
From:

Sent: 09 May 2021 14:27

To: Planning

Subject: Comments on NYM/2021/0200/FL

Erect general purpose agricultural building and create hardstanding and access track, land north of Brooklands Farm, Harwood Dale

The above application has been considered by Hackness & Harwood Dale Group Parish Council and no objections are offered. Council observed that the foundation trenches seem to have already been dug.

--

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
YO13 0HN

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM21/0200/FL**

Proposed Development: Application for erection of general purpose agricultural building and creation of a hardstanding and access track

Location: land north of Brooklands Farm, Harwood Dale

Applicant: Mr John Simpson

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

Area Ref: 4/26/74 **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 20 April 2021

FAO: Hilary Saunders **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 construction of a new agricultural building and associated access track to join the highway at Moor End Road, Harwood Dale. The site is currently the access to agricultural fields and is unconstructed. This application will intensify the use of the existing un-made accesses, albeit to a minor level. In order to protect the existing highway and improve the access, preventing any mud and debris being deposited on the highway it is recommended that the proposed access be constructed to the LHA specification. As the proposed access is located on the outside of a bend, speeds are relatively low and visibility is in excess of the minimum required.

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

MHC-03 New and altered Private Access Verge Crossing at Land north of Brooklands Farm Harwood Dale

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM21/0200/FL

The development must not be brought into use until the access to the site at **land north of Brooklands Farm Harwood Dale** 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 crossing of the highway verge must be constructed in accordance with Standard Detail number **E20** and the following requirements.

- Any gates or barriers must be erected a minimum distance of **14 metres** back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
- The final surfacing of any private access within **8 metres** of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
- Measures to enable vehicles to enter and leave the site in a forward gear.

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 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

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

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No: **NYM21/0200/FL**

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:

Cc: [Planning](#)

Subject: NYM/2021/0200/FL - land north of Brooklands Farm, Harwood Dale

Date: 23 April 2021 16:20:11

Dear Hilary

I have no objection to the proposed development. Re the proposed hedgerow to screen the development, this should be comprised of at least 6 native shrub species, planted at a density of 6 (total) stems per metre in double staggered rows and secured by condition.

Best wishes

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: Plannining Consultation NYM/2021/0200/FL
Date: 12 April 2021 16:37:41

Dear Sir or Madam

Your ref: NYM/2021/0200/FL

Proposal: the erection of general purpose agricultural building and creation of a hardstanding and access track at land north of Brooklands Farm, Harwood Dale.

Address: Brooklands Farm, Harwood Dale.

Thank you for consulting this team in regard of planning application NYM/2021/0200/FL for the erection of general purpose agricultural building and creation of a hardstanding and access track at land north of Brooklands Farm, Harwood Dale.

Having reviewed the above application I have no comments to make from a commercial regulation perspective.

Kind regards

Anne Ellmore

A. Ellmore MSc BSc (Hons) Cert. of CLM
Environmental Health Technical Officer
Commercial Regulation
Environmental Health Services
Scarborough Borough Council
Town Hall
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Date: 09 April 2021
Our ref: 349133
Your ref: NYM/2021/0200/FL



North York Moors National Park Authority
general@northyorkmoors.org.uk

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

BY EMAIL ONLY

Dear Mrs H Saunders

**Planning consultation: Application for erection of general purpose agricultural building and creation of a hardstanding and access track
Location: land north of Brooklands Farm, Harwood Dale**

Thank you for your consultation on the above dated 06 April 2021 which was received by Natural England on 06 April 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

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

Yours sincerely

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.

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>

Protected landscapes

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).