

**From:**  
**To:**  
**Cc:** [Planning](#)  
**Subject:** RE: NYM/2021/0161/FL - High Buildings, Fryup Dale Head  
**Date:** 16 August 2021 12:16:23

---

Hi Megan

I've just noticed on the main application form that they state draining to a new septic tank, so questions re capacity and where discharge to are still relevant. The applicant should also supply a plan indicating where it is to be installed.

Thanks

Elsbeth

---

**From:** Elspeth Ingleby  
**Sent:** 16 August 2021 12:14  
**To:** Megan O'Mara  
**Cc:** Planning  
**Subject:** NYM/2021/0161/FL - High Buildings, Fryup Dale Head

Dear Megan

As it appears that this application is to maintain traditional use of agricultural outbuildings, I have no primary objection. I believe bat, bird and swift informatives have been requested to be included in the decision notice if improved to ensure the applicant is aware of their legal responsibility to protect bats and bat roosts, and not disturb nesting birds. Whilst it does not appear from the plans that any roofed buildings currently open to the elements are to be entirely enclosed (please let me know if I have missed anything) so maintenance of bird/bat access to nest and roost sites should be maintained if present, however I would advise that works are undertaken outwith of the bird breeding season where possible. If any buildings are to be changed to a more domestic use, eg through the inclusion of heating and insulation, then we will likely need to request that bat surveys are undertaken.

It sounds from the application that bathroom facilities are to be included in the site (or have already?) where they were not there, or not functioning, previously. The applicant will need to submit information detailing how foul sewerage and dirty water is to be collected and dealt with – for example is there an existing septic tank, and if so does it discharge to watercourse or soakaway (the former are no longer permitted), or is it proposed to install a new package treatment plant and if so what capacity and where will it drain to.

Many thanks

Elsbeth

**Elsbeth Ingleby MA<sub>Cantab</sub> ACIEEM**  
**Ecologist**

**From:**  
**To:**  
**Cc:** [Planning](#)  
**Subject:** NYM/2021/0161/FL - High Buildings, Fryup Dale Head  
**Date:** 16 August 2021 12:14:10

---

Dear Megan

As it appears that this application is to maintain traditional use of agricultural outbuildings, I have no primary objection. I believe bat, bird and swift informatives have been requested to be included in the decision notice if improved to ensure the applicant is aware of their legal responsibility to protect bats and bat roosts, and not disturb nesting birds. Whilst it does not appear from the plans that any roofed buildings currently open to the elements are to be entirely enclosed (please let me know if I have missed anything) so maintenance of bird/bat access to nest and roost sites should be maintained if present, however I would advise that works are undertaken outwith of the bird breeding season where possible. If any buildings are to be changed to a more domestic use, eg through the inclusion of heating and insulation, then we will likely need to request that bat surveys are undertaken.

It sounds from the application that bathroom facilities are to be included in the site (or have already?) where they were not there, or not functioning, previously. The applicant will need to submit information detailing how foul sewerage and dirty water is to be collected and dealt with – for example is there an existing septic tank, and if so does it discharge to watercourse or soakaway (the former are no longer permitted), or is it proposed to install a new package treatment plant and if so what capacity and where will it drain to.

Many thanks

Elsbeth

**Elsbeth Ingleby MA<sub>Cantab</sub> ACIEEM**

**Ecologist**

North York Moors National Park Authority

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

**From:**

[Planning](#)

**Subject:**

Bird, Bat and Swift informatives

**Date:**

06 August 2021 11:20:06

---

Hi Planning,

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

NYM/2021/

0558/FL - The Hermitage, Guisborough Road,  
Ugthorpe

0569/LB - Mullion Court, Headlands Road, Appleton  
le Moors

0543/FL - West Ayton Caravan Club, Cockrah Road,  
West Ayton

0161/FL - High Buildings, Fryup Dale Head, Fryup

If the following applications are approved please can a **bird informative** be included within the decision notice

NYM/2021/

0558/FL - The Hermitage, Guisborough Road,  
Ugthorpe

0543/FL - West Ayton Caravan Club, Cockrah Road,  
West Ayton

0161/FL - High Buildings, Fryup Dale Head, Fryup

If the following applications are approved please can a **swift informative** be included within the decision notice

NYM/2021/

0558/FL - The Hermitage, Guisborough Road,  
Ugthorpe

0543/FL - West Ayton Caravan Club, Cockrah Road,  
West Ayton

0161/FL - High Buildings, Fryup Dale Head, Fryup

Thanks,

Victoria

[Victoria Franklin](#)

[Conservation Graduate Trainee](#)

[North York Moors National Park Authority](#)

[The Old Vicarage](#)

[Bondgate](#)

**From:**  
**To:** [Planning](#)  
**Subject:** RE: NYM/2021/0161/FL  
**Date:** 29 July 2021 13:14:21

---

Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Generic advice is provided in the Annex attached.

## **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 Geoportals](#). 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.

### **Air quality impacts on SSSIs**

The interest features of affected designated sites may be sensitive to impacts from aerial pollutants. To determine any likely air quality impacts arising from this proposal, an initial screening for air quality impacts should be completed. Simple screening tools are available via the internet, such as the Simple Calculation of Atmospheric Impact Limits (SCAIL) model: <http://www.scail.ceh.ac.uk/>. The results of this screening should inform the need for any further, more detailed assessment which may be required to fully assess the impacts of the proposal.

### **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 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. The 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 [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**

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](http://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:

**Sent:** 26 July 2021 09:52

**To:** SM-NE-Consultations (NE) <[consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)>

**Subject:** NYM/2021/0161/FL

**Importance:** High

Reference: NYM/2021/0161/FL.

The North York Moors National Park Authority Planning Service welcomes public engagement in all aspects of its work. You have received this email in relation to a current planning matter. The attached correspondence contains important information which you are advised to retain for your records. If you have any queries, please do not hesitate to contact us. When replying it's best to quote our reference number, which is included in the attached letter.

The Authority is following Government advice concerning Covid-19 as such our working arrangements may change. We will ensure our letters and website are updated as and when required in order to provide our customers with the most up to date information.

Kind regards

**Chris France**

Chris France

Director of Planning  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley, York YO62 5BP  
Tel: 01439 772700  
[www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk)



**North York Moors**  
National Park

CONFIDENTIALITY: The contents of this message are the views of the author, not necessarily the views of the North York Moors National Park Authority. This is a private message intended for the named addressee(s) only. Its contents may be confidential. If you have received this message in error please reply to say so and then delete the message. Any use, copying, disclosure or distribution by anyone other than the addressee is forbidden.  
[www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk)

---

This email has been scanned for email related threats and delivered safely by Mimecast.  
For more information please visit <http://www.mimecast.com>

---

---

[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>  
Department for Environment, Food and Rural Affairs (Defra) This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within Defra systems we can accept no responsibility once it has left our systems. Communications on Defra's computer systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.