

From: planning@northyorkmoors.org.uk
To: [Planning](#)
Subject: Comments on NYM/2020/0218/FL - Case Officer Miss Helen Webster - Received from David Smith - Ranger South at NYMNPA,
Date: 08 July 2021 12:47:36

No additional comments to make on this retrospective application. My previous comments made on 6 may 2020 are no longer relevant as the development has been carried out. And the bridleway finger post is now back in position.

Comments made by David Smith - Ranger South of NYMNPA

Comment Type is Comment
Letter ID: 569656

From:
To: [Helen Webster](#)
Cc: [Planning](#)
Subject: NYM/2020/0218/FL - Dale Head Farm, Rosedale
Date: 11 December 2020 13:39:20

Hi Helen.

With relation to the septic tank issue as commented on previously, whilst the capacity appears adequate, no information is given as to where it drains to (watercourse or drainage field). The additional information does state that 'a more up to date system' was installed in 2016, but does not clarify what is meant by that. The system will need to be either a form of package treatment plant (whereby processing of the waste is undergone within the unit which reduces the pollutants in the effluent) or to discharge to a drainage field at least 109m from the nearest watercourse. If possible, the specification of the tank (Kingspan produce both septic tanks and PTPs) should be provided.

Thanks very much

Elsbeth

Elsbeth Ingleby MA_{Cantab} ACIEEM

Ecologist

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

From:
To: [Helen Webster](#)
Cc: [Planning](#)
Subject: NYM/2020/0218/FL - Dale Head Farm, Rosedale
Date: 29 May 2020 11:18:07

Dear Helen,

The application form states that a package treatment plant will be used to dispose of effluent from the development, but that this is not connecting to an existing system. If a new system is being installed, the specification and location of this should be provided along with details of the soakaway (if used) or discharge to watercourse. It would also be helpful if it was clarified if the unit is solely for use by shepherds hut guests or whether it is proposed to be accessible for customers of the tea room as this would impact the required capacity of the unit. If connecting to an existing unit, then we would need to seek clarity that the unit has sufficient surplus capacity to deal with the intended additional use so that no pollution of the natural environment is caused.

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: **NYM/2020/0218/FL**

Proposed Development: Use of land as tea garden and construction of extensions to provide tea room space and wc facilities together with use of land for the siting of a shepherds hut for holiday letting purposes (retrospective)

Location: Dale Head Farm, Rosedale, Pickering

Applicant: Mrs Margaret Barraclough

CH Ref: **Case Officer:** Vikki Orange

Area Ref: **Tel:**

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

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

Date: 27 May 2020

FAO: Helen Webster **Copies to:**

There are **no local highway authority objections** to the proposed development

Signed:

Vikki Orange

For Corporate Director for Business and Environmental Services

Issued by:

Kirby Misperton Highway Office
Beansheaf Industrial Park
Tofts Road
Kirby Misperton
YO17 6BG

e-mail:

Date: 12 May 2020
Our ref: 316307
Your ref: NYM/2020/0218/FL



Miss Helen Webster
North York Moors National Park Authority

BY EMAIL ONLY

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

Dear Miss Webster

Planning consultation: Application for use of land as tea garden and construction of extensions to provide tea room space and wc facilities together with use of land for the siting of a shepards hut for holiday letting purposes (retrospective)
Location: Dale Head Farm, Rosedale, Pickering

Thank you for your consultations on the above dated 04 May 2020 and 06 May 2020 which were received by Natural England on 04 May 2020 and 06 May 2020 respectively.

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.

European sites

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

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 sincerely

Dominic Rogers
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. Our initial screening indicates that one or more Impact Risk Zones have been triggered by the proposed development, indicating that impacts to SSSIs are possible and further assessment is required. You should request sufficient information from the developer to assess the impacts likely to arise and consider any mitigation measures that may be necessary.

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).

From:

Subject: Comments on NYM/2020/0218/FL - Case Officer Miss Helen Webster - Received from David Smith - Ranger South at NYMNPA,

Date: 06 May 2020 16:19:49

Public Bridleway 004 runs between the Shepherd's Hut and the proposed toilet building. Without a site visit it is difficult to ascertain whether the toilet building will impact on the use of the bridleway or not. From looking at aerial photos it looks as though it will be ok. However, it needs a site visit to check the ground conditions, cross slopes, etc. to ensure the usable line of the bridleway is safe and acceptable to use.

During the construction of the toilet building the bridleway must remain open, unobstructed and safe to use at all times.

Finally, I have noticed in one of the photos that the statutory Public Bridleway sign has been taken out of the ground and is propped up against the wall. This needs to be reinstated as soon as possible

Comments made by David Smith - Ranger South of NYMNPA

Preferred Method of Contact is: Email

Comment Type is Comment

Letter ID: 543927



NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

Premises: 00333991
Job: 1196911

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

When telephoning please ask for: Nick Mack

05 May 2020

Dear Mark,

Ms Maggie Barraclough, Farmhouse Fodder Tea Garden, Dale Head Farm Daleside Road, Rosedale Abbey, Pickering, YO18 8RL

FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 04/05/2020
Plans No: NYM/2020/0218/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.

Mark Hill
NYMPA
Old Vicarage
Bondgate
Helmsley
YO62 5DP

Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives

www.northyorksfire.gov.uk

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.

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

Yours faithfully

N Mack

Nick Mack
Watch Manager
Business Fire Safety
Scarborough & Ryedale



North York Moors
National Park
Authority

Tom Hind
Chief Executive

Your ref:

Our Ref: 13TM01

Date: 29 March 2021

Helen Webster
Planning Services
NYMNP
Helmsley

Dear Helen

Planning application NYM/2020/0218/FL – Letter of support

On behalf of the Land of Iron project I write in support of the above planning application on the basis that these tea room facilities are an important part of the Rosedale Railway and the National Park's promoted route for public access to it (see <https://www.northyorkmoors.org.uk/looking-after/landofiron/explore>).

Following the substantial access improvement work on the railway in 2019 this route should become one of the National Park's premier accessible walking and cycling routes over the coming months and years. Furthermore, huge conservation work is planned at Rosedale East through the Saving Stone Kilns project, which if funding is successful will only serve to increase public use of and interest in the Rosedale Railway. The tea rooms are included in the National Park's promotional materials and signage for this route.

I hope that this information is useful in your assessment of this application. Should you require any further information please do not hesitate to contact me.

Yours sincerely

Tom Mutton

Land of Iron Programme Manager

Working together to sustain the landscape and life of the
North York Moors for both present and future generations to enjoy

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP

