

From: [C](#)
To: [Planning](#)
Subject: Planning Responses
Date: 23 July 2022 17:57:13

Please note the following responses from Glaisdale Parish Council, to applications listed below :

NYM/2022/0460 - Application for erection of building to cover existing manure store at Wild Slack Farm, Lealholm.

- **No objections raised.**

NYM/2022/0532/FL - Application for construction of storage/office building with associated parking and landscaping works at Windhill Farm, Bentley Buildings, Glaisdale.

- **As with the original application, members were concerned with the overall size of the proposed development and its visibility on the landscape. This amendment appears to enlarge the buildings slightly and so increase the visibility concerns.**

NYM/2022/0512 - Application for variation of condition 19 of planning approval *NYM/2003/0780/FL* to allow principal residence occupancy at Valley View, Underhill, Glaisdale

- **Members are concerned that the requested change to the original application conditions would set a precedent for any other owner of a property subject to Local occupancy restrictions to request similar changes and, in so doing, reducing the opportunities for local buyers to compete with purchasers. The original permission included the local occupancy clause for a reason and in this instance we have heard no argument that justifies the removing of such a clause merely to facilitate a sale.**
- **This council objects to this proposal for the reasons stated above.**

NYM/2022/0503 - Application for tree works to trees within conservation area and subject to TPO at land attached to Island Cottage, Lealholm

- **Members are unsure that the land on which the trees exist is owned, or under the control of the applicant, believing it is outside of the boundaries of Island Cottage despite what is said in the application documents. Members would ask that this is verified by NYMNP planners before any approval is granted.**
- **Members have no objection to any necessary works on the trees themselves subject to the landowners permissions.**

From:
To: [Planning](#)
Subject: Planning Consultation NYM/2021/0532/FL Natural England Response
Date: 08 July 2022 14:25:49
Attachments: [image001.png](#)

Dear Sir or Madam

Application ref: NYM/2021/0532/FL

Our ref: 398482

Natural England has no comments to make on this amendment.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on [ancient woodland, ancient and veteran trees](#) which you can use to assess any impacts on ancient woodland or trees.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our Site of Special Scientific Interest Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Yours faithfully

Corben Hastings
Support Adviser, Operations Delivery
Consultations Team
Natural England
Hornbeam House, Electra Way
Crewe, Cheshire, CW1 6GJ

From:

Subject: Bird bat and swift informatives 18.07.2021- 25.07.2021
Date: 28 July 2021 13:43:52

Hi Planning,

If the following application is approved please can a **bat informative** be included within the decision notice

NYM/2021/

0555/FL- Stonecroft, Low Wood Lane, Lealholm
0487/LB - The Stable Flat, The Hall Stables, Chestnut Avenue, Thornton le Dale
0541/LB - Hazelwood, Headlands Road, Appleton Le Moors
0540/FL- 11 Glebe Gardens, Easington
0537/CLLB - 10 Castlegate, East Ayton
0532/FL - Keepers Cottage, Kingthorpe

If the following application is approved please can a **bird informative** be included within the decision notice

NYM/2021/

0555/FL- Stonecroft, Low Wood Lane, Lealholm
0540/FL- 11 Glebe Gardens, Easington
0537/CLLB - 10 Castlegate, East Ayton
0532/FL - Keepers Cottage, Kingthorpe

If the following application is approved please can a **Swift informative** be included within the decision notice

NYM/2021/

0555/FL- Stonecroft, Low Wood Lane, Lealholm
0540/FL- 11 Glebe Gardens, Easington
0537/CLLB - 10 Castlegate, East Ayton
0532/FL - Keepers Cottage, Kingthorpe

Thanks,
Victoria

[Victoria Franklin](#)
[Conservation Graduate Trainee](#)

[North York Moors National Park Authority](#)
[The Old Vicarage](#)
[Bondgate](#)

From:
To: [Planning](#)
Subject: Re: NYM/2021/0562/FL
Date: 01 August 2021 09:32:54

On 28/07/2021 12:21,

wrote:

Reference: NYM/2021/0562/FL.

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

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

Kind regards

Chris France

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



North York Moors
National Park

CONFIDENTIALITY: The contents of this message are the views of the author, not necessarily the views of the North York Moors National Park Authority. This is a private message intended for the named addressee(s) only. Its contents may be confidential.

If you have received this message in error please reply to say so and then delete the message. Any use, copying, disclosure or distribution by anyone other than the addressee is forbidden.

www.northyorkmoors.org.uk

This email has been scanned for email related threats and delivered safely by Mimecast.

For more information please visit <http://www.mimecast.com>

Good morning.

The Danby Group Parish Council next meet on Wednesday 8th September and consequently can not meet the deadline for response in respect of this application. A response will be provided on the 9th September.

Regards.

J. Preston, Clerk Danby Group Parish Council

--

J. Preston
Clerk, Danby Group Parish Council

From:
To: [Planning](#)
Subject: RE: NYM/2021/0532/FL
Date: 21 July 2021 12:34:51

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

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

Generic advice is provided in the Annex attached.

Annex - Generic advice on natural environment impacts and opportunities

Sites of Special Scientific Interest (SSSIs)

Local authorities have responsibilities for the conservation of SSSIs under [s28G of the Wildlife & Countryside Act 1981 \(as amended\)](#). [The National Planning Policy Framework \(paragraph 175c\) states that development likely to have an adverse effect on SSSIs should not normally be permitted](#). Natural England's SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportals](#). Our initial screening indicates that one or more Impact Risk Zones have been triggered by the proposed development, indicating that impacts to SSSIs are possible and further assessment is required. You should request sufficient information from the developer to assess the impacts likely to arise and consider any mitigation measures that may be necessary.

Air quality impacts on SSSIs

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

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

Protected Species

Natural England has produced [standing advice](#)^[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 SSSI or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. The list of priority habitats and species can be found [here](#)^[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](#).

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

Protected landscapes

For developments within or within the setting of a National Park or Area of Outstanding Natural Beauty (AONB), we advise you to apply national and local policies, together with local landscape expertise and information to determine the proposal. The National Planning Policy Framework (NPPF) (paragraph 172) provides the highest status of protection for the landscape and scenic beauty of National Parks and AONBs. It also sets out a 'major developments test' to determine whether major developments should be exceptionally be permitted within the designated landscape. We advise you to consult the relevant AONB Partnership or Conservation Board or relevant National Park landscape or other advisor who will have local knowledge and information to assist in the determination of the proposal. The statutory management plan and any local landscape character assessments may also provide valuable information.

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Heritage Coasts are protected under paragraph 173 of the NPPF. Development should be consistent the special character of Heritage Coasts and the importance of its conservation.

Landscape

Paragraph 170 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer.

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

From:

Sent: 14 July 2021 16:51

To: SM-NE-Consultations (NE)

Subject: NYM/2021/0532/FL

Importance: High

Reference: NYM/2021/0532/FL.

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

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

Kind regards

Chris France

Chris France
Director of Planning



NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

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

When telephoning please ask for: J Butterfield

16 July 2021

Dear Sir or Madam

The Occupier, Bentley Buildings, Windhill Farm, Glaisdale, Whitby, YO21 2QY

FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 14 July 2021
Ref No: NYM/2021/0532/FL

Your communication has been dealt with as follows:

At this stage in the planning approval process the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority have no objection/observation to the proposed development. The North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the Fire Authority.

The majority of information we collect regarding business fire safety is non-personalised information, however any personal data we collect will be managed in accordance with our Privacy Notice which can be viewed on our website, www.northyorksfire.gov.uk/about-us/data/privacy-policies/.

The Occupier
Bentley Buildings
Windhill Farm
Glaisdale
Whitby
YO21 2QY

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

www.northyorksfire.gov.uk

Under the Regulatory Reform Order 2005 we are obliged to publish a public register of enforcement action which can be viewed via our website, www.northyorksfire.gov.uk/about-us/financial/lists-and-registers/.

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

Yours faithfully

J Butterfield