

From:
To: [Planning](#)
Subject: RE: NYM/2022/0353
Date: 30 November 2022 14:33:44
Attachments: [NYM_2022_0353.pdf](#)

Dear Sir/Madam,

Thank you for seeking the Forestry Commission's advice about the impacts that this application may have on Ancient Woodland. As a non-statutory consultee, the Forestry Commission is pleased to provide you with the attached information that may be helpful when you consider the application:

- Details of Government Policy relating to ancient woodland
- Information on the importance and designation of ancient woodland

Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover.

It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless "*there are wholly exceptional reasons*" ^[1] and a suitable compensation strategy exists" (National Planning Policy Framework paragraph 180).

We also particularly refer you to further technical information set out in Natural England and Forestry Commission's [Standing Advice on Ancient Woodland](#) – plus supporting [Assessment Guide and Case Decisions](#).

As a Non Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather we are including information on the potential impact that the proposed development would have on the ancient woodland.

One of the most important features of Ancient woodlands is the quality and inherent biodiversity of the soil; they being relatively undisturbed physically or chemically. This applies both to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). Direct impacts of development that could result in the loss or deterioration of ancient woodland or ancient and veteran trees include:

- damaging or destroying all or part of them (including their soils, ground flora or fungi)
- damaging roots and understory (all the vegetation under the taller trees)
- damaging or compacting soil around the tree roots
- polluting the ground around them
- changing the water table or drainage of woodland or individual trees
- damaging archaeological features or heritage assets

It is therefore essential that the ancient woodland identified is considered appropriately to avoid the above impacts.

[Planning Practice Guidance](#) emphasises: *'Their existing condition is not something that ought to affect the local planning authority's consideration of such proposals (and it should be borne in*

mind that woodland condition can usually be improved with good management)'.

If this application is on, adjacent to or impacting the Public Forest Estate (PFE):

- Please note that the application has been made in relation to land on the Public Forest Estate and [Forestry England](#), who manage the PFE, is a party to the application. They therefore should also be consulted separately to the Forestry Commission.

If the planning authority takes the decision to approve this application, we may be able to give further support in developing appropriate conditions and legal agreements in relation to woodland management mitigation or compensation measures. Please note however that the Standing Advice states that *“Ancient woodland, ancient trees and veteran trees are irreplaceable. Consequently you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal”*.

We suggest that you take regard of any points provided by Natural England about the biodiversity of the woodland.

This response assumes that as part of the planning process, the local authority has given due regard as to whether or not an Environmental Impact Assessment is needed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 or the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended. If there is any doubt regarding the need for an Environmental Impact assessment (Forestry), including for forest roads, please contact us.

We would also like to highlight the need to remind applicants that tree felling not determined by any planning permission may require a [felling licence](#) from the Forestry Commission.

“Text from “Ancient woodland, ancient trees and veteran trees: advice for making planning decisions” to be highlighted for this planning application.

Use of buffer zones

Buffer zones can protect ancient woodland and individual ancient and veteran trees and provide valuable habitat for woodland wildlife, such as feeding bats and birds. The size and type of buffer zone should vary depending on the:

- scale and type of development and its effect on ancient woodland, ancient and veteran trees
- character of the surrounding area

For example, larger buffer zones are more likely to be needed if the surrounding area is:

- less densely wooded
- close to residential areas
- steeply sloped

Buffer zone recommendations

For ancient woodlands, the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area). Where

assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic.

For ancient or veteran trees (including those on the woodland boundary), the buffer zone should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5 metres from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. This will create a minimum root protection area.

Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone.

Where possible, a buffer zone should:

- contribute to wider ecological networks
- be part of the green infrastructure of the area

A buffer zone should consist of semi-natural habitats such as:

- woodland
- a mix of scrub, grassland, heathland and wetland

The proposal should include creating or establishing habitat with local and appropriate native species in the buffer zone.

You should consider if access is appropriate. You can allow access to buffer zones if the habitat is not harmed by trampling.

You should not approve development proposals, including gardens, within a buffer zone.

You should only approve sustainable drainage schemes if:

- they do not affect root protection areas
- any change to the water table does not negatively affect ancient woodland or ancient and veteran trees

If you would like to see more information on the role of the FC in planning please see :

<https://www.gov.uk/guidance/planning-applications-affecting-trees-and-woodland>

If the planning authority takes the decision to approve this application, we may be able to give further support in developing appropriate conditions in relation to woodland management mitigation or compensation measures. Please note however that the Standing Advice states that *“Ancient woodland, ancient trees and veteran trees are irreplaceable. Consequently you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal.”*

We suggest that you take regard of any points provided by Natural England about the biodiversity of the woodland.

We hope these comments are helpful to you. If you have any further queries please do not hesitate to contact me.

Yours faithfully,

The Forestry Commission Yorkshire and North East Team

Please note our new email address, please update your records.

www.gov.uk/forestrycommission

Protecting and expanding England's forests and woodlands, and increasing their value to society and the environment

A summary of Government policy on ancient woodland

[Natural Environment and Rural Communities Act 2006](#) (published October 2006).

Section 40 – “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.

[National Planning Policy Framework](#) (published July 2018).

Paragraph 175 – “*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*”.

[National Planning Practice Guidance](#) – Natural Environment Guidance. (published March 2014)

This Guidance supports the implementation and interpretation of the National Planning Policy Framework. This section outlines the Forestry Commission’s role as a non statutory consultee on “*development proposals that contain or are likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites (PAWS) (as defined and recorded in [Natural England’s Ancient Woodland Inventory](#)), including proposals where any part of the development site is within 500 metres of an ancient semi-natural woodland or ancient replanted woodland, and where the development would involve erecting new buildings, or extending the footprint of existing buildings*”

It also notes that ancient woodland is an irreplaceable habitat, and that, in planning decisions, **Plantations on Ancient Woodland Sites (PAWS) should be treated equally in terms of the protection afforded to ancient woodland in the National Planning Policy Framework**. It highlights the Ancient Woodland Inventory as a way to find out if a woodland is ancient.

[The UK Forestry Standard](#) (4th edition published August 2017).

Page 23: “Areas of woodland are material considerations in the planning process and may be

protected in local authority Area Plans. These plans pay particular attention to woods listed on the Ancient Woodland Inventory and areas identified as Sites of Local Nature Conservation Importance (SLNCIs)”.

[Keepers of Time](#) – A Statement of Policy for England’s Ancient and Native Woodland (published June 2005).

Page 10 “The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland”.

[Natural Environment White Paper “The Natural Choice”](#) (published June 2011)

Paragraph 2.53 - This has a “renewed commitment to conserving and restoring ancient woodlands”.

Paragraph 2.56 – “The Government is committed to providing appropriate protection to ancient woodlands and to more restoration of plantations on ancient woodland sites”.

[Standing Advice for Ancient Woodland and Veteran Trees](#) (first published October 2014, revised November 2018)

This advice, issued jointly by Natural England and the Forestry Commission, is a material consideration for planning decisions across England. It explains the definition of ancient woodland, its importance, ways to identify it and the policies that are relevant to it.

The Standing Advice refers to an [Assessment Guide](#). This guide sets out a series of questions to help planners assess the impact of the proposed development on the ancient woodland.

[Biodiversity 2020: a strategy for England’s wildlife and ecosystem services](#) (published August 2011).

Paragraph 2.16 - Further commitments to protect ancient woodland and to continue restoration of Plantations on Ancient Woodland Sites (PAWS).

Importance and Designation of Ancient and Native Woodland

Ancient Semi Natural Woodland (ASNW)

Woodland composed of mainly native trees and shrubs derived from natural seedfall or coppice rather than from planting, and known to be continuously present on the site since at least AD 1600. Ancient Woodland sites are shown on Natural England’s Inventory of Ancient Woodland.

Plantations on Ancient Woodland Site (PAWS)

Woodlands derived from past planting, but on sites known to be continuously wooded in one form or another since at least AD 1600. They can be replanted with conifer and broadleaved trees and can retain ancient woodland features, such as undisturbed soil, ground flora and fungi. Very old PAWS composed of native species can have characteristics of ASNW. Ancient Woodland sites (including PAWS) are on Natural England’s Inventory of Ancient Woodland.

Other Semi-Natural Woodland (OSNW)

Woodland which has arisen since AD 1600, is derived from natural seedfall or planting and consists of at least 80% locally native trees and shrubs (i.e., species historically found in England

that would arise naturally on the site). Sometimes known as ‘recent semi-natural woodland’.

Other woodlands may have developed considerable ecological value, especially if they have been established on cultivated land or been present for many decades.

Information Tools – The Ancient Woodland Inventory

This is described as provisional because new information may become available that shows that woods not on the inventory are likely to be ancient or, occasionally, vice versa. In addition ancient woods less than two hectares or open woodland such as ancient wood-pasture sites were generally not included on the inventories. For more technical detail see [Natural England's Ancient Woodland Inventory](#). Inspection may determine that other areas qualify.

As an example of further information becoming available, Wealden District Council, in partnership with the Forestry Commission, Countryside Agency, the Woodland Trust and the High Weald AONB revised the inventory in their district, including areas under 2ha. Some other local authorities have taken this approach.

Further Guidance

[Felling Licences](#) - Under the Forestry Act (1967) a Felling Licence is required for felling more than 5 cubic metres per calendar quarter. Failure to obtain a licence may lead to prosecution and the issue of a restocking notice.

[Environmental Impact Assessment](#) - Under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended, deforestation which is likely to have a significant impact on the environment may also require formal consent from the Forestry Commission.

^[1] For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.)

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM22/0353**

Application for use of land for the siting of five shepherds huts for holiday letting purposes, removal of field shelter and construction of managers dwelling, use of field

Proposed Development: store to provide bike and waste water storage facilities and associated access,
parking, linkage paths, landscaping and drainage works (revised scheme following refusal of NYM/2021/0970/FL)

Location: land off Raikes Lane, Sneatonthorpe, Sneaton

Applicant: Ms Rachel Barker

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

Area Ref: 4/31/139B **Tel:**

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

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP **Date:** 6 June 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 applicant has stated in the application form that no alterations are planned for the access to the site. This existing access does not meet the current specification for the local highway authority in terms of the construction of the verge crossing, the position of the gate and the opening of the gate. These details should be considered by the applicant.

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

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

NYM22/0353

MHC-03 New and altered Private Access or Verge Crossing

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:

The crossing of the highway verge and/or footway must be constructed in accordance with the Standard Detail number E50 and the following requirements.

- Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing highway.
- Provision to prevent surface water from the site/plot discharging onto the existing highway must be constructed and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within one metre of the public highway must not contain any loose material that is capable of being drawn on to the existing public highway.
- Measures to enable vehicles to enter and leave the site in a forward gear.

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.

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: RE: NYM/2022/0353 Land off Raikes Lane Sneatonthorpe.
Date: 25 May 2022 07:21:32
Attachments: [image001.png](#)

Good morning,

Sneaton Parish Council's next meeting is 22nd June.

Is it possible to extend the comments date for the above application until after the meeting.

Kind regards,

Mike Holliday, Sneaton Parish Council

Our Ref: 265-2-2022 MR
Your Ref: NYM/2022/0353

Date 18 May 2022



Partnership Hub

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

Dear Mrs Saunders,

Proposal Application for use of land for the siting of five shepherds' huts for holiday letting purposes, removal of field shelter and construction of managers dwelling, use of field store to provide bike and waste water storage facilities and associated access, parking, linkage paths, landscaping and drainage works (revised scheme following refusal of NYM/2021/0970/FL)

Location land off Raikes Lane, Sneatonthorpe, Sneaton

Many thanks for giving North Yorkshire Police (NYP) the opportunity to comment on this application. In December 2021 I responded to the previous planning application for this site (NYM/2021/0970/FL refers). In that response I provided the results of a crime & disorder analysis covering a 12-month period, for an area within a 1km radius of the site. I have carried out an up-to-date analysis using the same study area, for the period between 1 May 2021 to 30 April 2022, which shows that the site continues to be located within a low crime & disorder area, with no crimes or anti-social behaviour incidents recorded by NYP.

Having reviewed the documents and drawings that have been submitted with this current application, it would appear to be similar to the previous application, but with a reduction in the number of shepherd huts, and the introduction of a new managers lodge. I would therefore refer the Authority to comments made in my previous response in relation to the proposed cycle store and the security of the shepherds' huts and would make the below additional comments in regards to the manager's lodge.

1 Surveillance

1.1 The manager's lodge is appropriately located and will provide good levels of surveillance of the entrance to the site and visitor parking area, which will enhance the security of the site.

2 Lighting

2.1 It is noted from the supporting information that the front elevation of the manager's lodge will be provided with illumination to provide a sense of safety & security for visitors to the site and this is welcomed.

3 Doors & Windows

3.1 As with the advice given in my previous response in respect of the shepherds' huts, where possible, all doors and windows installed in the manager's lodge should be to a good security standard to make forced entry harder to achieve, preferably to PAS24 or an equivalent standard.

I have no other comments to make at this time but if I can be of any further assistance, please do not hesitate to contact me.

Yours sincerely,

Mr Mark Roberts
Police Designing out Crime Officer

From:
To: [Planning](#)
Subject: Land off Raikes Lane, Sneatonthorpe, Sneaton
Date: 16 May 2022 13:10:02

Your ref: NYM/2022/0353
Proposal: Application for use of land for the siting of five shepherds huts for holiday letting purposes, removal of field shelter and construction of managers dwelling, use of field store to provide bike and waste water storage facilities and associated access, parking, linkage paths, landscaping and drainage works (revised scheme following refusal of NYM/2021/0970/FL)
Address: Land off Raikes Lane, Sneatonthorpe, Sneaton

With reference to the above proposal, I confirm that we have no objections in principle to the granting of planning consent on housing or caravan site licensing grounds.

I would be grateful if you could make the applicant aware of the need to obtain a caravan site licence if planning permission is obtained.

Regards,

Stephanie Baines ACIEH
Technical Officer (Residential Regulation Team)
Environmental Health
Scarborough Borough Council

w: www.scarborough.gov.uk

