
From: Elspeth Ingleby
Sent: 08 October 2020 14:15
To: Hilary Saunders
Subject: RE: NYM/2020/0275/FL Biggin House Barns

Hi Hilary

I have reviewed the supplied Bat Emergence Survey report dated 2 October 2020. Whilst it is extremely unfortunate that the applicant did not commission the required surveys during the optimum time of year (May to August), the data obtained from the September activity surveys, in addition to the observations of the ecologist carrying out the original scoping survey and the September walkover survey will I think enable a determination to be made in this specific case. It will however be vital that thorough, carefully worded conditions are applied to any permission granted to ensure that required mitigation and compensation is secured, including additional surveying within the optimum window.

The initial scoping survey in March 2020 identified a low number of butterfly wings within one section of the building indicative of potential bat presence, however neither this nor the walkover survey carried out in September 2020 which also inspected the internal conditions of the barn identified bat droppings or other features indicative of void use. Considering the timing of these assessments, bracketed either side of the main bat active season, I am satisfied with the surveying ecologist's conclusion that maternity use by void dwelling bats can be ruled out.

The two activity surveys identified considerable foraging in the surrounding area, however only a single bat was observed to emerge from the building. This observation confirms that a European Protected Species Licence will be required for the development to proceed. Unfortunately due to the timing of works, there will be insufficient information to obtain a licence this year and therefore at least one further activity survey between May and August 2021 will be required to support an application for a licence. This survey would identify any potential further roosts within the crevice features of the buildings. Given the confirmation that use of the building is extremely likely to be restricted to crevice roosting bats, the proposed mitigation of long lasting bat boxes is appropriate.

A pre-commencement condition along the lines of the following will be necessary;

- Prior to the commencement of any works to the fabric of the masonry outbuildings, further activity survey(s) are to be carried out by a suitably qualified ecologist in the optimum bat breeding season (May – August inclusive). A copy of the survey findings as well as a copy of the European Protected Species Licence once obtained must be provided to the Authority and acknowledged in writing prior to any works covered under the licence commencing.

Additional conditions required are;

- Works must comply with proposed Mitigation and Compensation as detailed within section 4 of the Bat Emergence Report Survey dated 2 October 2020 and any further guidance on mitigation and compensation – including method statements - as provided by a suitably qualified ecologist within subsequent bat survey reports, including the EPSL conditions. When in conflict, the most recent survey recommendations should be given precedence. (*nb this could be included with the above condition for simplicity if appropriate*)
- Works to any buildings should not be commenced within the bird breeding season (March to August inclusive) unless the site has been thoroughly checked by a suitably qualified ecologist for bird breeding immediately prior (within 48 hours) of works commencing. Any nests found must be left undisturbed until chicks fledge and the nest is abandoned.

The usual external lighting condition will be required, however I would like something included to emphasise that an external lighting plan will not be approved until the further bat survey report(s) and EPSL are supplied so that we can ensure that the lighting scheme is in accordance with any further roosts identified as well as dark sky qualities (I accept this is normally the case anyway as usually once the development is underway but worth being clear).

The covered car port area will provide potential alternative swallow nesting opportunities and so no further condition is required in this respect.

Many thanks

Elsbeth

Elsbeth 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 NYM/2020/0275/FL - Case Officer Mrs H Saunders - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,
Date: 17 August 2020 08:35:37

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 Comment
Letter ID: 548511

From: Maria Calderon
Sent: 17 August 2020 08:27
To: Hilary Saunders
Subject: Biggin house conditions

Morning

Sorry these are late but I figured you were enjoying annual leave and not checking emails – hope you had a good couple of weeks

No work shall commence on site to clear or strip out the building to which this permission/consent relates until a programme of level 3 historic building recording and analysis in accordance with a the Written Scheme of Investigation of historic building recording as provided or approved by the Local Planning Authority in writing. The work shall not be carried out otherwise than in accordance with the provided/approved specification.

No work shall commence on the installation of any external fixtures to the building to which this permission/consent relates until details of all external fixtures have been submitted to and approved in writing by the Local Planning Authority. All other external lighting and paraphernalia should be removed. The details should include for provision for any exterior fittings including but not limited to lighting, meter boxes, alarm fittings, security cameras, cabling, signage, wall or roof flues that may be proposed to be installed. The external fixtures shall be installed wholly in accordance with the approved details.

The roof of the development hereby permitted shall maintain its original structure and be clad with traditional, handmade natural red clay pantiles the details of which shall be submitted to and approved in writing by the Local Planning Authority and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

All pointing in the development hereby permitted shall match the historic unless approved in writing by the Local Planning Authority, which is typically a mortar mix (based on a typical mix of a non-hydraulic quicklime mortar mixed at 1:3 (dry non-hydraulic quicklime: sand). A one metre square panel of stonework showing mortar method of application, finish and shall be produced on site and approved in writing by the Local Planning Authority. The pointing shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.

No work shall commence on the installation of any doors/ windows in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors/ windows and frames (and glazing if included) have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. All doors/windows shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

All pipework/cabling and other services related to the internal accommodation is to be located internally unless agreed in writing with the Local Planning Authority

The external face of the frame to all new windows shall be set in a reveal of a minimum of 200mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

The details of any new lintels and cills together with any replacement lintels and cills, shall be submitted to and approved in writing by the Local Planning Authority. The work shall accord with the details hereby approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter unless otherwise agreed in writing with the Local Planning Authority.

No work shall commence on the installation of any rooflights in the development hereby approved until full details have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be flush fitting and fixed or top-hung metal conservation style and shall be installed in accordance with the approved details and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

The guttering to the development hereby permitted shall be directly fixed to the masonry by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

All rainwater goods shall be painted cast iron in a colour to be agreed in writing by the Local Planning Authority and thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing.

No work shall commence to paint the external joinery in the development hereby approved until a scheme for the painting of all external joinery has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include

details of the proposed treatment for doors, windows, shutters, stable doors and any other exterior joinery fixtures. The works shall be carried out in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

From:

Cc: [Planning](#)

Subject: NYM/2020/0275/FL - Outbuildings at Biggin House

Date: 04 August 2020 16:17:48

Dear Hilary

Following the recent re-consult issued for this applications, I have noted the agent's comments with relation to the ecological surveys required to ascertain bat use of the property, and her request that this requirement be dealt with by condition.

As the Local Planning Authority, we have a statutory duty to give material consideration to protected species when determining a planning application. In order to do this we must be able to ascertain whether it is reasonably likely that a European Protected Species Licence would be obtained to enable the development to go ahead before we can grant consent, and so must consider the three 'derogation tests':

- the activity must be for imperative reasons of overriding public interest or for public health and safety;
- there must be no satisfactory alternative; and
- favourable conservation status of the species must be maintained.

The main building in question for this development has been assessed as being of high suitability for bats, but as of yet no activity surveys have been submitted to clarify the presence of any bat roosts, and if so the number, type and species present. In the absence of such data is not possible to ascertain whether the application could have a detrimental affect on the Favourable Conservation Status of local and regional bat populations, and it is therefore not possible to determine the application (at least not favourably) until this information is provided.

With reference to the application referenced by the agent in her letter of 13 July 2020, NYM/2019/0846/FL, I must point out that the conditions referenced related to the mitigation and compensation measures required as a result of detailed bat activity surveys – the results of which were provided pre-determination, and hence this does not support her case. There may be some rare instances where it is appropriate to condition protected species surveys, either to provide greater clarity on specific features, or very occasionally to determine presence where the likelihood of bat roost presence is thought to be low (as determined by scoping surveys and/or prior surveys), but it is rare when this is likely to be appropriate, and these exceptions would certainly not apply to this application.

In light of the approaching end of the bat survey season, I would advise that activity surveys are commissioned as soon as possible. Bat activity surveys must be completed between mid-May and mid-September and be spaced at least 2 weeks apart.

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 FIRE & RESCUE SERVICE

NYFRS Reference:

Premises: 00393495
Job: 1196995

Scarborough Fire Station
North Marine Road
Scarborough
North Yorkshire
YO12 7EY

When telephoning please ask for: J Butterfield

07 May 2020

Dear Sir or Madam

The Occupier, Biggin House, Guisborough Road, Ugthorpe, Whitby, YO21 2BE

FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 5 May 2020
Ref No: NYM/2020/0275/FL

Your communication has been dealt with as follows:

At this stage in the planning approval process the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority have no objection/observation to the proposed development. The North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the Fire Authority.

The majority of information we collect regarding business fire safety is non-personalised information, however any personal data we collect will be managed in accordance with our Privacy Notice which can be viewed on our website, www.northyorksfire.gov.uk/about-us/yourdata.

Under the Regulatory Reform Order 2005 we are obliged to publish a public register of enforcement action which can be viewed via our website, www.northyorksfire.gov.uk/about-us/key-documents/links-registers.

The Occupier
Biggin House
Guisborough Road
Ugthorpe
Whitby
YO21 2BE

Should you require further information please contact the officer whose name appears at the head of the letter.

Yours faithfully

J Butterfield

From:
To: [Planning](#)
Subject: Comments on NYM/2020/0275/FL - Case Officer Mrs Ailsa Teasdale - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,
Date: 11 June 2020 16:37:31

The outbuildings for Bigginhouse are arranged in a U-shape that encloses a yard to the north, east and west. This is a typical arrangement for outbuilding to this period. In the northwest corner is a granary with much of its internal fabric remaining and a timber structure in the adjacent barn than is the remains of an associated horse engine. The site although not designated is clearly worthy of the title of heritage asset as it embodies evidential, historical and aesthetic values.

The site in isolation for use as holiday accommodation reasonable and agricultural buildings often are suitable for this type of conversion. However, it is clear that not all of the buildings/room on site, particularly those to the west range are not particularly suited for conversion owing to their lack of openings. I also raise concerns about the intensity of development and the pressure that causes for new opening as a whole and how that will impact the tranquillity of the site and area as a whole, including the neighbouring listed building. The character of this location is very much a dead end and to create a hive of activity would ruin the sensory experience of the place and any communal values the local population feel for the site.

The granary and north range appeared more suitable to conversion, due to their size and the number of openings. However, any design should seek to better retain the character and fabric of the buildings, that that which is currently proposed. The east range could be converted but existing east wall in blank and should remain so the. The large opening to the south should be utilised better to allow natural light. The plethora of rooflights proposed would give the site as a whole a domestic quality which is inappropriate and should be omitted.

Prior to any adaptation there should be a scheme of historic building recording to capture any information and featured which might be negatively impacted.

If planning are minded to approve please come back to me for conditions.

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: 544914

From:

Cc:

Subject: NYM/2020/0275/FL

Date: 08 June 2020 15:19:54

Further to the application for the removal of lean-to extension to agricultural shed, conversion of redundant agricultural buildings to form 4 no. letting cottages and 6 no. en-suite units of holiday accommodation with communal facilities together with associated parking and landscaping works at Outbuildings at Biggin House, Guisborough Road, Ugthorpe, Grid Reference 480155 509665 - NYM/2020/0275/FL, I have received the following response from the Chair of Ugthorpe and Hutton Mulgrave Parish Council.

After receiving comments from residents and Councillors the Parish have considered the above development to be too extensive for the area. Access to the development is via a single track lane on a road with few passing places and the junction with the main A171 is notoriously difficult. The Parish Council support a smaller development.

We hope that you will consider these objections.

Many thanks

Joanne Meadows

Clerk to Ugthorpe and Hutton Mulgrave Parish Council

From:

Cc: [Planning](#)

Subject: NYM/2020/0275/FL - Outbuildings at Biggin House, Guisborough Road, Ugthorpe

Date: 29 May 2020 12:48:23

Dear Ailsa

The Ecology report provided, carried out by Peak Ecology with this application is detailed and thorough. It has identified that there is a high potential for bat roosting within the main barn complex and therefore three bat activity surveys will be required to determine presence or likely absence. The surveys should cover at least one dawn and one dusk survey and should be carried out as directed within the Peak Ecology report. A report of these surveys will be required before determination can be made and thus **planning permission cannot be granted until these surveys are carried out.**

It is worth noting that the survey identified potential bat roost features in a large sycamore tree on the site. Although plans submitted seem to indicate this is being retained, it appears that the proposed parking areas may have the potential to compromise the trees long term viability (due to compression of root systems) and if this is so, I would recommend that that bat activity surveys include the tree within the survey scope as it may need to be removed in the long term if such decline is caused. Mark will I am sure be able to comment more fully on what additional information will be required relating to the tree in question.

Breeding birds were present and thus conditions for nesting bird checks and provision of alternative swallow nesting sites will be required should the application be ultimately approved.

The plans propose a new package treatment plant for capacity suitable for 4 full time and 12-20 part time users. I note that the plans incorporate apparent accommodation for up to 34 persons in part-time occupation and so would question whether this is sufficient. If so, a condition limiting occupation to a certain number of total nights per year may be required to ensure capacity is not breached and potential pollution caused. It is not clear if this installation is also to serve the neighbouring house, but I think this is implied by the 4 full time users on the non-mains drainage form.

Usual conditions regarding external lighting will also be required if ultimately approved to protect dark sky qualities and minimise impact on nocturnal fauna.

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:	NYM20/0275/FL
Proposed Development:	removal of lean-to extension to agricultural shed, conversion of redundant agricultural buildings to form 4 no. holiday letting cottages and 6 no. en-suite units of holiday accommodation with communal facilities together with associated parking and landscaping works
Location:	Outbuildings at Biggin House, Guisborough Road, Ugthorpe
Applicant:	The Mulgrave Estate

CH Ref:		Case Officer:	Ged Lyth
Area Ref:	4/41/61A	Tel:	
County Road No:		E-mail:	

To:	North York Moors National Park Authority The Old Vicarage Bondgate Helmsley YO62 5BP	Date:	26 May 2020
FAO:	Ailsa Teasdale	Copies to:	

Note to the Planning Officer:

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

The vehicular access to the site from the A171 is via a publicly maintainable highway that is only one car width over the vast majority of its one mile length. The LHA are not aware of any issues or difficulties that users of this highway currently have due to the restricted width. From the A171, this roads leads to 4 different farm houses clusters.

The proposals will increase the amount of traffic on the road and therefore increase the likelihood of two way traffic coming face to face. The installation of some passing places would help cater for the safe passing of vehicles without the potential verge damage.

The above mentioned passing places would also benefit drivers of Contractors and deliveries associated with the work required to construct the proposed changes.

Consequently the Local Highway Authority recommends that the following **Condition** is attached to any permission granted:

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM20/0275/FL

MHC-07 Delivery of off-site highway Works

The following schemes of off-site highway mitigation measures must be completed as indicated below:

- Installation of Passing places on the highway between the application site and the A171

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

Reason for Condition

To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

MHi-A Other Permissions required from the Local Highway Authority

Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire County Council as Local Highway Authority. These additional permissions can include, but are not limited to: Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Streetworks Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations and directions). Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.

Signed:

Ged Lyth

Issued by:

Whitby Highways Office
Discovery Way
Whitby

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM20/0275/FL

North Yorkshire
YO22 4PZ

For Corporate Director for Business and Environmental Services

e-mail: _____

From:
To: [Planning](#)
Subject: Conversion works to form 4 holiday letting cottages and 6 en-suite units of holiday accommodation with associated works at outbuildings at Biggin House, Guisborough Road, Ugthorpe, NYM/2020/0275/FL
Date: 05 May 2020 15:05:10

FAO Mrs Ailsa Teasdale

Conversion works to form 4 holiday letting cottages and 6 en-suite units of holiday accommodation with associated works at outbuildings at Biggin House, Guisborough Road, Ugthorpe, NYM/2020/0275/FL

I refer to your e-mail of the 5th May 2020 regarding the above application. I hereby confirm that I have no objections to the application 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

www.scarborough.gov.uk

[Coronavirus: Stay at home, Save lives](#)



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