

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION-
ADDITIONAL/AMENDED INFORMATION**

Application No:	NYM21/0923/OU
Proposed Development:	outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed use industrial units with associated access
Location:	Land north east and east of High Street, Egton
Applicant:	Egton and Mulgrave Estates

CH Ref:		Case Officer:	Ged Lyth
Area Ref:	4/32/267	Tel:	
County Road No:		E-mail:	

To:	North York Moors National Park Authority The Old Vicarage Bondgate Helmsley YO62 5BP	Date:	6 April 2022
FAO:	Hilary Saunders	Copies to:	

Note to the Planning Officer:

The Local Highway Authority has received further information since the issue of the recommendation dated 17/12/21 in the form of a revised plan, drawing number 02-2021-1001 Rev D

It is thus recommended that

The Local Highway Authority still has concerns about the layout which would need alterations to meet an acceptable design. Some of these alterations are easier than others to achieve and some will have bigger implications than others on the remainder of the site.

1. Visibility splays required for the three proposed accesses. 45 metres has been used as the dimension for the length of traffic that a driver needs to be able to see oncoming traffic. This is adequate but the 2 metres from where the driver would be located does not appear to be taken into account for the northern most access. This would require alterations to the hedges south of the access and confirmation that the hedges, north of here allow this, especially as these are not within the applicants control.

2. The turning areas for the two shared drives go all the way to the kerbline on the main road, Egton Lane which has the potential that vehicles would overhang into the main highway. Measures to prevent this would be required but this has the potential to have a knock on effect of moving the

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM21/0923/OU

turning head SE which has the potential to move the drives of plots 3 and 4 and the line of the buildings.

3. This area of Egton does not have publicly maintainable footways at the sides of the road but it does have privately maintainable wide verges which have the potential in the future to be adopted by the highway authority and footways installed for highway safety reasons. Therefore, a 2 metre wide minimum grass verge would be recommended along the whole length of the site.

4. As the proposed car park is proposed to be used by the public, the road leading to it should be constructed up to adoptable standards and as it is leading into the industrial units, it should be up to industrial estate standards. Details of the size of vehicles likely to use the units would aid the LHA into evaluating whether the layout is appropriate.

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:

From:
To: [Planning](#)
Cc:
Subject: NYM/2021/0923/OU: Outline Application for 9 no dwellings High Street Egton
Date: 01 April 2022 16:52:48

For the attention of Hillary Saunders

Hillary,
Good afternoon,
Please be advised I will be attending the Planning Committee meeting for the above noted planning application on Thursday 7th April.
I will be representing Egton Parish Council.
Thanks,
Anthony Jackson

Councillor Anthony Jackson Egton Parish Council

NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES
LEAD LOCAL FLOOD AUTHORITY
CONSIDERATIONS and RECOMMENDATION



Application No:	NYM/2021/0923/OU		
Proposed Development:	Application for outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed use industrial units with associated access		
Location:	Land north east and east of High Street, Egton		
Applicant:			
District/Borough:	North York Moors National Park Authority		
FRM Engineer:	Jack Blow	LPA Case Officer:	Mark Hill

Note to the Planning Officer:

Thank you for consulting the Lead Local Flood Authority on the planning application referenced above.

The following documents are noted:

- Planning, Design & Access and Heritage Statement (Revised to include Flood Risk Assessment), Compass Point Planning and Rural Consultants, November 2021
- Drawing No. 02-2021-1001, Location and Block Plans, Revision A

In assessing the submitted proposals and reaching its recommendation the Authority would like to make the following comments:

1. Flood Risk

The site is located within Flood Zone 1 with a very low risk of both fluvial and pluvial flooding.

2. Runoff Destinations

Paragraph 5.6.1 under section 5.6 of the submitted Planning, Design & Access and Heritage Statement states that surface water disposal will be via a connection to the existing drainage and sewerage networks.

Date:	28/01/2022	Approved by:	Emily Mellalieu Flood Risk Management Team Leader
FAO:			
Issued by:			

--

**LEAD LOCAL FLOOD AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Continuation
sheet:

Page 2 of 4

Application No:



Surface water runoff not collected for use must be discharged to one or more of the following in the order of priority shown in accordance with the Building Regulations Part H:

- a) Discharge into the ground (infiltration).
- b) Discharge to a surface water body.
- c) Discharge to a surface water sewer, highway drain or other drain.
- d) Discharge to combined sewer.

The applicant must demonstrate their rationale for each runoff destination, detailing reasoned elimination or selection for each.

3. Peak Flow Control

Peak flow control has not been addressed. Peak runoff rate from the developed site, for the 1 in 1, 1 in 30 and 1 in 100 year rainfall events to include for urban creep where required and climate change, must not exceed the peak greenfield runoff rate from the site for the same event.

For a whole or part brownfield site; greenfield runoff rate and/or 70% of demonstrable existing positively drained runoff rate for those rainfall events will be permitted however greenfield runoff rate should be achieved where possible.

Greenfield runoff rate is maximum 1.4 l/s/ha unless modelling conclusively demonstrates Greenfield runoff to be greater than this.

4. Volume Control

Micro Drainage calculations are requested to confirm the required Surface water attenuation volume.

The proposed SuDS attenuation features should be able to provide the 1 in 100 year design flood event plus with an allowance for climate change and for urban creep. This should be incorporated into the detail drainage design.

This is an additional measure to the peak flow control, as the additional volume of surface water generated by the development needs to be controlled so that the volume of surface water runoff post development does not adversely affect the receiving system. Measures should be proposed to reduce or remove the volume from the site via infiltration, long term storage, receiving proposed SuDS features or harvested for use within the development site.

Reducing to the pre-development QMED/QBAR greenfield runoff peak flow rates is usually sufficient to achieve Volume control for the 1 in 100 year 6 hour storm event on sites with the necessary attenuation storage provided.

5. Pollution Control

SuDS design must ensure that the quality of any receiving water body is not adversely affected and preferably enhanced.

LEAD LOCAL FLOOD AUTHORITY CONSIDERATIONS and RECOMMENDATION

Continuation
sheet:

Page 3 of 4

Application No:



Pollution from surface water runoff from the development from parking areas and hardstanding areas should be mitigated against by the use of oil interceptors, road side gullies, reedbeds or alternative treatment systems.

The use of petrol interceptors will only need to be used for sites that require 30 or more car park spaces or equivalent area of hardstanding, otherwise, road side gulleys are a sufficient measure for smaller sites for pollution control from highways.

6. Designing for Exceedance

An exceedance plan is required to show overland flow during an extreme flood event, exceeding the capacity of the proposed drainage system. Mitigation measures should be proposed to minimise the risk of flooding to these properties.

Site design must be such that when SuDS features are exceeded due to failure caused by blockages or collapsed pipes or when the system is overwhelmed by excessive flood flows, the exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways.

Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event, with no flooding anywhere on site.

Rainfall in excess of a 1 in 100 year rainfall that exceeds the designed SuDS scheme must not flood any properties or essential infrastructure (pumping station, junction boxes, etc.) and any exceedance flows are managed within the site that avoid risk to people and property both on and off site, with the design of the site mindful of the topographic levels and highway requirements (cross fall, dropped kerbs) as to not cause flooding to properties from exceedance flood flows.

7. Climate Change and Urban Creep

An allowance of at least 30% must be made in SuDS design for increased amounts of rainfall as a result of Climate Change. Additionally, a 10% allowance must be made in the designed SuDS for Urban Creep.

Recommendation to the Local Planning Authority:

The submitted documents are limited and the LLFA recommends that the applicant provides further information before any planning permission is granted by the LPA.

- Ground investigation report (of sufficient detail to determine if infiltration is viable at the site).
- Preliminary drainage layout plan with proposed discharge point
- Preliminary Hydraulic calculations (quick estimates of runoff rates and attenuation).
- Preliminary Landscape Proposals (for Exceedance routes).

**LEAD LOCAL FLOOD AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Continuation
sheet:

Page 4 of 4

Application No:



The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document).

Please note that at discharge of conditions stage, should the requirements not have been approved as part of a planning application, the applicant is exposed to the risk of being unable to discharge the relevant planning condition.

From:
To:
Cc:
Subject: NYM/2021/0923/OU - land north east of High Street Egton
Date: 23 December 2021 12:52:07

Dear Hilary

This application proposes the development of over 1ha of greenfield land, currently largely improved grassland, along with intact and remnant sections of hedging. All hedge lines and sections of remnant hedging appear to be of long standing based on a brief comparison with historic maps, and therefore may feature as of cultural or archaeological importance as well as potentially of ecological importance. At present, no ecological information has been provided in support of the application.

Before the application can be considered for potential approval, the applicant should provide a Preliminary Ecological Appraisal of the site to assess the existing habitats and potential for species present. This should include a detailed appraisal of existing and remnant hedgerows for their importance (using assessment guidance under the hedgerow regulations, NERC act and consideration of priority habitat). In addition, to be in accordance with our Statutory Purposes and support the conservation of biodiversity within the National Park, the applicant will need to demonstrate that a Biodiversity Net Gain can be achieved as part of the development utilising the Defra Biodiversity metric 3.0 as found here; [The Biodiversity Metric 3.0 - JP039 \(naturalengland.org.uk\)](https://naturalengland.org.uk). Whilst we do not at this point require a 10% gain to be demonstrated (this requirement under the new Environment Act will not nationally come into force some level of positive gain is required to be demonstrated).

A considerable extent of hardstanding will also be created as part of the proposal, and the applicant should demonstrate that increased rates of run-off as a consequence can be adequately attenuated to prevent impacts water levels on surrounding areas and watercourses.

Many thanks

Elsbeth

Elsbeth Ingleby MA_{Cantab} ACIEEM

Ecologist

North York Moors National Park Authority

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

Your ref: NYM/2021/0923/OU

Construction of 9 dwellings, relocation of public car park and mixed industrial units, northeast and north of Egton

Egton Parish Council offer the following comments on the above application. The comments below deal firstly with how the planning application does not comply with the Strategic Policies of the Local Plan. And secondly, sets out our views on how the planning application does not comply with the sub policies.

Strategic Policies A, B, C and D

Compliance with Strategic Policy A depends on compliance with the sub policies. Strategic Policy B relies on compliance specifically with sub policy CO7. Strategic Policy C depends on compliance with the sub policies. We have set out below the reasoning why we consider that the planning application does not comply with sub policies and therefore fails to comply with Strategic Policy A, B or C. Furthermore, Strategic Policy D states that:

- Proposals for major development shall be refused except in exceptional circumstances and where it can be demonstrated that they are in the public interest.

The scale and scope of this planning application, given that it involves 9 dwellings, a large car park and a large number of industrial units, over a very large area of predominantly agricultural land, is a major development within the rural setting of Egton, a large village within the hierarchy of the Local Plan. There are no exceptional reasons for the application to be accepted. The application is not in the public interest and does not satisfy any of the 4 criteria set out on page 47 of the Local Plan. There is no compelling reason why this large number of industrial units are suited to such a rural setting. We contend that the industrial units would in fact be more suited to a business park in Whitby. The car park is proposed only because the existing car park would become an access road for 9 large dwellings, all built on green fields. Just on consideration of Strategic Policy D above, the planning application should be refused.

Strategic Policy G - Landscape

Strategic Policy G states that the high quality, diverse and distinctive landscapes of the North York Moors will be conserved and enhanced. Development which would have an unacceptable impact on the natural beauty, character and special qualities of the park will not be permitted. The Parish Council are of the view that this development will have a visually negative impact on the proposed development site, Egton and views over the moors. The development would be visible from the main road into Egton and would change the whole feel of the approach to the village. Furthermore, it would block views from the current car park across the fields to Grosmont and Eskdaleside. The proposed industrial units would completely block the view across the fields and landscape from the footpath and public right of way that leads from the centre of the village across fields down to the east of Egton. The development would also materially expand the historic form of Egton, destroying field boundaries and archeological landscapes that have been in place for many centuries.

Policy ENV1 - Trees, Woodlands, Traditional Orchards and Hedgerows

This policy states that there will be a presumption in favour of the retention and enhancement of existing trees, woodland, traditional orchards and hedgerows of value on all developments. All of the trees and hedgerows along the show field boundary of the existing car park would be removed. The archeological landscape of ridge and furrow would also be destroyed. The Parish Council consider that there are no wholly exceptional reasons or need for the development on this site.

ENV2 - Tranquility

This policy states that tranquillity in the National Park will be maintained and enhanced. Development proposals will only be permitted where there is no unacceptable impact on the tranquillity of the surrounding area. The proposed development is not within the main built up part of the village. It will extend the village into open countryside and will also join up the village to outlying dwellings, namely Flushing Meadow, Abbotsford and Moorfield. The development would be visually intrusive, cause significant noise and light pollution (particularly the industrial units) and all three aspects of the application would increase activity levels, increase traffic in the village, leading to more parking problems. This would have a detrimental impact on the tranquility of the village.

ENV9 - Historic Landscape Assets

This policy states that development affecting historic landscape assets of the North York Moors will be required to conserve and, where appropriate, enhance its landscape quality and character by taking into consideration the elements which contribute to its significance and, where relevant, the public's experience of it. This specifically includes ridge and furrow and other evidence of past field systems and farming practices. The planning application acknowledges that the ridge and furrow features in the field would be destroyed by the development of the industrial units. The Parish Council consider that these historic agricultural landscape features should be preserved.

Strategic Policy K - The Rural Economy

Compliance with this policy relies on meeting one or more of 5 criteria set out on page 93 of the Local Plan. There is no evidence or information in the the planning application that addresses these criteria. The Parish Council consider that approval should not be given to an application that is for "mixed industrial units".

Egton already has three significant industrial activities, namely M&M Motors, Godbold and Mortimers. They already cause traffic and parking issues in the village. There is also a significant amount of noise produced as well and light pollution. The development is proposing a large number of light industrial units. This strategic policy provides for development that foster the economic and social well being of local communities, where specific criteria are met. In our view, in a village location such as Egton, this would include activities that support agricultural, forestry and tourism sectors.

The application proposes mixed light industrial units. There is no assessment of any actual need for these units, and this appears to be entirely speculative. If the industrial units were approved, this would increase light and noise pollution in the village and further exacerbate parking and traffic issues in the village. The Parish Council are aware that Cross Farm Buildings (owned by Mulgrave Estate) has been available for rent for light industrial use over the last 20-30 years. Certainly over the last decade it has been empty more than in use. The fact that Mulgrave Estate have sought, and gained, planning approval to turn it into a dwelling,

demonstrates that there is very little demand for industrial units in Egton. Furthermore, the Parish Council are aware that there are a number of industrial units at Davison's Farm. This could be the focus for location of additional industrial units, if there is a demand for suitable use within a rural setting.

The proposed new car park would not be big enough to accommodate all parking in the current car park, and the users of the industrial units. Furthermore, there would also be additional lorries arriving to deliver supplies to the industrial units. We therefore argue that increasing the amount of industrial activity in Egton is wholly unwarranted and would change the nature of the village. As stated above the proposed industrial units would more appropriately be located on an industrial estate in Whitby.

The planning application also notes the fact that the site for the industrial units is believed to be a ridge and furrow feature - Historic Environment Record (NZ80069952). If the industrial units were approved this would destroy this archeological feature. There is no compelling case in support of the industrial units, and destruction of an important landscape feature, that speaks to the history of Egton, should not be contemplated.

Strategic Policy M - Housing

The Local Plan covers 19 years from 2016 to 2035. Over that period the objective is for the development of 551 dwellings across the whole of the National Park. This equates to an average of 29 dwellings being built within the National Park each year. According to the Local Plan the population of the National Park was 22,997 in 2017. The 2011 census records the population of Egton as 448. Taking the population ratio and applying that to the total Local Plan target of 551 dwellings over the 19 year period, equates to Egton's contribution being 10.7 dwellings. The Campaign for National Parks website states that the population of the park is 25,000. Using this figure would bring Egton's housing contribution down to 9.9 dwellings.

That is over the whole 19 year period. In the last 12 months planning applications have been approved for three sites within the main built up area of the village on the road out to Grosmont. This includes the development of 2 houses on the right hand side of the road before Honey Bee House, 5 houses opposite that and a further large detached house next to Mount Pleasant. Honey Bee House and Mount Pleasant mark the end of the village on the Grosmont road with the Egton sign situated opposite the garden of Mount Pleasant. Building work has started on the plot of the large detached house. At the last Parish Council meeting, we discussed a planning application to convert barns at Red House Farm into 3 dwellings. If that is approved, and including Cross Farm Buildings, that would mean planning would have been recently approved for 12 houses in Egton. This exceeds Egton's ratio contribution to the total development target as set out in the Local Plan for the whole 19 year period. This planning application for a further 9 houses is therefore entirely unnecessary.

Sub Policies

Policy CO2 - Highways

This policy states that new development will only be permitted where it is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety. The Parish Council is concerned about the potential increase in traffic in the village, generated by 9 additional houses (with potentially 2 cars each) and the unspecified number of industrial units. If the proposed industrial units were fully occupied, this would increase business/commercial traffic into the village, including suppliers delivering materials and customers visiting the units. The centre of the village around the junction is already congested at times, given the traffic generated by customers and suppliers to M&M Motors, Godbold and Mortimers. The Parish Council consider that highways should not approve the industrial units application as the proposed usage is unclear. In any event this would have a significant and detrimental impact on traffic congestion in the village.

Policy CO3 - Car Parks

This policy states that new car parks will only be permitted where it is the only way to solve current parking problems. Whilst there is a parking issue in Egton, the planning application creates further unnecessary pressure by removing the existing car park from use. The current car park is fully used by a range of people including workers and customers of M&M Motors, Godbold and Mortimers. As already stated above, there is also already a significant parking and traffic issue around the junction by the Monument. Customers and suppliers to the existing 3 businesses, regularly park all around the junction by the Monument. This is already a dangerous situation, particularly for pedestrians and cyclists. If additional industrial units were developed, this would make the situation untenable. The Parish Council is already seriously concerned about the parking and traffic issues around the junction.

The current car park is also used by tourists, walkers and cyclists. It is also used by users of the play area and recreation ground. When there is a cricket match in operation, the car park is full and a number of cars park on the edge of the road opposite Flushing Meadow and Abbotsford. If the development went ahead, it is unlikely that the new car park would accommodate the total number of cars that currently park in the village. There would also be increased pressure on parking in the village from users of the proposed industrial units and their customers and suppliers.

Users of the recreation ground are probably unlikely to use the new car park and will park on the road by the recreation ground. This is highly likely when a cricket match is on, as the Parish Council do not think teams will carry all their kit from the new car park to the recreation ground. The existing car park is usefully adjacent to the recreation ground. Loss of the existing car park would therefore have a detrimental impact on the enjoyment and use of the recreation ground. It would also increase the likelihood of further parking on the road by the recreation ground, causing further parking/traffic issues. The photographs of the site attached to the application show the car park empty. During the week it is much busier, as evidenced by the attached photographs.

Policy CO7 - Housing in Larger Villages

This policy states that principle residence and affordable housing will only be permitted on suitable small sites within the main built up area of the village only. And that proposals will be expected to meet the need for smaller dwellings. Strategic Policy M Housing (P117), paragraph 7.24g) encourages the development of smaller, more affordable homes. At para 7.27 it states that a Strategic Housing Market Assessment concluded that new dwellings should mainly be 1 and 2 bedroom units for affordable housing, and smaller 2 and 3 bedroom units for general housing needs. The Local Plan notes that there is little need for larger

properties within the National Park. Paragraph 7.31 (P121) states that developments in large villages should be no more than 5 dwellings.

This planning application clearly contravenes all the criteria above. We are aware that at a meeting between the Egton Estate, Mulgrave Estate and the Egton Show Committee, the plan was presented as seven 3 bedroom houses and two 5 bedroom houses. Whilst the plan submitted indicates nine 3 bedroom houses, it is evident that the two houses at each end are much larger than the other houses and are situated on larger plots. It should be noted that the Parish council are currently consulting on whether there is a need for affordable homes in Egton. As the planning application notes, approval was given for the development of Brownswood Cottages a number of years ago. At p 119 of the Local Plan it allows for affordable housing to be developed in large villages within the main built up area of the village, or, as in the case of Brownswood Cottages, adjacent to the main built up area. The proposed 9 dwellings are at best adjacent to the main built up area of the village. The proposed development is not within the main built up area of the village. But as they are not classed as affordable homes, this is not in line with the Local Plan. We are also concerned that whilst these dwellings are classed as principle residence only, they will not be affordable to local people in the village or surrounding areas. Despite the principle residence criteria, the Parish Council also has concerns over how that would be enforced, and the very real risk that these houses would, in time, become second homes or holiday lets. The number of second homes and holiday lets is already an issue of concern for the Parish Council.

The Local Plan states that any development in a large village should be in the main built up area of the village. The Parish Council argue that the village boundary starts where the Egton sign is, and not the 30 MPH sign. Flushing Meadow, Abbotsford and Moorfield are outlying dwellings outside the main built up area of Egton. There are no street lights between the end of the High Street and Flushing Meadow, Abbotsford and Moorfield. Should the 9 dwellings be approved this would join up outlying dwellings with the main built up area of Egton. This would further contravene para 7.32 (P121) of the Local Plan which prohibits development that would consolidate sporadic outlying development or allow villages to expand into open countryside.

Taking the proposed development as a whole, this significantly extends the footprint of Egton into open countryside. Whilst the development on the current car park could be classed as a brownfield development, the rest of the development is very much building on agricultural land which is in use. In fact the existing car park would be re-used only as an access road to the 9 houses. So the houses, new car park and industrial units would all be built on green field sites. This would extend the size and shape of the village within the landscape into open countryside.

At the edge of the current car park there are a row of mature trees, including Oak and Sycamore. These are visible as one walks up the unclassified road from Eastwell Cottage, to the east of Egton. These trees would go and the view would be of a line of houses, instead of the trees. From the car park there are views across to Grosmont and Eskdaleside which would be lost. Approaching Egton from the A171 at the 30MPH sign, there are 3 dwellings and then the recreation field (and children's play area) on the right, and then Egton plantation and the Monument field. To the left, past Flushing Meadow, the car park is lined with trees all the way to the gate to the field. This is also where the Egton sign is, marking the entrance to the village. The loss of the trees would unbalance the current pleasing entrance to the village. It would also have a negative impact on biodiversity. It would also look like a suburban street, with all the houses made of similar materials, with drives and garages. This would not blend in with the predominant building style in Egton which is of terraced housing. The development would also increase the amount of light pollution created in

the village with extended street lighting by the dwellings, car park and industrial units. Additional lighting would be necessary as a deterrent against increased levels of crime. This would have a detrimental impact on the dark skies that the North York Moors are known for. The development would erode the tranquility of Egton village undermining para 2.35 (P30), which states that there is a risk of a gradual erosion of tranquillity and the quality of dark night skies.

Cultural Impact

As stated above, the parish Council is aware that the Egton and Mulgrave Estates have discussed their proposals with the Egton Show Committee. We understand that should the development go ahead, the loss of very significant part of the show field would make the Egton Show unviable on the current site. The planning application states that the Egton Show can continue in the agricultural field. However, we are aware that the Show Committee is in discussion with the Egton and Mulgrave Estates to consider an alternative site for the show. Whilst the show will go ahead in 2022 on the current site, it would have to move thereafter. If the show did move, it would have to move outside of the village, potentially up to two miles from Egton.

The Egton Show has been held on the current site for over 100 years. It is a key element of what defines Egton as a village. The origins of the Egton Show grew out of the horse sales that were held in the village in the late 1800s. The horse sales took place around the junction of Egton High Street and the Glaisdale road - at the top of the village close to where the Witching Post public house is situated. The horse sales grew from the horse racing that took place on a race course on land between the village and Davison's Farm. The first show was in 1877 featuring the Cleveland Bay breed, which is the oldest established breed of horse in England. The Egton Show has therefore been held in the show field, very close to where the original horse sales took place in the village. The fact that the show takes place close to the centre of the village has created a strong association between the show and the village. The Parish Council is concerned that if the show moved out of Egton, it would change the very nature of the show and the link to the village of Egton would be severed. We are also aware of other agricultural shows that have moved out of traditional village locations and they have withered and stopped within a few years. The Egton Show is the biggest show of its kind in the area and is part and parcel of the culture and reputation of Egton and the North York Moors National Park. The show is one of the major cultural events within the North York Moors that connects in a very real way to the history and heritage of the farming community on the moors, and in particular the village of Egton. Furthermore, if the Egton Show no longer took place on the show field, this could encourage further planning applications to build dwellings on the rest of the show field.

Conclusion

For the above detailed reasons The Parish Council consider that the planning application should be refused. The housing development does not meet the strategic policies set out in the Local Plan, nor does it meet the criteria set out in the sub policies. The proposed development of 9 dwellings is outside the main built up part of the village on a green field site. Egton has already contributed more new dwellings over the last 12 months than its required pro rata contribution to the Local Plan over the 19 year period. The proposed car park is only needed if the existing car park is turned into an access road for the new houses. The outline of uses of the industrial units is not suitable for a rural village environment.

The planning application is also not "within the spirit" of the Local Plan, in that it would have a significant, negative impact on a protected landscape with special qualities. The planning application states that in

accordance with the National Planning Policy Framework (NPPF), the application should be permitted. Whilst NPPF policies might be appropriate, National Parks are able to consider their own unique circumstances and develop their own policies that take precedence of the NPPF. The Local Plan states that whilst the NPPF sets out a 'presumption in favour of sustainable development', development should be restricted – for example because land is designated as a National Park.

The Parish Council accepts that some development is of course necessary within the National Park. But this needs to be balanced against the impact on this important landscape and the culture and communities within the National Park. The planning application lacks any balance in terms of scale or sensitivity to the environment within which it is proposed and should therefore be refused. The Parish Council strongly recommend that the Planning Department visit the proposed site to fully appreciate the negative impact this would have on the community of Egton.

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM21/0923/OU**

Proposed Development: outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed use industrial units with associated access

Location: Land north east and east of High Street, Egton

Applicant: Egton and Mulgrave Estates

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

Area Ref: 4/32/267 **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 17 December 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 existing lay-by is not currently maintainable highway at public expense (MH@PE). The proposed layout does not conform to the NYCC highway design and specification.

Consequently, the Local Highway Authority recommends that Planning Permission is **REFUSED** for the following reason:

The proposed development includes a layout that has the potential to create situations that are prejudicial to highway safety.

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:

From: planning@northyorkmoors.org.uk
To: [Planning](#)
Subject: Comments on NYM/2021/0923/OU - Case Officer Mrs Hilary Saunders - Received from Building Conservation at The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP,
Date: 17 December 2021 11:39:58

The proposal for 9 row houses, a car park and industrial units are located on the edge of the Egton Conservation Area. Egton is characterised by grassy verges, traditional architecture and openness.

The proposed mixed industrial units would go beyond the development limits of the village and would negatively impact the existing archaeology evident on the HER and LiDAR. Whilst I leave the importance of the archaeology to my colleague, what is clear is that this area contributes positively to the historical values of the conservation area and the story of Egton as a whole. Its development would be to the detriment of the conservation area.

Whilst the HER indicates that the area to the north where the housing is proposed is possibly where 12th century Egton was situated, this has never been verified. Again I leave this to the Archaeological officer to assess any need for evaluation. The proposed design of the housing does not follow the form and grain of Egton, the pattern/ layout of development alongside features such as parking to the front is very suburban in design and not at all suitable for such a prominent site in a North York Moors village, particularly given that it is also the gateway to a conservation area. The proposal are contra to Strategic Policy I and ENV11.

The area is used at the show field and as such has communal values for the residents of Egton. Communal values are also linked to the conservation area as the village and as such the loss of this space would be to the detriment of the communal values of the site and the conservation area.

Comments made by Building Conservation of The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Comment Type is Object with comments
Letter ID: 579073

Chris France
Director of Planning
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Yorkshire Water Services
Developer Services
Sewerage Technical Team
PO BOX 52
Bradford
BD3 7AY

16th December 2021

Your Ref: NYM/2021/0923/OU
Our Ref: X022244

Dear Sir/Madam,

Land north east and east of High Street – Application for outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed use industrial units with associated access at Land north east and east of High Street, Egton

Thank you for consulting Yorkshire Water regarding the above proposed development. We have the following comments:

Waste Water

If planning permission is to be granted, the following conditions should be attached in order to protect the local aquatic environment and Yorkshire Water infrastructure:

The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

(In the interest of satisfactory and sustainable drainage)



YorkshireWater

There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and**
- ii) the means of discharging to the public sewer network at a rate to not to exceed 3.5 litres per second**

(To ensure that no surface water discharges take place until proper provision has been made for its disposal)

No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the local planning authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 4.75 (four point seven five) litres per second. Furthermore, unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

(To ensure that no foul water discharges take place until proper provision has been made for their disposal)

- 1.) Development of the site should take place with separate systems for foul and surface water drainage. The separate systems should extend to the points of discharge to be agreed.
- 2.) From the information supplied, it is not possible to determine if the whole site will drain by gravity to the public sewer network. If the site, or part of it, will not drain by gravity, then it is likely that a sewage pumping station will be required to facilitate connection to the public sewer network. If sewage pumping is required, the peak pumped foul water discharge must not exceed 4.75 (four point seven five) litres per second.
- 3.) The developer has not stated a means of surface water disposal however, sustainable development requires appropriate surface water disposal.
 - a.) Yorkshire Water promote the surface water disposal hierarchy and the developer must provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical before considering disposal to public sewer.
 - b.) The developer and LPA are strongly advised to seek comments on surface water disposal from other drainage bodies as further restrictions may be imposed.
 - c.) As the proposal site is currently undeveloped, no positive surface water is known to have previously discharged to the public sewer network. Surface water discharge to the existing public sewer network must only be as a last resort and the developer is required to eliminate other means of surface water disposal.





YorkshireWater

d.) As a last resort, and upon receipt of satisfactory evidence to confirm the reasons for rejection of other methods of surface water disposal, curtilage surface water may discharge to the public sewer network at a restricted rate of discharge not to exceed 3.5 litres per second.

3.) If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), he/she should contact our Developer Services Team

at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRC publication 'Code for Adoption - a design and construction guide for developers' as supplemented by Yorkshire Water's requirements.

Yours faithfully

Reuben Thornton
Developer Services Team



From:
To: [Planning](#)
Subject: RE: NYM/2021/0923/OU
Date: 15 December 2021 12:01:58

Good morning

The council object to the application and full details will be sent separately on Friday 17/12/2021.

Kind Regards

CA Harrison – Clerk to Egton Parish Council



The countryside charity
North Yorkshire

Chair: Jan Agar

CPRE North Yorkshire CIO
PO Box 189
York
YO7 9BL

www.cprenorthyorkshire.co.uk

Authority: North York Moors National Park Authority

Type of consultation: planning application

Full details of application/consultation: NYM/2021/0923/OU – Application for outline construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public carpark and mixed-use industrial units

At land at: North East and East of High Street, Egton

Type of response: Object

Date of Submission: 15th December 2021

All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

All CPRE North Yorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

External planning consultant used in this response:



KVA Planning Consultancy
Katie Atkinson, BA (Hons), Dip TP, MA
MRTPI
www.kvaplaning.co.uk

Comment

CPRE North Yorkshire ('CPRENY') welcomes the opportunity to comment on the outline proposal for mixed use development of 9 dwellings, car park and industrial units at Egton.

CPRENY understands the proposed development forms an initial outline application with all matters reserved except for access. In support of the applicant, the submitted plans illustrate an indicative layout for the site, showing the proposed scale of the development, however, being an 'outline' application, this could change at the detailed application stage.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application should be determined in accordance with the development plan unless material planning considerations indicate otherwise. The planning system should contribute to achieving sustainable development. The National Planning Policy Framework (NPPF) (2021) aims to deliver sustainable development through the implementation of its policies. Paragraph 11 states that for decision making this means:

- c) *'approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

Paragraph 219 of the NPPF clarifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Weight should be given to them according to their consistency with the NPPF. (The closer the policies in the plan to the policies in the Framework, the greater the weight that should be attributed).

The Development Plan relevant to this application consists of the North York Moors Local Plan (July 2020). Having recently been through independent examination and found sound, the Local Plan ('LP') should be considered up to date and thus full weight should be attributed to its policies. The NPPF is therefore to be given due weight as a relevant material consideration.

The LP considers that Egton is a 'larger village' in accordance with the settlement hierarchy. Strategic Policy B sets out that within larger villages *'development should support the service function of larger villages by providing additional housing (principal residence and affordable housing), employment and training premises and new facilities and services for the immediate locality only.'* Paragraph 3.12 goes on to explain that the LP *'allows for small-scale development in the main built-up area of these villages to meet housing, employment and community needs, including 'principal residence' housing on suitable sites ([in line with] policy CO7). No development limits are defined and the suitability of site for development will be defined on a case-by-case basis.'*

Policy CO7 sets clear advice as to when support would be given to housing in larger villages. Support will be given to proposals for principal residence and affordable housing will only be permitted *'1. on suitable small sites within the main built-up area of the village only [...]; 2. as a conversion of an existing building which lies within the main built-up area and makes a positive contribution to the character of the settlement...'* It also provides that *'proposals will be expected to meet the need for smaller dwellings'*. The indicative design submitted in support of the application shows all 9 dwellings being 2-storey, 3x bed properties. The

supporting text sets out clearly that this will generally be sites of no more than five dwellings. Any large sites which do not meet the guidance would only be considered for housing development as an exception to policy and proposals would be assessed under Policy CO11 which determines that to meet specifically identified local affordable housing needs, the development of 100% affordable dwellings will be permitted as an exception not policy on appropriate sites – the second criteria of the policy sets out that an appropriate site could be adjacent to the main built up area of a larger village.

The proposed site is located adjacent to the main built-up area of the linear settlement of Egton. The planning statement submitted in support of the proposals does not refer to any locally identified need nor the fact that this should be considered an 100% affordable exception site. It goes as far as setting out that the proposed dwelling will be for ‘principal dwellings’ at paragraph 4.2. Further, paragraph 7.2 sets out that the proposal for 9 new dwellings will provide ‘opportunities for new residents to be able to access Egton’s local services and facilities...’ This suggests that the housing is for new residents to the village rather than existing residents who are in ‘need’ of local housing. As such CPRENY consider that the proposal is, therefore, fundamentally contrary to policy. It is acknowledged that all matters are reserved bar access, however, as this is about the principle of the development at this outline stage, CPRENY cannot support the proposal which would inevitably extend the village into the open countryside beyond the main built form and not, should the indicative drawings be proposed at later stages, provide any smaller dwellings.

0.4Ha of the site is proposed to be for light industry/offices and storage facilities – again, there appears to be no justification of local/community need (in line with strategic policy B) which is essential to determine the outline proposal in principle at this stage.

The final element of the proposal is the creation of a new village car park, accessed via the existing site access just north of the existing village garage site which currently allows access to the proposed site (currently an agricultural field used for grazing). A new access road is to be created from the existing highway access along the southern boundary of the application site to serve the car park and the industrial units beyond but also access to the agricultural field which the applicant has relocated. There is some support for new car parks in the LP via Policy CO3, however, it is not sufficient for the applicant to state that there are no known impacts of constructing a carpark on this site in terms of the natural environment or heritage without commissioning the appropriate studies to evidence this. Further, the Environment Act now requires all new proposals to deliver a minimum measurable net gain in biodiversity of 10% across the site. The Planning statement alludes to the fact it will be possible to deliver net gains but offers no information as to how this would be achieved, and no metrics have been demonstrated.

The submitted location plan shows the area which bounds the main site and dwellings to be an area of landscaping with trees. These already appear to exist and abut the lay-by currently used as a small private car park. It is assumed that in the interest of nature conservation, the applicant would not intend to remove this mature boundary? Fig. 1 below shows the layby/car park and boundary planting.

Fig. 1 (@google maps)



To the south of the layby is a small area of informal off-road parking adjacent to the existing garage and workshop, shown in Fig.2 below:

Fig.2 (@google maps)

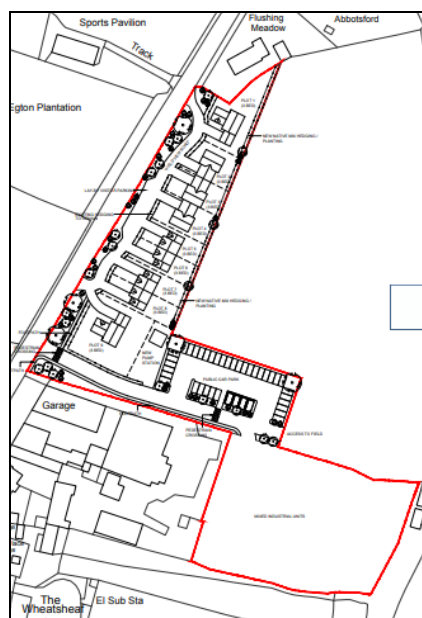


Fig. 3 below shows the extent of the greenfield site below where the actual development will take place with the layby and car park shown adjacent to boundary of the site.

Fig.3 (@google maps)



Fig 4. Extract from the applicants submitted block plan



CPRENY, therefore, assert that the proposed location cannot constitute previously developed land as intended by the definition set out in the NPPF. The actual built development on the site will be sited on agricultural land as seen in Fig. 4 above

In conclusion, CPRENY do not support the principle of a large-scale mixed use development on this greenfield site as it is contrary to policies contained within the NPA's adopted Local Plan, primarily that the dwellings are located beyond the main built up part of the village with no justification of local need or proposal for 100% affordable housing exception site. The applicant has not provided sufficient evidence to determine that the proposals will not harm the natural environment or heritage assets adjacent to this location.

CPRENY reserve the right to comment should further information be submitted in support of the proposal.

From:
To: [Planning](#)
Subject: Land north east and east of High Street, Egton - outline application for construction of 9 no. dwellings etc. NYM/2021/0923/OU
Date: 14 December 2021 13:59:48

FAO Mrs Hilary Saunders

Land north east and east of High Street, Egton - outline application for construction of 9 no. dwellings etc. NYM/2021/0923/OU

I have considered the above application and have reservations with regard to the possibility of noise disturbance not only to the proposed residential development but also to existing residential properties from the proposed mixed industrial units.

Before I may offer my observations on the application submitted I would request that you require of the applicant a report from a competent individual/organisation giving details of the noise impact of the proposed industrial units on the proposed and existing residential properties, particularly those to the south of the site on the road running east off the High Street and which have line of sight across an open field. Any such assessment shall be undertaken in accordance with the procedure laid down in BS4142:1997 (Method of Rating Industrial Noise Affecting Mixed Residential And Industrial Areas). The report shall detail any mitigation measures which are to be incorporated into the site design and which the applicant wants the Local Planning Authority to take into consideration when determining the suitability of the development.

Susan Pailing
Environmental Health Officer
Commercial Regulation Team
Scarborough Borough Council
Town Hall
St Nicholas St
Scarborough
YO11 2HG

DISCLAIMER

This email (and any files transmitted with it) may contain confidential or privileged information and is intended for the addressee only. If you are not the intended recipient, please be aware that any disclosure, copying, distribution or any action taken is prohibited and may be unlawful - you should therefore return the email to the sender and delete it from your system.

For information about how we process data please see our Privacy Notice at www.scarborough.gov.uk/gdpr

Any opinions expressed are those of the author of the email, and do not necessarily reflect those of Scarborough Borough Council.
Please note: Incoming and outgoing email messages are routinely monitored for compliance with our policy on the use of electronic communications. This email has been checked for the presence of computer viruses, but please rely on your own virus-checking procedures.

Date: 07 December 2021
Our ref: 376411
Your ref: NYM/2021/0923/OU



BY EMAIL ONLY

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

Dear Sir/Madam,

Planning consultation: Application for outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed use industrial units with associated access

Location: Land north east and east of High Street, Egton

Thank you for your consultation on the above dated 01 December 2021 which was received by Natural England on 01 December 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 consultations@naturalengland.org.uk.

Yours faithfully

Luke Turnbull
Consultations Team

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 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 to respond to 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 174 and 175). 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](#)¹ 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 Site of Special Scientific Interest 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 175 and 179 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](#)². 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](#).

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>

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 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 Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 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.

Natural England's [Biodiversity Metric 3.0](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 3.0](#) and is designed for use where certain criteria are met. It is available as a beta test version.

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).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 3.0](#) and is available as a beta test version.

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 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

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](#).

From:
To: [Planning](#)
Subject: Land north east and east of High Street, Egton - outline application for construction of 9 no. dwellings etc. NYM/2021/0923/OU
Date: 09 December 2021 11:22:18

FAO Mrs Hilary Saunders

Land north east and east of High Street, Egton - outline application for construction of 9 no. dwellings etc. NYM/2021/0923/OU

I refer to your email of the 1st December 2021 in respect of the above application. As I understand it, the application site would only be permitted under current Policy if it were an exception site for affordable housing; this does not appear to be the case with this proposal.

I cannot therefore support this application.

Thanks

Steve

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

DISCLAIMER

This email (and any files transmitted with it) may contain confidential or privileged information and is intended for the addressee only. If you are not the intended recipient, please be aware that any disclosure, copying, distribution or any action taken is prohibited and may be unlawful - you should therefore return the email to the sender and delete it from your system.

For information about how we process data please see our Privacy Notice at www.scarborough.gov.uk/gdpr

Any opinions expressed are those of the author of the email, and do not necessarily reflect those of Scarborough Borough Council.

Please note: Incoming and outgoing email messages are routinely monitored for compliance with our policy on the use of electronic communications.

This email has been checked for the presence of computer viruses, but please rely on your own virus-checking procedures.

Designing out Crime Report

Ref: 607-1-2021 MR



For: [NYM/2021/0923/OU](#)
[Land north east and east of High Street, Egton](#)

Prepared by Mr. Mark Roberts
Designing Out Crime Officer

Date: 9 December 2021



Contents

1 Executive Summary

2 Proposal

3 Planning Policy Context – Relevant Guidance

4 Safety and Security Considerations

5 Crime Issues at Location

6 Observations, Advice and Recommendations

7 Additional Comments

8 Conclusion

Appendix A – Crime & ASB Report

1.0 Executive Summary

- 1.1 This report is intended to highlight any crime and disorder issues in the vicinity of the proposed development, assess the development in terms of its likely effect on crime and disorder and identify design solutions that will help to reduce vulnerability to crime. The recommendations made have followed the principles of 'Crime Prevention through Environmental Design' (CPTED).
- 1.2 It is acknowledged that this application is Outline and only seeks to set out the principle of a development at the proposed site location and more detailed proposals would be submitted in the event of this application being granted. Therefore, the comments made in this report have taken this into consideration and I would hope that the suggestions made in this report are reflected in any future design and layout submitted by the applicant.

2.0 Proposal

- 2.1 Outline application for construction of 9 no. dwellings with associated accesses, parking, and amenity spaces together with public car park and mixed-use industrial units with associated access

3.0 Planning Policy Context - Relevant Guidance

3.1 National

- 3.1.1 A strong legislative and policy framework exists for considering Community Safety as part of the planning process. The Revised National Planning Policy Framework (England) July 2021 Paragraphs 92 and 130 state that planning policies and decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 3.1.2 Paragraph 133 states that Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development, which includes design advice and assessment frameworks such as Building for a Healthy Life.
- 3.1.3 National Planning Practice Guidance states:
“Designing out crime and designing in community safety should be central to the planning and delivery of new development. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder and do all they reasonably can to prevent crime and disorder”.
(Paragraph 010 Ref ID: 26-010-20140306).

“Taking proportionate security measures should be a central consideration to the planning and delivery of new developments and substantive retrofits”.
(Paragraph 011 Ref ID: 26-011-20140306)”

3.2 Local

- 3.2.1 Strategic Policy C of the Authority’s Local Plan that was adopted in July 2020 states:
“To maintain and enhance the distinctive character of the National Park, development will be supported where:
 1. The proposal is of a high-quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide;
 8. Provision is made for adequate storage including storage for domestic items kept outdoors and waste management facilities;
- 3.2.2 Paragraph 3.21 goes on to explain that new buildings should not be vulnerable to crime.
- 3.2.3 Paragraph 7.13 of Policy CO3 states:
“New car parks will need to be very carefully designed, sited and landscaped. Large car parks can detract significantly from the character of their location and the surrounding landscape. However, small, isolated car parks often appear incongruous and can be difficult to manage

and keep secure and safe.”

4.0 Safety and Security Considerations

4.1 Typical safety and security implications for a development of this nature could include:

Burglary
Damage to buildings and vehicles
Auto-crime
Bicycle theft
Unauthorised access to buildings/private space
Anti-social behaviour
Theft and damage during construction period

Residential Specific

Bogus Callers
Neighbour Disputes

Mixed Use Industrial Specific

Theft by employee

5.0 Crime Issues at Location

5.1 An analysis of police recorded incidents covering an area as shown in the report in Appendix A highlights the presence of crime and anti-social behaviour in the area which could impact upon the security of the scheme. The analysis covers a period from the 1 December 2020 to 30 November 2021. In summary, there were 9 crimes and 11 anti-social behaviour incidents recorded during this twelve-month period.

5.2 In view of the above it would be reasonable to state that the development lies within an area with low crime & disorder levels. However, any new development has the potential to increase these levels if the designing out of crime is not considered and implemented.

6.0 Observations, Advice and Recommendations

6.1 Supporting Information

6.1.1 The supporting information provides no details of how crime prevention has been considered and what measures are to be incorporated to reduce the risk of the development suffering from crime and disorder.

6.1.2 CABE’s document “Design & Access Statements – How to Write, Read and Use Them”, states: “Statements should demonstrate how development can create accessible and safe environments, including addressing crime and disorder and fear of crime”.

6.2 Design and Layout

6.2.1 In terms of the residential part of the development and public car park, the proposed layout shown on the illustrative plan appears to be appropriate in terms of Designing Out Crime. It is accepted that this is an outline application and more detailed information will be provided at the reserved matters stage, should this application be granted and therefore only general advice can be given in relation to some aspects of these parts of the proposal.

6.2.2 In respect of the area for Mixed Industrial use, the drawing does not provide any detail and therefore only general comments can be provided.

6.3 Mixed use

6.3.1 The supporting information acknowledges that there are currently no details of the specific use of the industrial units but goes on to affirm that any use will not have an adverse effect on the amenity of the nearby residents.

6.3.2 The submitted Application Form does not indicate what the proposed opening hours for these units will be and therefore careful consideration needs to take place if this application is to be granted, in relation to what permitted operating hours are to be allowed to ensure that there is no loss of amenity for the residents and to reduce the potential for disputes between the residents and business owners or their staff.

6.4 Access & Movement

6.4.1 The number and locations of the vehicular access points are appropriate, the proposal to have a separate access road for the public car park & mixed-use industrial area.

6.4.2 The access road for the dwellings and [pedestrian link to the front of Plot 9 are provided with good levels of overlooking, which will provide users with a sense of safety and security.

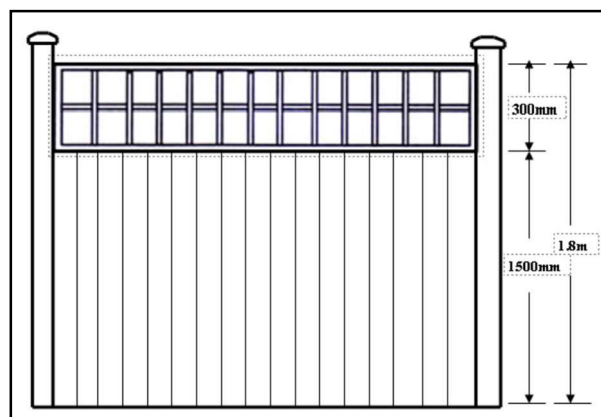
6.4.3 When finalising the layout of the mixed-use industrial area it will be important to ensure that buildings are orientated so that they have fenestration in the elevation that overlooks the entrance to this area to provide surveillance from within the units.

6.5 Defensible space& Boundary Treatments

6.5.1 It is always desirable for each dwelling to have its own defensible space, which is supported by the document Building for a Healthy Life¹ (BHL), Which states that clear demarcations between public and private spaces can encourage people to personalise the front of their homes. Defensible Space is described as something which is clearly defined, clearly owned, and has good natural surveillance and separates public from private areas.

¹ The industry standard, endorsed by government, for well-designed homes and neighbourhoods

- 6.5.2 In relation to dwelling frontages this should be created by a physical barrier such as fencing, planting or a wall to a maximum height of 1m, or in relation to parking areas, by a symbolic barrier, such as a change in surface colour and/or material.
- 6.5.3 Defensible space also requires the clear demarcation of private spaces between house frontages, as failure to provide this can lead to neighbour disputes over ownership or maintenance. This is supported by BHL, which recommends clearly defining private spaces through strong boundary treatments
- 6.5.4 Careful consideration needs to be taken when using physical boundaries at the front of properties to define defensible space, not to create climbing aids while would assist potential offenders to overcome the boundary protection to the rear garden.
- 6.5.5 In relation to the mixed-use industrial area, features such as rumble strips, change of road surface (by colour or texture), pillars or narrowing of the carriageway may be used. This helps to define the defensible space, psychologically giving the impression that the area beyond is private or semi-private.
- 6.5.6 There are currently no details of the intended boundary treatments to the private rear amenity space of each dwelling, which is often the case with an Outline Planning Application, as this would be provided at the Reserved Matters stage.
- 6.5.7 Boundary protection to the rear of each property should be a minimum height of 1.8m and should be as close to the front building line as possible. Gates to the rear should be of the same height and should be fitted with a key operated lock or centrally positioned bolt on the inner face that can be secured with a padlock. The external face of the gate should be devoid of any fittings that would act as a climbing aid.
- 6.5.8 Sub-divisional treatment to the rear of properties should reduce the potential for offenders to be able to move freely between gardens; therefore, it is preferable for this to be 1.8m in height. To enable inter-visibility and interaction between residents the use of fencing to a height of 1500mm topped with 300mm trellis can be used, as shown in the below figure.



6.5.9 In relation to the mixed-use industrial units, any elevation that is not provided with good levels of natural surveillance should be enclosed with perimeter fencing to a minimum height of 1.8m with secure gates to the same height. Gates and fencing should be devoid of any features that would aid climbing. Storage areas should also be enclosed with perimeter fencing and gates and where high value items are to be kept, the height of fencing and gates should be increased to 2.4m.

6.6 Car Parking

6.6.1 The proposed parking provision for the residential part of the development is to be commended as it complies with best practice by providing a garage and having in curtilage parking and avoiding the use of rear parking courts.

6.6.2 It is noted that the supporting information indicates that the mixed-use industrial area will have sufficient space to accommodate some parking for deliveries and visitors and that additional parking provision can be provided by the public car park. Paragraph 74 of the National Design Guide acknowledges that car parking arrangement and positioning relative to buildings should ensure it is secure and overlooked. Therefore, it is preferable for staff parking to be located within close proximity of the building it serves and is capable of being overlooked from within that building.

6.6.3 The layout of the public car park appears to be appropriate and will enable good levels of surveillance.

6.7 Cycle storage

6.7.1 To encourage the use of sustainable transport and prevent the theft of pedal cycles, it is always recommended that secure cycle storage should be provided for each dwelling. Where garages are intended to be used for cycle storage, they should be large enough to accommodate both vehicles and cycles. Where this is not possible, it should be within a separate secure structure, which should have cycle anchorage points available.

6.7.2 Cycle storage should also be provided for employees at the mixed-use industrial units. This should ideally be within a secure structure that has a number of cycle anchorage points available. However, if located externally, it should be under cover to protect cycles from inclement weather, appropriately illuminated and should be located to enable it to be seen from within the unit it serves. The design of the rack should enable both of the wheels and the crossbar to be secured to it, such as in the below example.



6.7.3 Consideration should also be given to providing secure cycle parking within the public car park and this should comprise of a cycle shelter with cycle stands as described above.

6.8 Bin & Recycling Storage

6.8.1 Refuse and recycling bins can be susceptible to arson attacks and if not securely stored can be used as a climbing aid to breach secure perimeter protection. Therefore, any refuse and recycling bins for use by the mixed-use industrial units should be stored securely, either internally or within a secure compound.

6.9 Lighting

6.9.1 Although it is accepted that light pollution may be a consideration, lighting, or the lack of it can have a significant impact on crime and the fear of crime

6.9.2 All external doors of dwellings and the mixed-use industrial units should be illuminated with vandal resistant security lighting, operated by a photocell sensor with manual override switch and fitted at a height that makes them not easily accessible.

6.9.3 It is recommended that streets and car parks be illuminated with lighting to BS5489, and that careful consideration should take place when installing lamp columns to ensure that they are not located near to boundary treatments, which would enable them to be utilized as a climbing aid to overcome the boundary protection.

6.9.4 When designing a lighting scheme attention must be given to any landscape proposals to ensure that lamp columns are not sited near to trees, to avoid the situation of tree canopies eventually obscuring lighting or creating shadow

6.9.5 Bollard lighting should be avoided as it does not project sufficient light at the right height and distorts the available light due to the 'up-lighting' effect; making it difficult to recognise facial features and as a result can cause an increase in the fear of crime. It is also susceptible to deliberate or accidental damage.

6.10 Landscaping

- 6.10.1 Again, as this is an Outline application there are currently no separate landscape drawings available and therefore only general advice can be given
- 6.10.2 Any planting should not obstruct windows or lighting and trees should not be located near to rear boundary treatments which would enable them to be used as a climbing aid to breach that boundary protection. Planting should not restrict natural surveillance and should not provide hiding places or opportunities for Anti-Social Behaviour.
- 6.10.3 In relation to the public car park and parking area for the mixed-use industrial area, it is important that any planting should have a maximum growth height of 1m, or should be maintained to that height, and the lowest branch of any tree should be a minimum of 2m from ground level, to ensure natural surveillance is not impeded.

6.11 Construction Phase

- 6.11.1 There are many crimes that can occur during the construction phase of building. Common crimes include the theft of plant, equipment, materials, tools, and diesel fuel. It is therefore strongly recommended that site security be given serious consideration should this application be successful.
- 6.11.2 Guidance on construction site security can be found on the secured by design website at <https://www.securedbydesign.com/guidance/design-guides>

7.0 **Additional Comments**

- 7.1 Although not necessarily a planning issue I would also make the following comments.

7.2 Utility Meters

- 7.2.1 All utility meters for dwellings should be external at the front of the property or if on the side elevation as close to the front building line as possible and in front of any boundary protection to the rear. This removes the need for access into the property to read them and therefore reduces the likelihood of bogus caller/distraction type burglaries. Alternatively, Smart meters with automatic signalling are appropriate.

7.3 Doors & Windows

- 7.3.1 The developer should consider using doors and windows certified to the relevant Secured by Design (SBD) standards. In relation to the residential part of the development, this would enable them to meet the requirements of Approved Document Q and is also a significant step to achieving SBD silver accreditation.
- 7.3.2 There is no cost to the developer to apply for SBD accreditation. For more information on Secured by Design the applicant should contact the author of this report or visit the web site

at www.securedbydesign.com

7.4 Intruder Alarm

7.4.1 Consideration should be given to fitting each of the mixed-use industrial units with the infrastructure to enable a monitored intruder alarm system to be installed. The developer should consider providing secure ducting into the site with sufficient access points, to enable any telephone line to be used for intruder or fire alarm systems, to be installed.

7.4.2 If alarm systems are to be installed, for police response, the system must comply with the requirements of the NPCC Security Systems policy, which can be found at the following link: <http://www.securedbydesign.com/security-systems/>

7.5 Lockers

7.5.1 Staff should be provided with a secure locker to enable them to store valuables whilst at work. Any lockers should be in a secure room which has a key or fob operated lock fitted to the door and has clear signage to show that it is for staff only.

7.6 Safer Parking Scheme

7.6.1 The Safer Parking Scheme is a national standard for UK car parks that have low crime and measures in place to ensure the safety of people and vehicles. The applicant may want to consider applying to the scheme for accreditation in respect of the public car park.

7.6.2 For further details the applicant should either contact the author of this report or visit the Safer Parking Scheme website at www.parkmark.co.uk/

8.0 Conclusion

8.1 The above suggestions if incorporated and observations if addressed are intended to ensure that the development will provide a safe and secure environment by reducing the opportunities for crime and anti-social behaviour. This will accord with the core principles and design objectives set out in the National Planning Policy Framework and local policy.

8.2 Planning Condition

8.2.1 Should outline Planning Permission be granted I would ask the Authority to place a condition on it, requiring full details of what crime prevention measures are to be incorporated into the site, be detailed in any Reserved Matters Application.

- 8.2.2 The details should show how the issues raised by the Police Designing Out Crime Officer, are to be addressed and should provide rationale and mitigation in relation to any suggestions made in this report that are not to be incorporated.
- 8.2.3 Reason: To satisfy Paragraph 92 and 130 of the Revised National Planning Policy Framework July 2021 and Strategic Policy C of the Authority's Local Plan.
- 8.2.4 It will also enable the Authority to discharge its functions in accordance with Section 17 of the Crime & Disorder Act 1998².

² Section 17 of the Crime & Disorder Act 1998, states:

"Without prejudice to any other obligation imposed upon it, it shall be the duty of each authority to which the section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it reasonably can to prevent crime and disorder in its area."

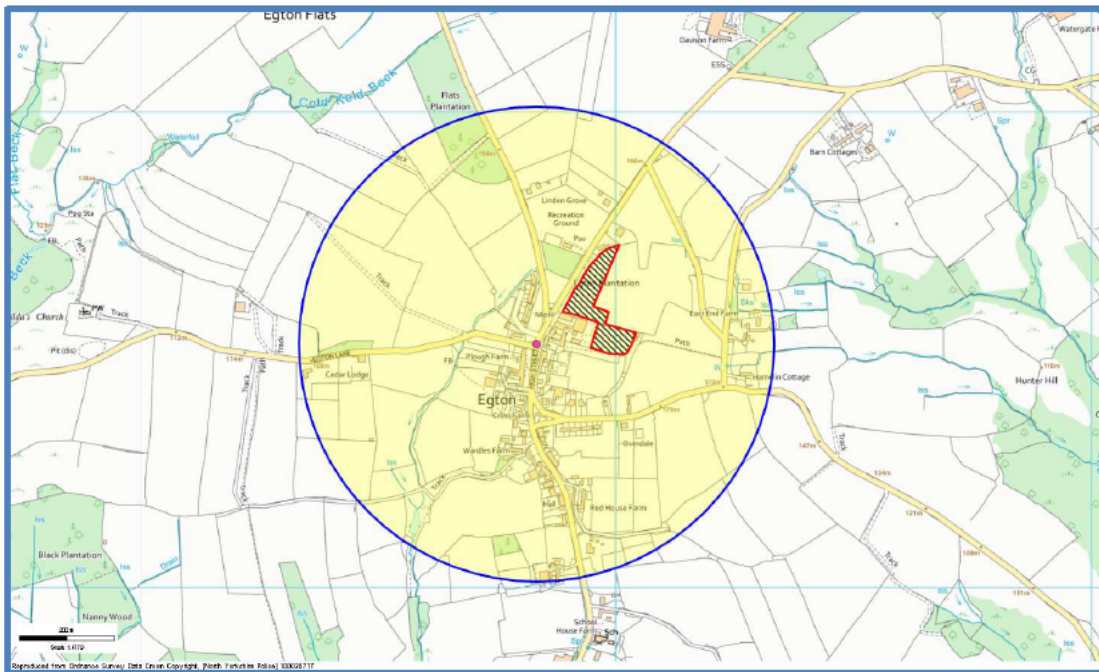
This obligation extends to both Officers and Members and includes Working Groups, Committees and Full Council Meetings.

Appendix A

NYP ASB & Crime Incidents Report

Analysis Study area	Land north east and east of High Street, Egton
Planning Application reference	NYM/2021/0923/OU
Size of study area	See Map (0.784 Sq. Km)
Study period start	1 December 2020
Study period end	30 November 2021
Date study completed	8 December 2021
Compiled By	Mark Roberts DOCO

Map Of Study Area



Anti-Social Behaviour

ASB Group	Total
ASB Environmental	2
ASB Nuisance	2
ASB Personal	7
Grand Total	11

Crime

Crime Group	Total
Arson & Criminal Damage	
Burglary Residential ³	
Burglary Non-Residential	
Drug Offences	
Fraud	1
Misc. Crimes Against Society	
Possession Of Weapons	
Public Order Offences	4

Robbery	
Sexual Offences	
Theft: All Other Theft	
Theft: Bicycle Theft	
Theft: Shoplifting	
Theft: Theft From Person	
Vehicle Offences	1
Violence Against The Person	3
Grand Total	9

³ Includes residential garages, sheds, and other outbuildings

From: planning@northyorkmoors.org.uk
To: [Planning](#)
Subject: Comments on NYM/2021/0923/OU - Case Officer Mrs Hilary Saunders - Received from Mr John Burroughs at Scarborough Borough Council, Town Hall, St Nicholas Street, Scarborough, YO11 2HG
Date: 08 December 2021 14:44:54

We understand that this proposal is located outside the built up area of the village and as such should only be considered as an Exception site for affordable housing.

We note that only market housing is proposed and no affordable housing by the applicant. As a result, we object to this proposal on the above grounds.

John Burroughs
Housing Strategy and Development Officer
Scarborough Borough Council

Comments made by Mr John Burroughs of Scarborough Borough Council, Town Hall, St Nicholas Street, Scarborough, YO11 2HG

Comment Type is Object with comments



NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

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

When telephoning please ask for: Nick Mack

08 December 2021

Dear Hilary,

Egton & Mulgrave Estates, YO21 1UA

FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 8^h December 2021
Plans No: NYM/2021/0923/OU

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/data/privacy-policies/.

NYMPA
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

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/financial/lists-and-registers/.

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

Yours faithfully

N Mack

Date: 07 December 2021
Our ref: 376411
Your ref: NYM/2021/0923/OU



planning@northyorkmoors.org.uk

BY EMAIL ONLY

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

Dear Sir/Madam,

Planning consultation: Application for outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed use industrial units with associated access

Location: Land north east and east of High Street, Egton

Thank you for your consultation on the above dated 01 December 2021 which was received by Natural England on 01 December 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 faithfully

Luke Turnbull
Consultations Team

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 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 to respond to 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 174 and 175). 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](#)¹ 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 Site of Special Scientific Interest 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 175 and 179 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](#)². 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](#).

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>

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 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 Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 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.

Natural England's [Biodiversity Metric 3.0](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 3.0](#) and is designed for use where certain criteria are met. It is available as a beta test version.

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).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 3.0](#) and is available as a beta test version.

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 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

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](#).