as submitted gives the impression of being designed for use in a commercial operation not as a private residence and as such would result in an unacceptable intensification of use.

The property is reached a narrow single track road just short of 2 miles long with few passing places, followed by a private access track some ¼mile long. On the application form, the description of the proposal makes no mention of work to the existing driveway, yet the planning authority's description does make a mention - exactly what work is proposed?

It is not known what effect the creation of the lake will have on the surrounding land drainage, the impact it will have on Highdales Beck or whether it will be used to supplement the number of ponds on the estate which, in 2017, offered duck shooting.

There are two public rights of way in the area, neither of which are shown on the application. One will be under the proposed lake, the other used to run behind the farm buildings so will now be within the green dotted area on the proposed site plan.

Council therefore objects to the application as submitted on the grounds it does not accord with Existing Local Plan Policies:-

- DP1 (Environmental Protection) by virtue of unacceptable adverse impact and lack of infrastructure capacity
- DP3 (Design) by virtue of the features of the proposals not being compatible with the surroundings
- DP8 (Conversion of Traditional Unlisted Rural Buildings) by virtue of being contrary to points 3, 4 and 6
- DP19 (Household Development) by virtue of being contrary to point 1.

or Emerging Local Plan Policies:-

- CO4 (Public Rights of Way and Linear Routes) by virtue of its unacceptable and harmful impact on the public rights of way
- CO17 (Household Development) by virtue of being contrary to paragraph a) of the section on alterations and extensions to the existing dwelling and paragraphs a) and e) of the section on existing outbuildings and the development of new outbuildings.
- CO18 (Residential Annexes) by virtue of not having satisfactorily demonstrated the proposals comply with points 1 and 2.

--

J Marley (Mrs)
Clerk to Hackness and Harwood Dale Group Parish Council
(comprising the parishes of Broxa cum Troutsdale, Darncombe cum Langdale End, Hackness, Harwood Dale, Silpho, and Suffield cum Everley).

Annan,
41 Scalby Road,
Burniston,
 ugh

From:
To: [Planning](#)
Subject: Re: Newgate Farm, Rice Gate, Hackness, - NYM/2019/0619/FL
Date: 04 November 2019 10:56:55
Attachments: [119110415232600987.png](#)

Thank you for consulting the Ramblers Association in this application

We have no objections to the proposal

We would ask that procedures are put in place for the PROW to be open at all times during the construction period

Bill Dell
For and on behalf of Ramblers Association-Cleveland Group
T
M:
E:
85 Farndale Drive, Gainsborough, Redcar & Cleveland, TS14 8JX, UK
MIStructE
Ramblers, Cleveland group - Footpath Officer, Webmaster, Membership Secretary
Ramblers, N.Yorkshire & S.Durham Area - Webmaster

From: planning@northyorkmoors.org.uk <planning@northyorkmoors.org.uk>
Sent: 04 November 2019 15:23
To:
Subject: Newgate Farm, Rice Gate, Hackness, - NYM/2019/0619/FL

You have received this email from North York Moors National Park Authority (Planning Service) in relation to a planning matter at Newgate Farm, Rice Gate, Hackness, .

The attached correspondence contains important information; please retain it for your records.

If this is a consultation/te-consultation and you are set up with a log-in username and password, please click the link <http://tinyurl.com/5qum4j>-<https://out2.safelinks.protection.outlook.com?url=http%3A%2F%2Ftinyurl.com%2F5qum4j&data=02%7C01%7C%7C8ca884ad6124a3bfece08d7613aff0eb%7C84d9c7f69f640afb435aasasasaa%7C1%7CD9%7C637084779421602805&sddata=ujcKJM89F%2F7jBA1ewm2ILOVv8Q4QDZJgB6Qmalkos1%3D&reserved=0>

In any correspondence, please quote the Council reference number, which is included in the attached letter.

If you are a statutory consultee and would like to use electronic correspondence via our e-consultation site please contact the Planning Dept via email at planning@northyorkmoors.org.uk <mailto:planning@northyorkmoors.org.uk> who will be happy to set you up with a log-in username and password.

From: [Planning](#)
To: [Planning](#)
Subject: Comments on NYM/2019/0619/FL - Case Officer Mrs J Bastow - Received from David Smith - Ranger South at NYMNPA, via email: d.smith@northyorkmoors.org.uk
Date: 05 November 2019 16:48:30

In the proposed development documentation, there is no reference to the two public footpaths which run very close to the property (please see aerial photo emailed separately). These two rights of way fall within the proposed development area.

Looking at the plans it would appear that footpath No.712 will run within the fenced garden for a short distance. I can't imagine this is what the developer will be anticipating. I need to check that the legal line of this path is currently available as I believe the previous owner may have unofficially diverted walkers away from the property.

Regarding the other footpath No.020, the plans show this path will be obstructed by the creation of the lake. I therefore object to this element of the development in the planning application.

Finally, the driveway is also a public footpath. I'm happy with the proposals to resurface this and to stabilise the embankments above & below. However, the footpath must remain open and unobstructed during the works unless a legal temporary closure has been put in place.

Comments made by David Smith - Ranger South of NYMNPA
via email: d.smith@northyorkmoors.org.uk
EMail: d.smith@northyorkmoors.org.uk
Preferred Method of Contact is: Email

Comment Type is Comment
Letter ID: 533560



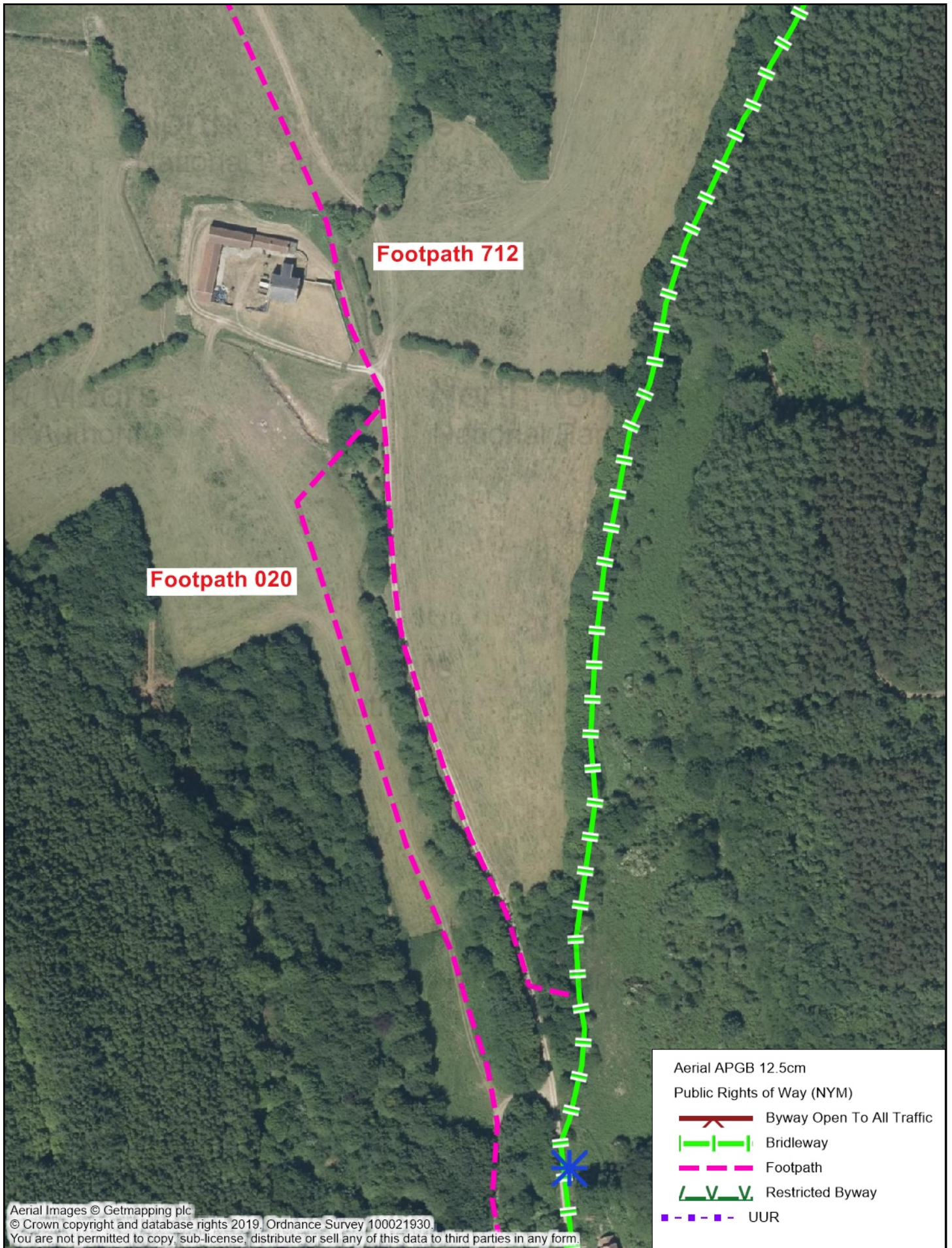
North York Moors National Park Authority
 The Old Vicarage
 Bondgate
 Helmsley YO62 5BP
 01439 772700

Rights of Way Location Plan -Newgate Farm

0 10 20 30 40 metres

Printed: 05 November 2019
 By: David Smith

Scale: 1:2000



Footpath 712

Footpath 020

- Aerial APGB 12.5cm
 Public Rights of Way (NYM)
- Byway Open To All Traffic
 - Bridleway
 - Footpath
 - Restricted Byway
 - UUR

From:
To: [Planning](#)
Subject: Newgate Farm, Rice Gate, Hackness - extensions and annexe accommodation etc. NYM/2019/0619/FL
Date: 05 November 2019 13:58:08

FAO Mrs J Bastow

**Newgate Farm, Rice Gate, Hackness - extensions and annexe accommodation etc.
NYM/2019/0619/FL**

I refer to your e-mail of the 4th November 2019 regarding the above application. I hereby confirm that I have no comments on housing or environmental health grounds.

Thanks

Steve

Stephen Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM
Residential Regulation Manager
Scarborough Borough Council
tel:

www.scarborough.gov.uk