

**From:**  
**To:** [Planning](#)  
**Subject:** RE: NYM/2020/0721/FL  
**Date:** 13 October 2020 16:53:21

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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.

This planning consultation response is in line with our usual procedures, providing no opinion supporting or objecting to the proposals. This response provides factual information on related policy which the planning authority may take account of when making its decision.

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,

**Inez Hein**

Technical Support Officer & Assistant Woodland Officer- Yorkshire and North East  
Forestry Commission England  
Foss House, Kings Pool  
1-2 Peasholme Green  
York  
YO1 7PX

Following the [government's guidance issued about the Coronavirus \(COVID-19\) outbreak](#), I am working from home during normal working hours, Monday to Wednesday in my TSO role and Wednesday to Friday as an Assistant Woodland Officer. You can contact me by email or on my mobile.

Most Forestry Commission offices are currently closed for the safety of our staff but where they have opened, they are not open to the public and they have a limited capacity, so please continue to contact us by email. You can find out about our current working arrangements on [GOV.UK](#).

*All felling licence applications are now processed through [Felling Licence Online](#). To register an account and start your application online, visit [www.gov.uk/forestrycommission](http://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.

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**From:**  
**To:** [Planning](#)  
**Subject:** Comments on NYM/2020/0721/FL - Case Officer Mrs J Bastow - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,  
**Date:** 15 October 2020 17:37:52

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No objections to the proposal. But ask that the following conditions be applied

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 be clad with traditional, non interlocking, non pre-coloured natural red clay pantiles and shall be maintained in that condition in perpetuity unless otherwise 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.

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

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 to paint/stain the external joinery in the development hereby approved until a scheme for the painting/staining 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.

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. 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.

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

Preferred Method of Contact is: Post

Comment Type is No objections but comments  
Letter ID: 552553

**From:**  
**To:** [Planning](#)  
**Subject:** Comments on NYM/2020/0721/FL  
**Date:** 18 October 2020 16:01:54

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**Alterations to stable to provide home gym and construct outbuilding for swimming pool at Foxhill Paddocks, Low Road, Throxenby**

The above application has been considered by Newby & Scalby Parish Council and no objections are offered. Council requests a condition be placed on any consent so as to ensure the premises are for domestic use only and ancillary to the house.

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**Jools Marley (Mrs) CiLCA**  
**Clerk to the Council**

Newby & Scalby Parish Council  
c/o Scalby Library,  
450 Scalby Road,  
Newby,  
SCARBOROUGH  
YO12 6EE

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**From:**  
**To:** [Planning](#)  
**Subject:** Bird and Bat informatives 21.09.2020-27.09.2020  
**Date:** 30 September 2020 11:59:05

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Hi,

If the following planning applications are approved please can a bat informative be included within the decision notice

NYM/2020/ 0721/FL- Foxhills Paddocks, Throxenby  
0691/FL- Cobbles, Staithes  
0607/FL- Fordside, Staithes

If the following application is approved please can a bird and Swift informative be included within the decision notice

NYM/2020/ 0721/FL- Foxhills Paddocks, Throxenby

Thanks,

[Victoria Franklin](#)  
[Graduate Conservation Trainee](#)

[North York Moors National Park Authority](#)  
[The Old Vicarage](#)  
[Bondgate](#)  
[Helmsley](#)  
[York](#)  
[YO62 5BP](#)