



North Yorkshire
County Council

Your ref: NYM/2020/0646/RRC

Highways and Transportation

Our ref:

COUNTY HALL
NORTHALLERTON
DL7 8AH
Tel: 01609 780 780

Contact: Vikki Orange

22 October 2020

Dear Madam,

Prior notification for change of use of shop (Use Class A1) to restaurant (Use Class A3) together with installation of extractor flue under Part 3, Class C. 12 Bridge Street, Helmsley

I refer to your consultation on the above application.

I am in the process of assessing the supporting documents.

A formal response will be issued once this assessment is complete and any matters raised have been resolved.

Yours faithfully

Vikki Orange

Project Engineer.

From: Jill Bastow
Sent: 14 October 2020 20:19
To: Planning
Cc: Mark Hill
Subject: COMMITTEE ITEM - 12 Bridge Street, Helmsley - EHO

EHO comments to book in please.

From: Keith White
Sent: 14 October 2020 17:16
To: Jill Bastow
Subject: RE: Re: 12 Bridge Street, Helmsley

Hi Jill

That's fine, I would not have any objection to this extract as it will remove any odours, and the noise specification will not result in any adverse noise levels to neighbouring properties.

Many thanks

Keith

Keith White MCIEH
Senior Environmental Health Specialist
Environment
Ryedale District Council
Ryedale House
Malton
North Yorkshire
YO17 7HH

Ryedale District Council Ryedale House Malton North Yorkshire YO17 7HH

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From:
To: [Planning](#)
Subject: FW: NYM/2020/0646/RRC 12 Bridge Street, Helmsley
Date: 06 October 2020 17:15:07

EHO comments

From: Keith White
Sent: 05 October 2020 16:00
To: Jill Bastow
Cc: Robert Robinson; Matthew Pawson
Subject: NYM/2020/0646/RRC 12 Bridge Street, Helmsley

Good Afternoon Jill

I am aware of these premises, This department has not had previous complaints with regard to waste collection, if the objector is concerned that the waste will be food waste then there is food safety legislation to ensure that food waste is controlled so as not to attract vermin or flies. The premises is small and therefore will only cater for a limited number of covers. Noise and Odour can be controlled via section 79 EPA 1990, as statutory nuisance, however the main noise and odour source would be from the extractor, and therefore once you have the details of this I should appreciate it if you could forward them to me for further consideration.

I look forward to hearing further

Kind regards

Keith

Keith White MCIEH
Senior Environmental Health Specialist
Environment
Ryedale District Council
Ryedale House
Malton
North Yorkshire
YO17 7HH

Ryedale District Council Ryedale House Malton North Yorkshire YO17 7HH

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From:
To: [Planning](#)
Subject: Comments on NYM/2020/0646/RRC - Case Officer Mrs J Bastow - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,
Date: 01 October 2020 14:20:25

A large steel flue is not in keeping with the Helmsley Conservation area and the historic roofscape character that it exhibits.

However, we accept that currently the flue will not be visible from the public realm, which is how many appreciate the conservation area. But should the overgrown hedge that is currently blocking the view be trimmed or felled this would not be the case and visibility from public space is not the only consideration when in a conservation area. The protection afforded by the legislation applies in equal force to all elevations. It is also highly probable that it will be very visible from a variety of 1st floor windows for residents and guests of Helmsley, and interrupt their appreciation of the historic roofscapes of the conservation area.

If the flue was encased in a brick chimney with terracotta pots the impact would be nil, and therefore we would request this amendment to avoid conflict with preservation of the character of the conservation area.

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: 551884

From:
To: [Planning](#)
Subject: Bird, Bat and Swift informatives 14.09.2020-20.09.2020
Date: 22 September 2020 14:43:59

Hi,

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

NYM/2020/ 0646/RRC- 12 Bridge Street Helmsley

Thanks,
Victoria

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

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

From:
To: [Planning](#)
Subject: Consultees comments
Date: 22 September 2020 11:46:11

Good morning,

Here are the comments from Helmsley Town Council on your current planning applications in our area :

[NYM/2020/0657/FL](#) 24 Carlton Road, Helmsley **No Comment**
[NYM/2020/0646/RRC](#) 12 Bridge Street, Helmsley **Objection – the council is concerned that the nearby residential properties will be adversely affected by increased noise, smells and general disturbance arising from this change of use.**

I trust that this is in order.

Kind regards,

Mrs Lucy Pryor
Asst. Town Clerk
Helmsley Town Council
The Old Vicarage
Bondgate
Helmsley, York
YO62 5BP

Please note that the clerk and assistant clerk are part-time. The clerk works 22 hours per week Monday to Thursday.

Office Hours Monday and Tuesday 9:30am-12:30pm. Monday and Tuesday afternoons by arrangement please.

message.

 [Helmsley Town Council](#)

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one of the exemptions in the Act.

Date: 17 September 2020
Our ref: 327824
Your ref: NYM/2020/0646/RRC



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

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

BY EMAIL ONLY

Dear Sir/ Madam

Planning consultation: Application for prior notification for change of use of shop (Use Class A1) to restaurant (Use Class A3) together with installation of extractor flue under Part 3, Class C
Location: 12 Bridge Street, Helmsley

Thank you for your consultation on the above dated 14 September 2020 which was received by Natural England on 14 September 2020.

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

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

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

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

Sites of Special Scientific Interest Impact Risk Zones

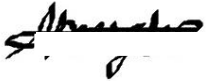
The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to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

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

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

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'Amy Knafler', with a stylized flourish at the end.

Amy Knafler
Consultations Team

Annex - Generic advice on natural environment impacts and opportunities

Sites of Special Scientific Interest (SSSIs)

Local authorities have responsibilities for the conservation of SSSIs under s28G of the Wildlife & Countryside Act 1981 (as amended). The National Planning Policy Framework (paragraph 175c) states that development likely to have an adverse effect on SSSIs should not normally be permitted. Natural England's SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.

Biodiversity duty

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

Protected Species

Natural England has produced standing advice¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species

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

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. The list of priority habitats and species can be found here². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

Ancient woodland, ancient and veteran trees

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

Protected landscapes

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

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

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

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

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

Landscape

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

Best and most versatile agricultural land and soils

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

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

Access and Recreation

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

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

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

Environmental enhancement

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

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

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

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.

Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).