

Date: 21 November 2022
Our ref: 411217
Your ref: NYM/2022/0481



Mrs Hilary Saunders
Case Officer
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

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

BY EMAIL ONLY

Dear Mrs Saunders

Planning consultation: Conversion of outbuilding to a principal residence dwelling with associated amenity spaces, landscaping, package treatment plant and parking.

Location: Snowdon Nab, Smiths Lane to Snowdon nab, Egton Grange, Whitby, YO22 5BA.

Thank you for your consultation on the above dated 31 October 2022.

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 designated sites Arncliffe and Park Hole Woods Special Area of Conservation (SAC)/Site of Special Scientific Interest (SSSI), North York Moors Special Area of Conservation (SAC), North York Moors Special Protection Area (SPA) and has no objection.

Natural England's advice on other natural environment issues is set out below.

European sites - Arncliffe and Park Hole Woods Special Area of Conservation, (SAC), North York Moors Special Area of Conservation (SAC), North York Moors Special Protection Area (SPA).

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Arncliffe and Park Hole Woods Site of Special Scientific Interest (SSSI)

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Other advice

In addition, Natural England would advise on the following issues.

Protected Landscapes – North York Moors National Park

The proposed development is for a site within or close to a nationally designated landscape namely North York Moors National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me via
c

Yours sincerely

Emma Brading
Yorkshire and Northern Lincolnshire area team

Annex A

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](#).

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

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>

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.

From: SM-NE-Consultations (NE) >
Sent: 13 October 2022 12:30
To: Planning <
Subject: NYM/2022/0481 – Consultation response
Importance: High

Dear Sir or Madam

Application ref: NYM/2022/0481
Our ref: 408172

Thank you for your consultation.

Natural England has previously requested further information on this proposal in our letter dated **11th July 2022** (ref. 398172).

The information (HRA) is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.

Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.

Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.

Yours faithfully

Loz Burridge
Natural England
Consultation Service
Hornbeam House
Crewe Business Park, Electra Way,
Crewe, Cheshire, CW1 6GJ

Enquiries line:

www.gov.uk/natural-england



From: Elspeth Ingleby

Sent: 12 October 2022 13:34

To: Hilary Saunders

Subject: RE: NEW APPLICATION POST - (NYM) NYM/2022/0481 - Snowdon Nab, Egton Grange - NE

Hi Hilary

Yes I think this information demonstrates that it therefore meets all of the criteria NE required to show that an impact on the SAC was unlikely, and can therefore be screened out of further Habitats Regulations assessment as the proposal will not have a likely significant effect on any European designated site or feature.

Thanks

Elspeth

Date: 11 July 2022
Our ref: 398172
Your ref: NYM/2022/0481



Mrs Hilary Saunders
Case Officer
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley, York YO62 5BP

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

BY EMAIL ONLY

Dear Mrs Saunders,

Planning consultation: Conversion of outbuilding to a principal residence dwelling with associated amenity spaces, landscaping, package treatment plant and parking.

Location: Snowdon Nab, Smiths Lane to Snowdon nab, Egton Grange, Whitby, YO22 5BA.

Thank you for your consultation on the above dated 24 June 2022

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

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on Arncliffe and Park Hole Woods SAC/SSSI. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- *Habitats regulations assessment (HRA)*
- *Confirmation of PTPs discharge method (direct to watercourse or drainage field)*

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Additional Information required – Habitats Regulations Assessment Arncliffe and Park Hole Woods SAC

Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment

stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make.

Natural England advises that there is currently not enough information provided in the application to determine whether the likelihood of significant effects can be ruled out.

We recommend you obtain the following information to help you undertake a Habitats Regulations Assessment:

- The Klargester biodisk package treatment plant will be required to discharge either directly to watercourse or to a drainage field. Natural England advise if the proposal is to discharge directly to watercourse then an environment agency permit will be required.

Please note the Environment Agency has a presumption against private sewage treatment works in sewerred areas and will always seek connection to the mains sewer where possible and practicable. A principle concern relates to the failure rates of PTPs and the lack of review and periodic upgrades via regulatory systems that apply to mains. There will be site specific factors (e.g. in proximity to watercourses, soil saturation levels, etc.) that would need to be considered when evaluating this risk.

- Small discharges to ground i.e. less than 5m³/day¹ that are within the surface or groundwater catchment of a designated site will present a low risk that the phosphorus will have a significant effect on the designated site where certain conditions are met:
 - a) The drainage field is more than 50m from the designated site boundary (or sensitive interest feature)² **and**;
 - b) The drainage field is more than 40m from any surface water feature e.g. ditch, drain, watercourse³, **and**;
 - c) The drainage field in an area with a slope no greater than 15%⁴, **and**;
 - d) The drainage field is in an area where the high water table groundwater depth is at least 2m below the surface at all times⁵ **and**;
 - e) The drainage field will not be subject to significant flooding, e.g. it is not in flood zone 2 or 3 **and**;
 - f) There are no other known factors which would expedite the transport of phosphorus for example fissured geology, known sewer flooding, conditions in the soil/geology that would cause remobilisation phosphorus, presence of mineshafts, etc **and**;
 - g) To ensure that there is no significant in combination effect, the discharge to ground should be at least 200m from any other discharge to ground⁶. The density of discharges to ground should also not be greater than 1 for every 4ha⁷ (or 25 per km²).

¹ Many of the criteria are largely based on evidence from 'small discharges' often individual houses. Therefore a limit of 5m³/day is used based on this being the size used by Environmental Agency for what is classed as a small discharge for environmental permitting purposes.

² 50m is the distance as which no phosphorus signal was detected at this distance (NECR171 and NECR222)

³ 40m is the distance that represents a low risk, based on there was a weak phosphorus signal this distance for some of the small discharges (NECR171 and NECR222)

⁴ 15% is the slope that represents a low risk based on the methodology outlined in NECR222.

⁵ 2m is the groundwater depth that represents a low risk, based on very low levels being detected in soil at depth below this (NECR171 and NECR222)

⁶ The 200m is based on the 50m distance where no phosphorus signal was detected (NECR171) for each septic tank. So for two drainage field areas not to overlap they need to be at least 100m apart. A safety factor of two is then applied to ensure that in the long term there will be the certainty that the effective drainage field phosphorus retention areas don't overlap.

⁷ NECR170 identifies evidence that suggests that the maximum density of these systems should be not more than one for every 4ha.

Sites of Special Scientific Interest

Natural England notes that the application site is located in proximity to the Arncliffe and Park Hole Woods SSSI. Based on the plans submitted, Natural England considers that the proposed development could have potential significant effects on the interest features for which the Arncliffe and Park Hole Woods SSSI site has been notified. Natural England requires further information in order to determine the significance of these impacts. Our advice regarding the potential impacts upon the Arncliffe and Park Hole Woods SSSI coincide with our advice regarding the potential impacts upon the Arncliffe and Park Hole Woods SAC as detailed above.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

In addition, Natural England would advise on the following issues.

Protected Landscapes

The proposed development is for a site within or close to a nationally designated landscape namely North York Moors National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Should the developer wish to explore options for avoiding or mitigating effects on the natural environment with Natural England, we recommend that they use our [Discretionary Advice Service](#).

Please send further correspondence, marked for my attention, to

Yours sincerely

James Hughes
Conservation and Planning Lead adviser
Yorkshire and Northern Lincolnshire area team

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM22/0481**

Proposed Development: Application for conversion of outbuilding to a principal residence dwelling with associated amenity spaces, landscaping, package treatment plant and parking

Location: Snowdon Nab, Egton Grange

Applicant: The Mulgrave Estate

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

Area Ref: 4/32/274 **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 8 July 2022

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 access onto the public highway is not up to current standards. To bring it up to the current specification, new construction across the highway verge is required.

Consequently the Local Highway Authority recommends that the following **Conditions** are attached to any permission granted:

MHC-03 New and altered Private Access or Verge Crossing at the southern end of the plot

The development must not be brought into use until the access to the site has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM22/0481

The crossing of the highway verge and/or footway must be constructed in accordance with the approved details and/or Standard Detail number E70 and the following requirements.

- Any gates or barriers must not be able to swing over the existing highway.

All works must accord with the approved details.

Reason for Condition

To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

<p>Signed:</p> <p style="text-align: center;"><i>Ged Lyth</i></p> <p><i>For Corporate Director for Business and Environmental Services</i></p>	<p>Issued by: Whitby Highways Office Discovery Way Whitby North Yorkshire YO22 4PZ</p> <p>e-mail: A _____</p>
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From:
To:
Cc: [Planning](#)
Subject: NYM/2022/0481 Snowdon Nab, Egton Grange
Date: 07 July 2022 10:49:47

Good morning Hilary,

The supporting information states that the building supports 4 roosts for Common Pipistrelle bats. A European Protected Species Licence (EPSL) for bats will be needed for the works to be completed. Submission of a copy of the EPSL should be secured as a condition of any consent. An external lighting condition will also be necessary, and information should be submitted to show how the proposed lighting will not affect bats utilising the site. I also support the planting of a native hedgerow on the southwestern boundary. I would recommend that this includes 60% hawthorn, and 40% other species, such as Hazel, Holly, Guelder Rose, Dogwood, Dog Rose and Blackthorn. This will have maximum benefit for biodiversity, and ensure that the development does result in net gain for biodiversity.

Best wishes,

Zara Hanshaw ACIEEM
Assistant Ecologist
([she/her](#))

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

From:
To: [Planning](#)
Subject: Snowdon Nab, Egton Grange - conversion of outbuilding to a principal residence dwelling etc.
NYM/2022/0481
Date: 27 June 2022 15:16:37

FAO Mrs Hilary Saunders

**Snowdon Nab, Egton Grange - conversion of outbuilding to a principal residence dwelling etc.
NYM/2022/0481**

I refer to your e-mail of the 24th June 2022 in respect of the above application. I hereby confirm that I have no objections to the proposals on housing or environmental health grounds.

Thanks

Steve

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

From:
To: [Planning](#)
Subject: RE: NYM/2022/0481
Date: 24 June 2022 20:50:30
Attachments: [image001.png](#)

Good afternoon

The next meeting is 19 July, I will be able to send comments just after this if that is ok.

Kind Regards

CA Harrison – Clerk to Egton Parish Council
