

**From:**  
**To:**  
**Cc:** [Planning](#)  
**Subject:** NYM/2021/0538/FL - Mill Lane Farm, Lealholm  
**Date:** 17 September 2021 15:40:57

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Dear Megan

This application is accompanied by a Bat Survey by Wold Ecology dated July 2021. This survey has identified that there are no bat roosts present within the barn for conversion, but that some bird nests were present. Planning permission may be given, but section 7 and 8 of the Bat Survey will need to be conditioned, setting out the mitigation and compensation required for the bat and bird interest of the site.

The application form states that the proposed holiday cottages will discharge to an existing septic tank. As this will constitute an additional load, can we please request confirmation that the existing unit is of sufficient capacity to handle the increased use from guests staying at the site. We will also need confirmation as to where the tank drains (ie to watercourse or drainage field). As of January 2020, septic tanks can no longer be discharged to watercourse and must instead drain to an adequate drainage field at least 10m away from field drains or watercourses.

An external lighting condition will be required to cover the development to protect dark skies qualities.

Best wishes

Elsbeth

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

**Ecologist**

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

**From:**  
**To:**  
**Cc:**  
**Subject:** NYM/2021/0538/FL - Mill Lane Farm, Lealholm  
**Date:** 03 September 2021 20:01:25

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Hi Megan

Unfortunately I have not been able to assess this application yet and am now on leave until 13 Sept. Can I please request an extension until 15 September to comment?

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

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



**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**

**Application No:** **NYM21/0538/FL**

**Proposed Development:** Application for conversion of buildings to form 1 no. dual use holiday letting cottage/annexe and 1 no. further holiday letting cottage together with home office

**Location:** Mill Lane Farm, Lealholm

**Applicant:** Mr John Smith

**CH Ref:** **Case Officer:** Ged Lyth

**Area Ref:** 4/40/325/B **Tel:**

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

**To:** North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
YO62 5BP **Date:** 1 September 2021

**FAO:** Megan O'Mara **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:

Section 10 of the application form mentions there are ample parking spaces for vehicles associated with the address. On the clear understanding that these spaces will remain available for residents, guests and visitors to these premises and that all the dwellings in this application site area will remain ancillary to the main residence, there are **no local highway authority objections** to the proposed development

**Signed:**

*Ged Lyth*

*For Corporate Director for Business and Environmental Services*

**Issued by:**

Whitby Highways Office  
Discovery Way  
Whitby  
North Yorkshire  
YO22 4PZ

**e-mail:**

Date: 25 August 2021  
Our ref: 364880  
Your ref: NYM/2021/0538/FL



Megan O'Mara  
North York Moors National Park Authority

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

**BY EMAIL ONLY**

Dear Miss O'Mara

**Planning consultation:** Conversion of buildings to form 1 no. dual use holiday letting cottage/annexe and 1 no. further holiday letting cottage together with home office  
**Location:** Mill Lane Farm, Lealholm

Thank you for your consultation on the above dated 17 August 2021 which was received by Natural England on 17 August 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](https://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](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Joe Thorpe  
Consultations Team

## Annex A - 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 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

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<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>

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:**  
**To:**  
**Subject:** Mill Lane Farm, Lealholm - conversion to form 1 no. dual-use holiday letting cottage/annexe and 1 no. further holiday letting cottage together with home office NYM/2021/0538/FL  
**Date:** 17 August 2021 14:44:16

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FAO Miss Megan O'Mara

**Mill Lane Farm, Lealholm - conversion to form 1 no. dual-use holiday letting cottage/annexe and 1 no. further holiday letting cottage together with home office NYM/2021/0538/FL**

I refer to your e-mail of the 17<sup>th</sup> August 2021 in respect of the above application. Whilst I have no objections to the proposals in principle I would make the following observations:

- 1 There is a fire safety concern with the proposed small holiday cottage (at the south end of the farmhouse); the ground floor is open plan and there is no fire protection between the kitchen area and the bedroom on the first floor. As the escape route would be through the high-risk ground floor the window to the bedroom should be an escape-window giving the occupiers an escape route from the bedroom. The current window aperture would need enlarging to accommodate an escape window.
- 2 The mezzanine floor in the second holiday cottage is described as a living area but should this ever be used as a bedroom the same issue would arise.

Thanks

Steve

Steve Reynolds DipAc, DipEH, BSc, DMS, MSc(ENG), MCIEH, CEnvH, CMIWM  
Residential Regulation Manager  
Scarborough Borough Council

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