

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



**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**

**Application No:** **NYM/2020/0962/FL**

**Proposed Development:** Application for change of use of land, retention of 31 no. containers and siting of additional 7 no. containers for storage purposes (part retrospective)

**Location:** Studford Farm, High Street, Ampleforth

**Applicant:** SIMON DUNN

**CH Ref:** N/A **Case Officer:** Stephen Boyne

**Area Ref:** 3/127/60K **Tel:**

**County Road No:** U/C **E-mail:**

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

**Date:** 18 March 2021

**FAO:** Mark Hill **Copies to:** Vikki Orange

**Re. Land Ownership Location Plan as forwarded via e-mail from NYMNPA dated 10 March 2021:**

The Local Highway Authority recommends that the following **Conditions** are attached to any permission granted:

Continued

<b>Signed:</b>  <p style="text-align: center;"><b>Stephen Boyne</b></p> <p><i>For Corporate Director for Business and Environmental Services</i></p>	<b>Issued by:</b> Kirby Misperton Highway Office Beansheaf Industrial Park Tofts Road Kirby Misperton YO17 6BG <b>e-mail:</b>
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**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

**NYM/2020/0962/FL**

1. MHC-03 New and altered Private Access or Verge Crossing at STUDFORD FARM

The development must not be brought into use until the access to the site at STUDFORD FARM has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

The access must be *upgraded and widened and* formed with 6 metre radius kerbs, to give a minimum carriageway width of 6 metres, and that part of the access road extending 12 metres into the site must be constructed in accordance with Standard Detail number E50 Rev A.

All works must accord with the approved details.

Reason for Condition

To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

MHi-C New and altered Private Access or Verge Crossing –(MHC-03)

Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site: [https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification\\_for\\_housing\\_\\_\\_ind\\_est\\_roads\\_\\_\\_street\\_works\\_2nd\\_edition.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing___ind_est_roads___street_works_2nd_edition.pdf) .

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

Continued

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

**NYM/2020/0962/FL**

2. MHC-05 Visibility Splays at STUDFORD FARM (*REVISED*)

There must be no access or egress by any vehicles between the highway and the application site at STUDFORD FARM until splays are provided giving clear visibility *to the extremities of the land fronting High Street shown on blue on the submitted plan as being under the applicants control in each direction* from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition

In the interests of highway safety

MHi-D      Visibility Splays –(MHC-05)

An explanation of the terms used above is available from the Local Highway Authority.

**From:**  
**To:** [Planning](#)  
**Subject:** NYM/2020/0962/FL Studford Farm  
**Date:** 11 March 2021 21:13:00

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NYM/2020/0962/FL Studford Farm

Not sure if this has been determined yet but I was interested as I noticed that this site seems to have changed from a farm to a storage facility with advertising hoarding along the roadside last year.

Looking at the plans it appears that the storage units overlap with the agreed area of woodland planting from the previous application. This combined with the bund will have reduced the width of the tree belt. This means the landscaping condition for the original development has not been fully complied with.

If approved there will I expect need to be a revised landscaping scheme to compensate for this reduction.

Mark Antcliff  
13 March 2021

**Your ref:** NYM/2020/0962/FL

**Kirby Misperton Highway Office**

Beansheaf Industrial Park  
Tofts Road  
Kirby Misperton  
YO17 6BG

**Our ref:** 3/127/60K

**Contact:** Stephen Boyne

[www.northyorks.gov.uk](http://www.northyorks.gov.uk)

24 February 2021

Dear Sirs

**Proposal:** Application for change of use of land, retention of 31 no. containers and siting of additional 7 no. containers for storage purposes (part retrospective)

**Location:** Studford Farm, High Street, Ampleforth

**Applicant:** SIMON DUNN

Thank you for your consultation on the above application. I have looked at the documents submitted in support of the application and my comments on the documents are as follows:-

1. With respect to this application, many of my previous comments and recommended conditions in my consultation response dated 8 August 2017 relating to planning application NYM/2017/0489/CU still apply. Although the number of containers involved has been reduced, the proposed development will still attract additional non-agricultural related traffic to and from the site using the existing access.

Given that understanding, it is considered that the access entrance is not wide enough to permit a car and an agricultural vehicle to pass each other simultaneously clear of the public highway, and that safe and satisfactory vehicle v. vehicle visibility along the unlit, de-restricted public highway needs to be safeguarded in both directions at drivers' eye height for a car.

Whilst it is considered both these shortcomings may be addressed by recommending suitable conditions, broadly similar to those previously recommended, it is noted that land beyond the application site area in the ownership of the applicant (the blue land) has not been included on this current application.

In order to resolve this issue (and thereby avoid the possibility of a recommendation of a highway refusal), it is requested that an amended plan is submitted that includes the 'blue land' as previous submitted and referred to, whereupon suitable conditions could be recommended as considered previously.

I await amended documents before making a formal recommendation.

Yours faithfully

Stephen Boyne  
Project Engineer



**Your ref:** NYM/2020/0962/FL

**Our ref:**

**Contact:** Stephen Boyne

**Highways and Transportation**

COUNTY HALL  
NORTHALLERTON  
DL7 8AH  
Tel:

E-mail:

[www.northyorks.gov.uk](http://www.northyorks.gov.uk)

15 February 2021

Dear Sir,

**Application for change of use of land, retention of 31 no. containers and siting of additional 7 no. containers for storage purposes (part retrospective). Studford Farm, High Street, Ampleforth**

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

Project Engineer.

Date: 05 February 2021  
Our ref: 341335  
Your ref: NYM/2020/0962/FL



Mr M Hill  
The Old Vicarage  
Bondgate  
Helmsley  
York  
YO62 5BP

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

**BY EMAIL ONLY**

Dear Mr Hill

**Planning consultation: NYM/2020/0962/FL Application for change of use of land, retention of 31 no. containers and siting of additional 7 no. containers for storage purposes (part retrospective).**

**Location: Studford Farm, High Street, Ampleforth.**

Thank you for your consultation on the above dated 25 January 2021.

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**

**FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON PROTECTED LANDSCAPES**

As submitted, the application could have potential significant effects on North York Moors National Park. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- A Landscape and Visual Impact Assessment (LVIA)

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

**Additional Information required**

Natural England requires that a Landscape and Visual Impact Assessment is carried out, this will enable assessment to be made on whether the proposal is likely to cause significant harm to the North York Moors National Park. This should include a photomontage of the proposal in a winter setting, with a map to demonstrate where the photographs were taken from. We refer you to the

[Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

## **Protected Landscapes**

The proposed development is for a site within or close to a nationally designated landscape namely North York Moors National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant National Park landscape adviser. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

## **Other advice**

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

If you have any queries relating to the advice in this letter please contact me at

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Please consult us again once the information requested above, has been provided.

Yours sincerely

Lisa Sheldon  
Yorkshire and Northern Lincolnshire Area Team  
Natural England



## Annex A – Additional Advice

Natural England offers the following additional advice:

### Landscape

Paragraph 170 of the National Planning Policy Framework (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.*

### Protected Species

Natural England has produced [standing advice](#)<sup>1</sup> 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. List of priority habitats and species can be found [here](#)<sup>2</sup>. 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

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

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

[here](#).

### **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).

### **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](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer.

### **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](#).