

From:
To: [Planning](#)
Subject: RE: NYM/2022/0832
Date: 07 December 2022 08:43:29
Attachments: [image001.png](#)
[BEACH Esk FIPL-Low Rigg Farm Pond Planning Application-EDIT.pdf](#)
[2022.11.28-BEACH Esk FIPL Asp House Signed.pdf](#)
[2022.11.28-BEACH Esk FIPL Low Rigg Signed.pdf](#)

You don't often get email from [redacted]. [Learn why this is important](#)

Good morning,

Please find amended application details for proposed wetland/pond creation at Asp House and Low Rigg Farm, Stainscare. This includes amended location details of the Low Rigg application along with signed declaration for both sites.

I can confirm the scale for the location plan for both farms is **1:5000** before to proceeding operate on a scale of **1:1000** for site plan drawings. We will be submitting application fee asap, but this needs to go through our finance system first.

Please do get in touch if you require further information.

Many thanks,

Chris Watt
River Restoration Assistant
Yorkshire Wildlife Trust

[uk](#)

From: planning@northyorkmoors.org.uk <planning@northyorkmoors.org.uk>
Sent: 23 November 2022 10:30
To:
Subject: NYM/2022/0832
Importance: High

Reference: NYM/2022/0832.

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.

Kind regards

Chris France

Chris France
Director of Planning
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley, York YO62 5BP
Tel: 01439 772700

www.northyorkmoors.org.uk



Read the new [Management Plan](#) for the North York Moors National Park

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Wetlands Campaign



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Registered Charity Number 210807. Registered Office: 1 St George's Place, York, YO24 1GN.



Yorkshire
Wildlife Trust

1 St. George's Place,
York, YO24 1GN

☎ 01904 659570

🐦 @YorksWildlife

📘 Yorkshire Wildlife Trust

📷 yorkshirewildlifetrust_

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and is a registered charity No. 210807

NYMNPA

15/11/2022

Better Estuary & Coastal Habitats (BEACH Esk)

Asp House & Low Rigg Farm Wetland Creation-Project Summary



ywt.org.uk

Yorkshire Wildlife Trust is the only charity entirely dedicated to
conserving, protecting and enhancing Yorkshire's wildlife and wild places

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1.0 Better Estuary & Coastal Habitats (BEACH Esk)

BEACH Esk is a landscape scale project, funded by the Environment Agency, and focussed on improving water quality and habitat in the Esk Estuary. The BEACH (Better Estuary and Coastal Habitats) - Esk project will be delivered over four years 2020-24. The project's three elements are:

1. **Habitat creation:** this element, led by Groundwork Northeast and Cumbria, will explore the opportunity to create additional salt marsh habitat in within the Esk estuary. Detailed design options for creating two pilot saltmarsh habitats in the estuary were produced in 2020/21 and 2021/22 will seek to implement this work.
2. **Esk Estuary catchment diffuse pollution.** Led by Yorkshire Wildlife Trust, this element will research and identify pollution sources and pathways within the tributaries, engage with relevant stakeholders and partners, and prioritise locations to focus on. During 2021/22 these recommendations will be augmented by walkover surveys, engagement with land managers and recommendation of mitigation measures.
3. **Stakeholder engagement.** Yorkshire Wildlife Trust's Marine Pollution Officer will focus on improving practices within the estuary by engaging with businesses, the local community, and visitors. This element will also develop best practice codes of conduct to ensure consistency in approach and address known issues within Whitby harbour.

The Yorkshire Wildlife Trust secured funding through the Farming in Protected Landscapes (FIPL) programme to deliver a capital works programme to improve habitats and water-quality for the diffuse pollution aspect of the project. Asp House and Low Rigg Farm are selected projects with wetland creation as the focus of this report. The wetland system was selected to deliver ecosystem service benefits such as:

- Flood water retention.
- Water filtration.
- Carbon storage.
- Habitat creation.

2.0 Asp House Proposals

Asp House is a private dwelling near the village of Stainsacre. The holding largely comprises of rough grassland bordered by hedgerows and pockets of semi-natural woodland. Working with the landowners' measures secured through FIPL include grassland restoration, hedgerow creation and tree-planting. An area of amenity grassland adjacent to the property has been selected to create a wetland system.

The site was determined as suitable due to flat topography and wet soil conditions for it to host wetland cells. Other factors of suitability included:

- No local or national designations are in place.
- The site is currently species-poor improved grassland following summer 2022 vegetation survey.
- No public rights of way are near or within site.
- No historical features are recorded at site.
- No underground/overhead electricity features or drainage pipes present.

2.1 Wetland Design & Management

The design approach selected is to maximise biodiversity value of the feature through structure and composition. The main parameters of the wetland are:

- Project area measuring a total of 1ha.
- 3 wetland cells with surface area of 80m².
- Maximum depth of 1m
- Sloping cell edges no greater than 45 degrees.
- Excavated soil to be used to create linear mounds at 0.5m in height

The outer perimeter of each cell will be irregular to enhance habitat structure of each cell and avoid a uniform appearance. The bottom of each cell will have a humped profile to aid submerged vegetation growth. Excavated soil will be utilised on site to form linear mounds adjacent to each cell to retain water during high rainfall events and prevent

leakage into agricultural fields, Stainsacre Lane and Asp House itself. The mounds will measure 0.5m in height and will contribute to structural diversity following vegetation establishment. Upon completion of cells and mounds, the site will be left to colonise naturally as there are nearby ponds with aquatic vegetation communities that could establish from dispersal. No fencing will be required around wetland area as no grazing is undertaken in adjacent field.

Upon completion of wetland system, management and monitoring will be undertaken to document change and maintain habitat function. These actions will include:

- Fixed point photography to document changing dynamics of wetland system.
- Species recording to demonstrate habitat utilisation.
- Controlling vegetation to maintain open water habitat.
- Sediment control to prevent ponding from silting over.

3.0 Low Rigg Farm Proposals

Low Rigg Farm is a former working farmed turned camping site near Stainsacre. The holding largely comprises of rough grassland bordered by hedgerows and pockets of semi-natural woodland along Rigg Hall Beck. Working with the landowners' measures secured through FIPL include species-rich buffer strip creation and hedge-planting. A marshy field corner has been selected to create two small ponds.

The site was determined as suitable due to flat topography and wet soil conditions for it to retain pond features. Other factors of suitability included:

- No local or national designations in place.
- Suitable habitat for pond creation.
- No public rights of way are near site.
- No historical features are recorded at site.
- No underground electricity or drainage pipes present.

3.1 Pond Design & Management

The design approach selected is to maximise biodiversity value of the feature through structure and composition. The main parameters of the wetland are:

- 2 ponds measuring 7m x 7m in area.
- Maximum depth of 0.1m
- Sloping edges, no greater than 45 degrees.
- Excavated soil to be used to create mounds at 0.5m in height

The outer perimeter of each cell will be irregular to enhance habitat structure of each cell and avoid a uniform appearance. The bottom of each cell will have a humped profile to aid submerged vegetation growth. Excavated soil will be utilised on site to form small mounds adjacent to each cell to retain water during high rainfall events and prevent leakage downslope. The mounds will measure 0.5m in height and will contribute to structural diversity following vegetation establishment. Upon completion of features, the site will be left to colonise naturally as there are nearby ponds with aquatic vegetation communities that could establish from dispersal. No fencing will be required around pond area as no grazing is undertaken at Low Rigg Farm.

Upon completion of wetland system, management and monitoring will be undertaken to document change and maintain habitat function. These actions will include:

- Fixed point photography to document changing dynamics of wetland system.
- Species recording to demonstrate habitat utilisation.
- Controlling vegetation to maintain open water habitat.
- Sediment control to prevent ponding from silting over.

4.0 Best Practice

Due to project size and type, a construction element is unavoidable for both Asp House & Low Rigg, particularly surrounding excavation of features. To ensure no negative

environmental impacts arise from construction of the pond and wetland system, the following measures will be implemented and adhered to:



- A competent and experienced contractor will be selected for the works. They will be fully briefed about project logistics and specification requirements.
- Pollution prevention and biosecurity will be discussed with measures implemented prior to works commencing.
- Machinery will remain on site from arrival till completion to avoid excessive rutting and transportation of sediment between sites.
- Work will not be undertaken during high rain and snowfall events to avoid soil rutting.
- Excavated soil will be utilised on site to create mounds around wetland cells and will not be transported elsewhere.
- Machinery will not be stored in wetland area to avoid any inputs entering cell storage.

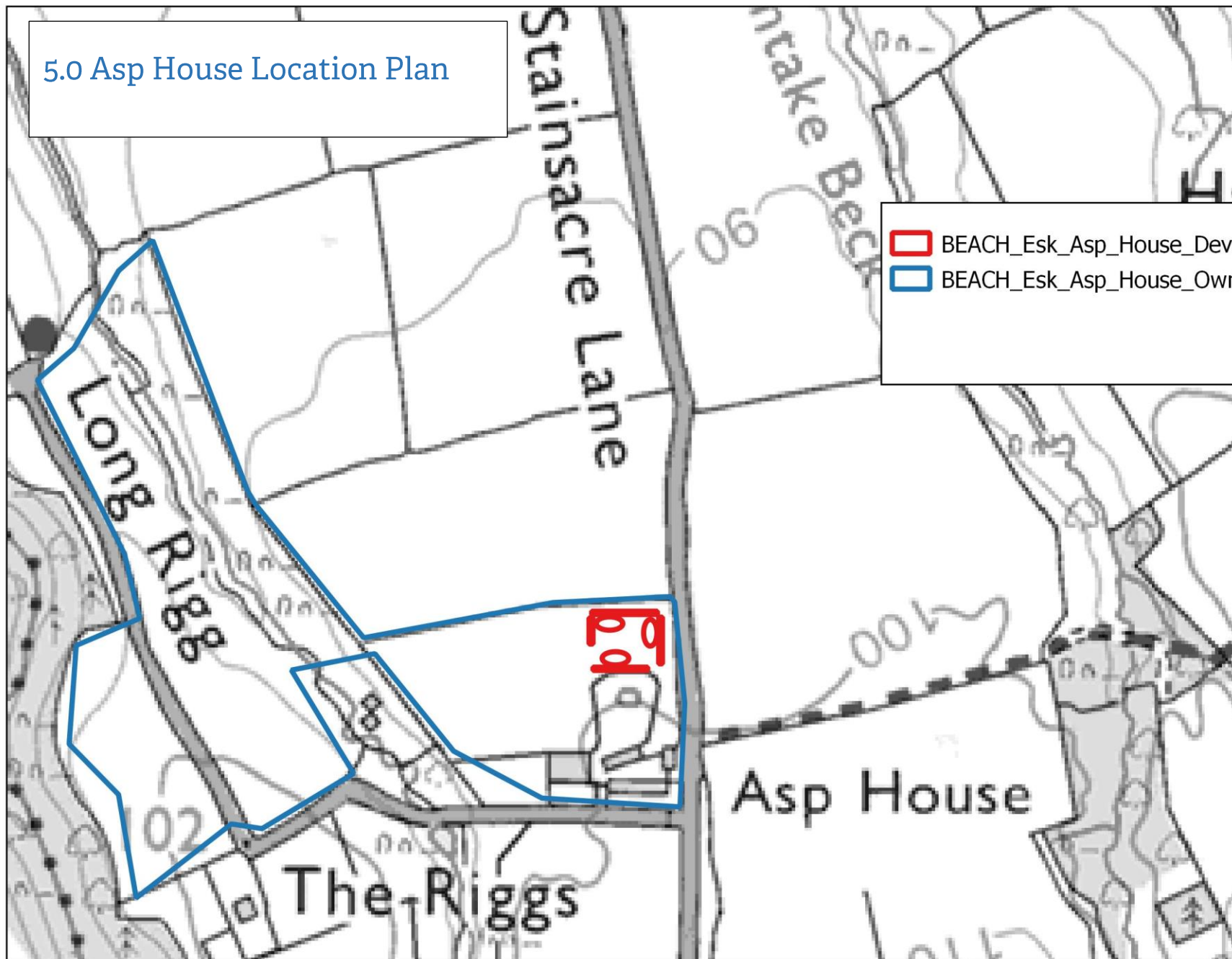


BEACH Esk

BEACH Esk-Asp House Location Plan

5.0 Asp House Location Plan

-  BEACH_Esk_Asp_House_Development_Area_(Cells & Spoils)
-  BEACH_Esk_Asp_House_Ownership_Boundary



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5.1 Asp House Site Plan

-  BEACH_Esk_Asp_House_Development_Area_(Cells & Spoils)
-  BEACH_Esk_Asp_House_Ownership_Boundary

BEACH Esk-Asp House Site Plan

Spoil will be kept 1.5m away from existing trees and hedges to avoid root compaction

Cell 1

Cell 3

Cell 2

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Spoil used for landscaping and structural enhancement of wetland area.

0 10 20 m



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Overview of site: NZ 91521 07370



Site is currently species-poor grassland with relative wet soil conditions. The outer perimeter is bordered by scrub and established trees comprising of hawthorn and willow. These will be retained to enhance overall habitat area upon completion of wetland system. No grazing is undertaken within field therefore no fencing will be required around site boundary.

5.2 Asp House Wetland Cell Drawings

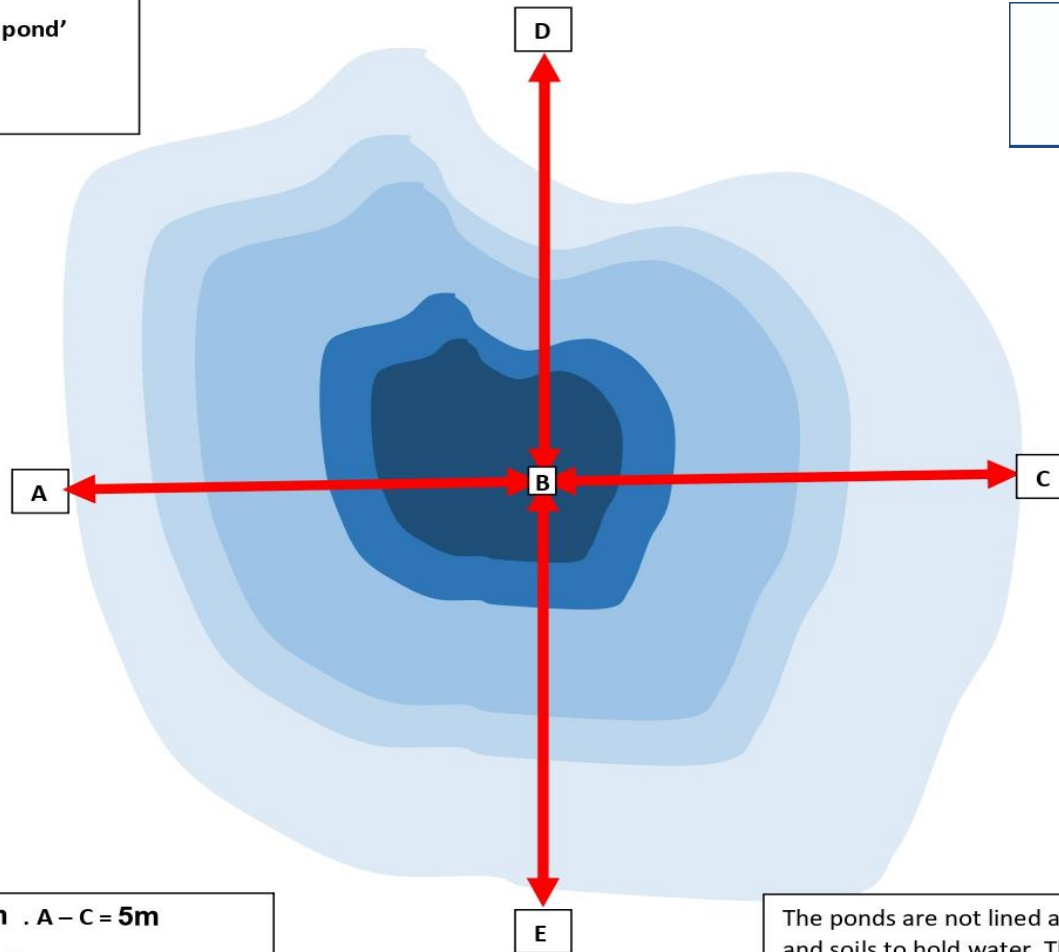
Cross sectional drawings – Asp House Wetland Cells
Scale 1cm = 100cm @A4

'Circular w/ variable edge shaped pond'
(offset centre)

Birds eye view

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Shape and dimensions – A – B = 5m . A – C = 5m
Total surface area of pond – 80m²

The ponds are not lined and rely on the underlying geology and soils to hold water. They are filled and maintained by natural rainwater and groundwater and therefore come with no guarantee they will permanently hold water all year round.

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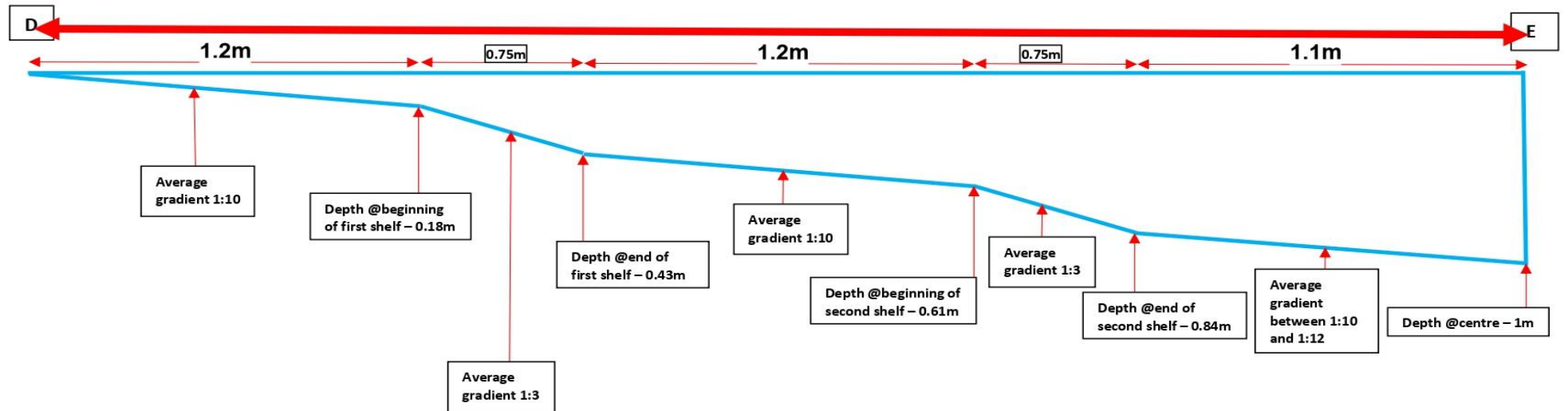
15/11/2022

Cross sectional drawings – Asp House Wetland Cells

Scale 1cm = 25cm @A4



'Circular w/ variable edge shaped pond (offset centre)'

Lengthways – averaged gradients

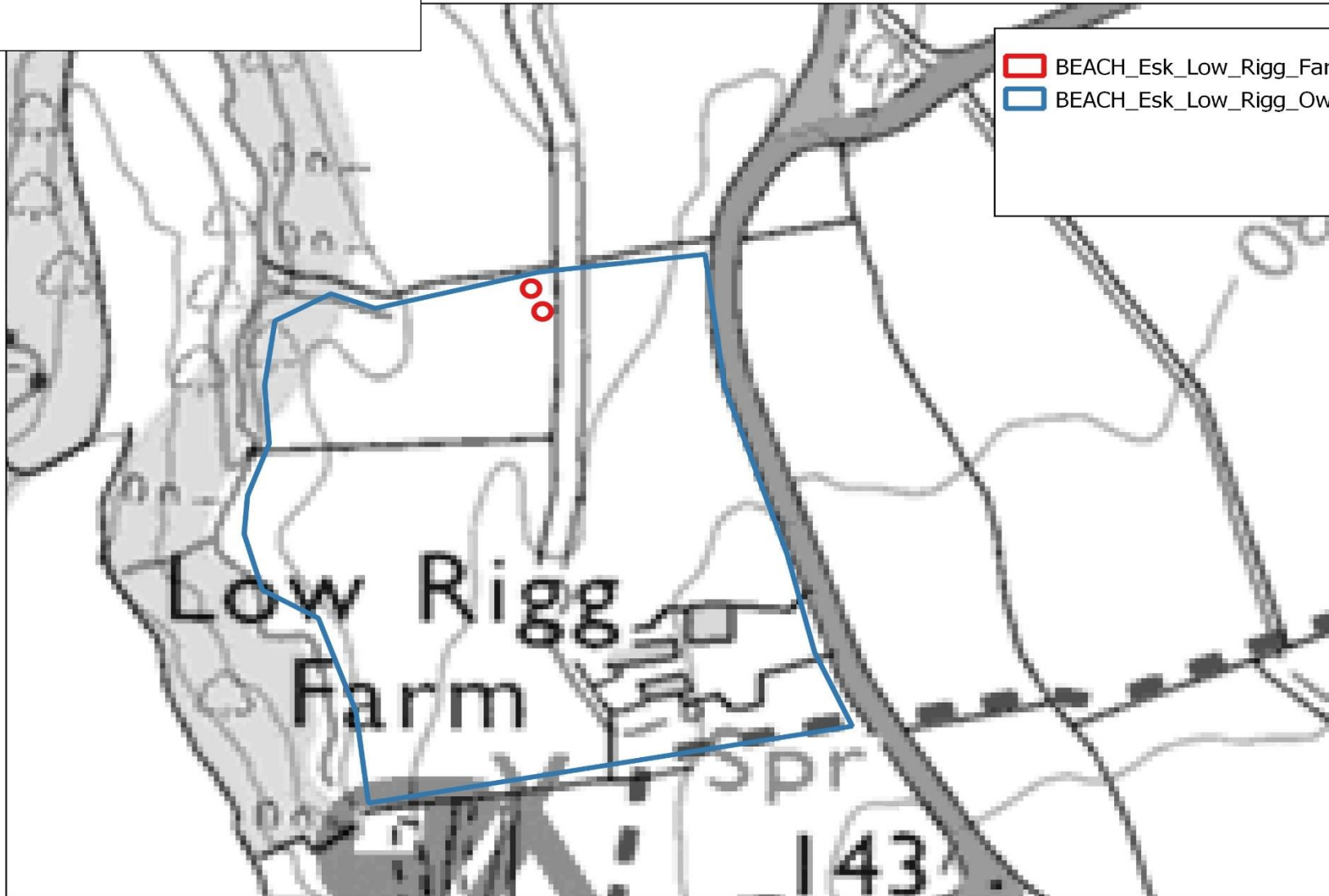



Dimensions – A – B = 5m (centre of pond)

6.0 Low Rigg Farm Location Plan

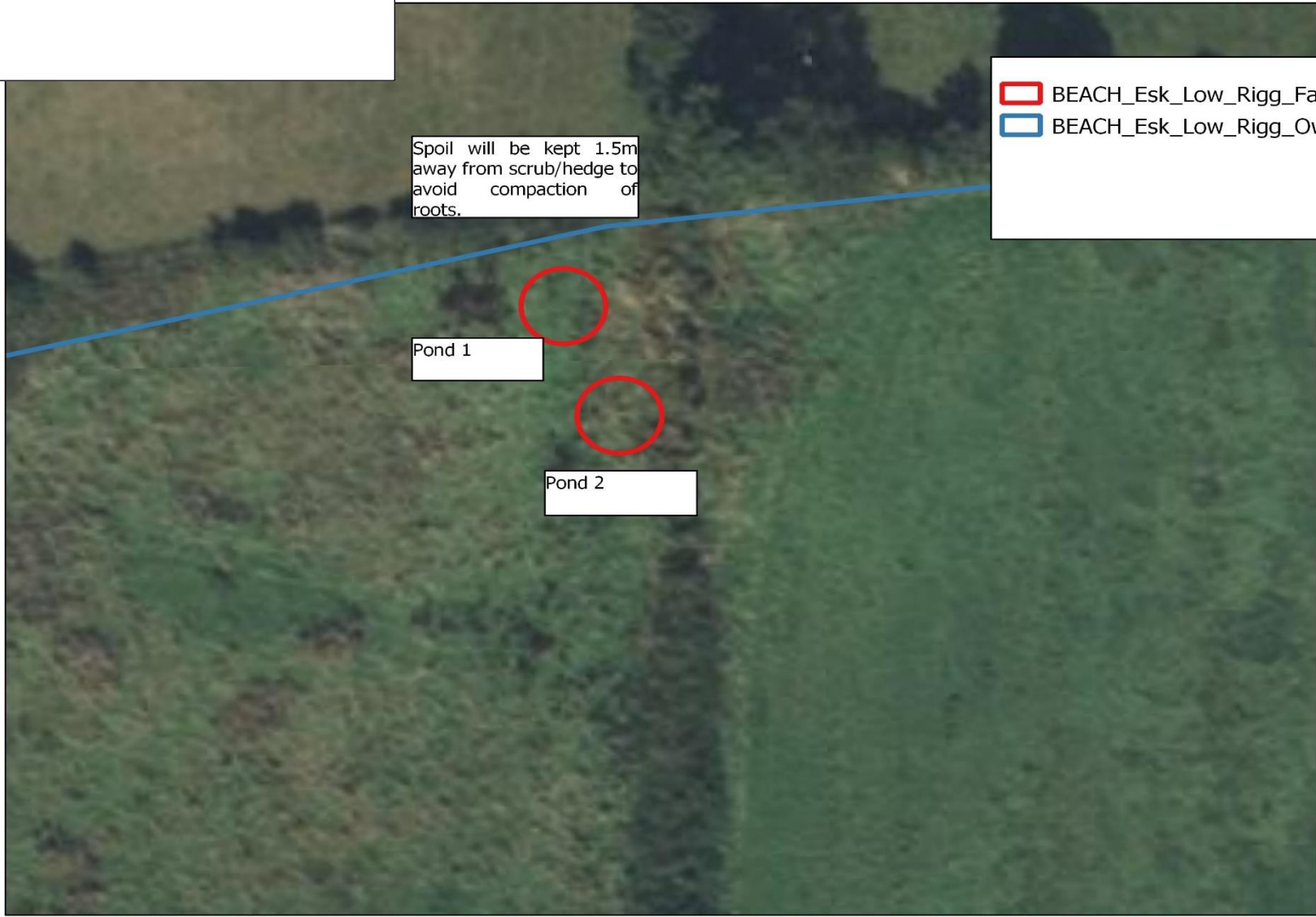
-  BEACH_Esk_Low_Rigg_Farm_Pond_Creation
-  BEACH_Esk_Low_Rigg_Ownership_Boundary

BEACH Esk-Low Rigg Farm
Location Plan




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6.1 Low Rigg Farm Site Plan

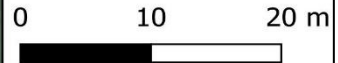


- BEACH_Esk_Low_Rigg_Farm_Pond_Creation
- BEACH_Esk_Low_Rigg_Ownership_Boundary

BEACH Esk-Low Rigg Farm Site Plan

Pond 1

Pond 2



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Overview of site: NZ 91474 06552



Site is currently marshy field corner dominated by docks, rushes, and tussocky grassland. The outer perimeter is bordered by a hawthorn edge which will be gapped up with additional species through the BEACH Esk. The site is not grazed therefore no fencing will be required around boundary.

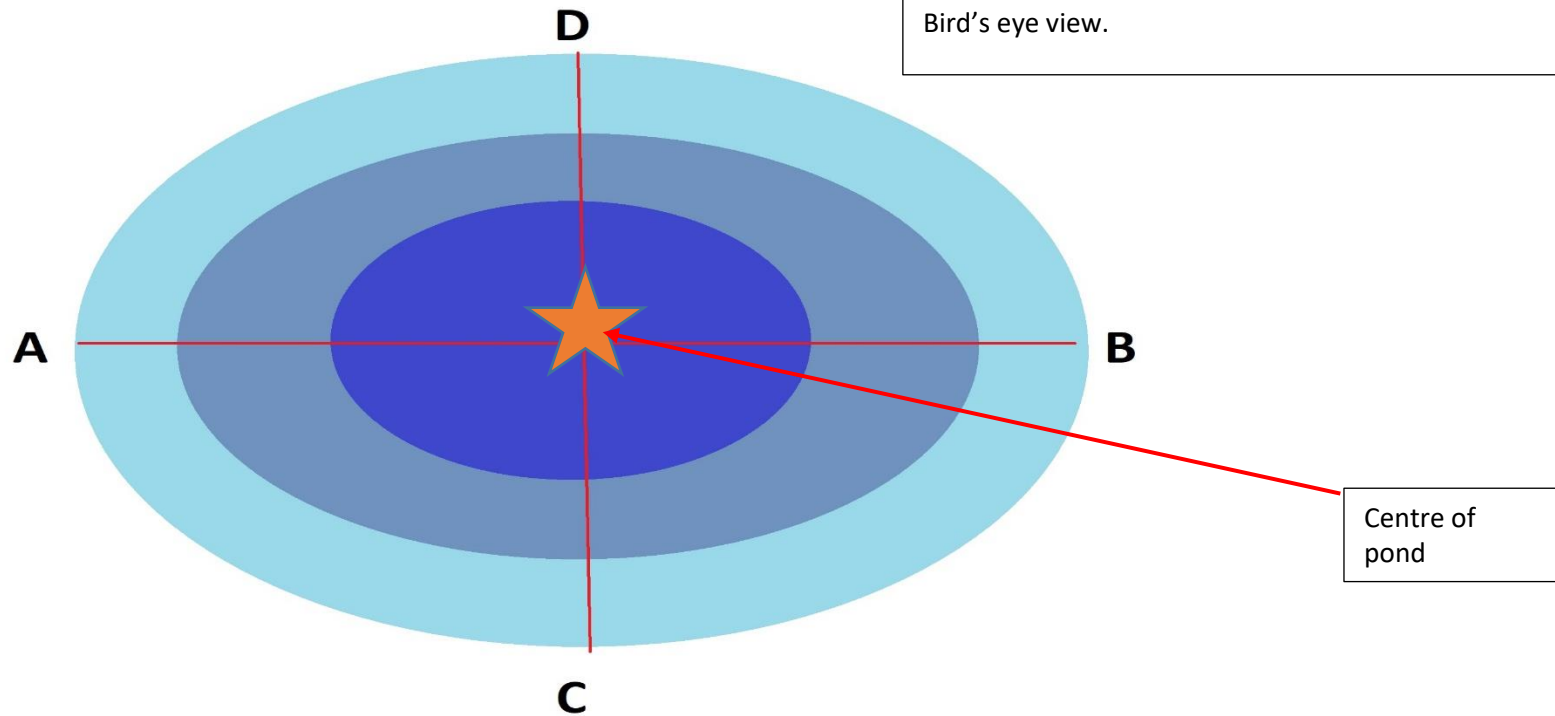
6.2 Low Rigg Pond Drawings

Cross-sectional drawing-Low Rigg Farm Ponds

Scale 1cm=100cm @ A4.

Circular w/variable edge shaped pond.

Bird's eye view.



Shape & dimensions A-B=7m C-D=7m

Total surface of pond=49m²

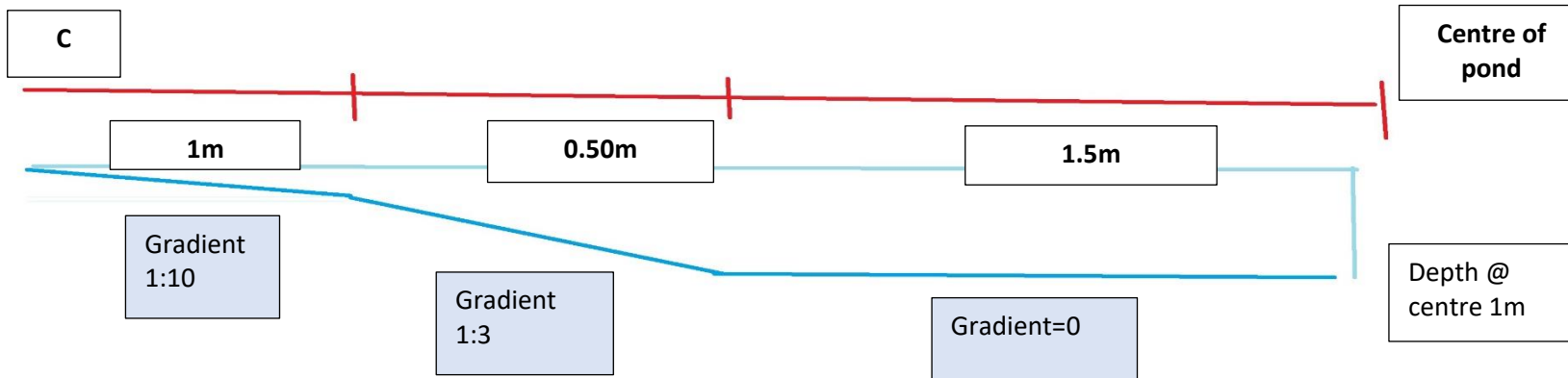
The ponds are not lined and rely on underlying geology & soils to retain water. They are filled by natural rainwater and therefore there is no guarantee it holds water permanently all year round.

Cross-sectional drawing-Low Rigg Farm Ponds

Scale 1cm=25cm @ A4

Circular w/variable edged pond

Lengthways-averaged gradients



Dimensions: A-Centre of pond=3.5m



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A: Property Register

This register describes the land and estate comprised in the title.

NORTH YORKSHIRE : SCARBOROUGH

1. (21 November 2002) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being Asp House Farm, Stainsacre, Whitby. (YO22 4LR)
2. (21 November 2002) A Conveyance of the land tinted pink on the filed plan and other land dated 25 May 1973 made between (1) Ronald Victor Hawkins Robinson (Vendor) and (2) Laurence Patrick Ward and Patricia Ward contains the following provision:-

"The walls and fences separating the property hereby conveyed from the adjoining property known as "Asp House Cottage" shown on the said plan and thereon coloured green being joint and party walls and fences and repairable and maintainable as such and all drains eaves fall pipes spouts gutters gullies manholes and chimney breasts (if any) and gas and water pipes and all other matters and things used jointly by or for the benefit of the property being joint and party and repairable and maintainable as such."

NOTE : Asp House Cottage is shown as Asp House on the filed plan.

3. (21 November 2002) The land has the benefit of the rights granted by a Deed of grant dated 1 May 1974 made between (1) Laurence Patrick Ward and Patricia Ward and (2) Michael Dennis Ward and Marjorie Elizabeth Ward.

NOTE: Copy in Certificate. Copy filed.

4. (21 November 2002) The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Transfer of the land in this title dated 31 October 2002 made between (1) Laurence Patrick Ward and Patricia Ward (Transferors) and (2) Julie Anne Morrissey (Transferees):-

"TOGETHER ALSO WITH a right to use and maintain a flue in the chimney stack of the Transferors' retained property known as Asp Lodge Stainsacre Whitby and the right on reasonable notice to enter the retained property for the purpose of maintaining and repairing and inspecting the flue.

.....
A right of way at all times and for all purposes with or without vehicles over and along the track marked by a blue dotted line on the plan annexed

A: Property Register continued

in favour of the owners and occupiers and their successors in title of the adjoining land to the west."

NOTE : Copy Transfer plan in certificate. Copy plan filed.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (21 November 2002) **PROPRIETOR:** JULIE ANNE MORRISSEY of Asp House farm, Stainsacre, Whitby, North Yorkshire YO22 4LR.
 2. (21 November 2002) The price stated to have been paid on 31 October 2002 was £285,995.
-

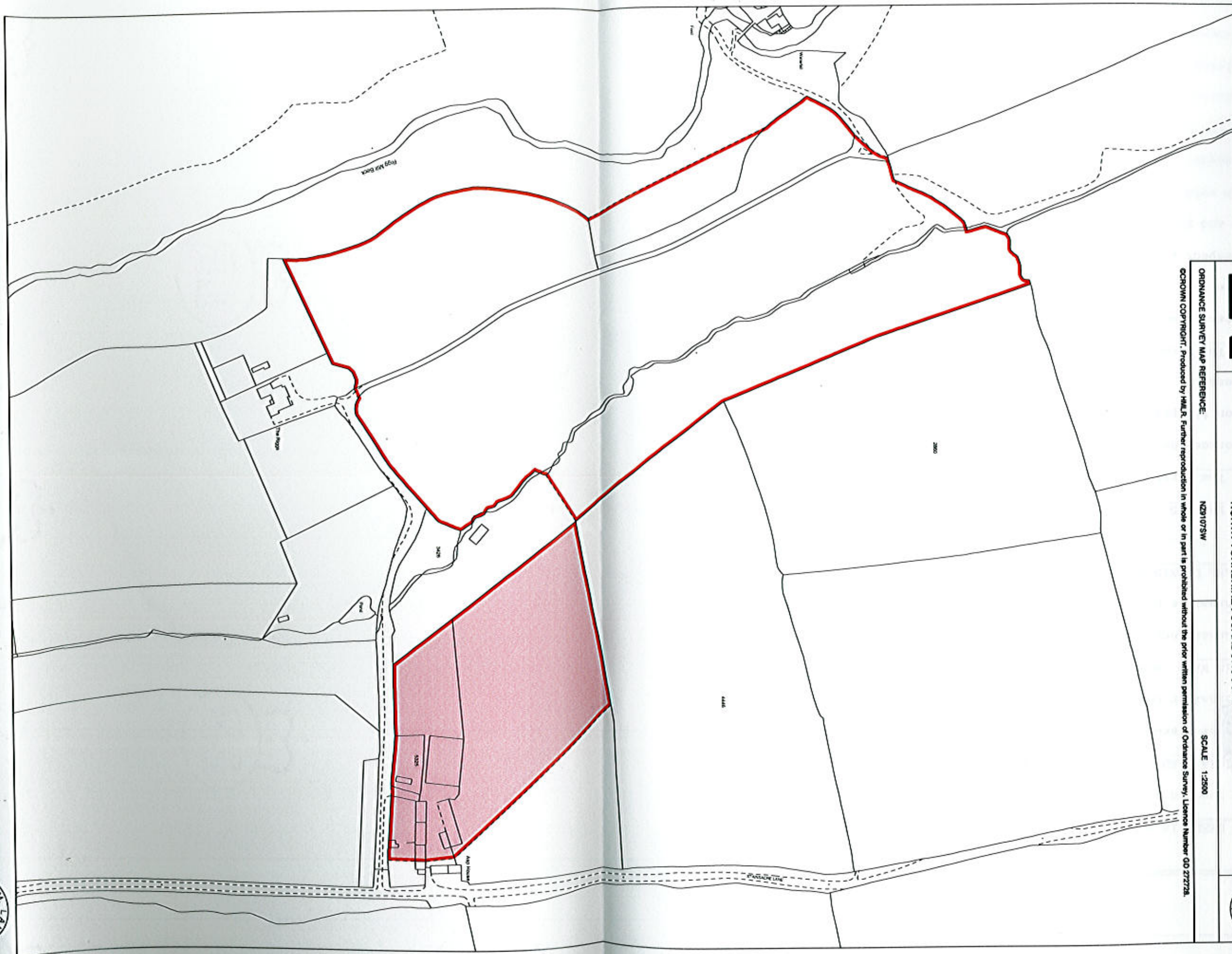
C: Charges Register

This register contains any charges and other matters that affect the land

1. (21 November 2002) **REGISTERED CHARGE** dated 31 October 2002 to secure the moneys including the further advances therein mentioned.
 2. (21 November 2002) **PROPRIETOR:** SCARBOROUGH BUILDING SOCIETY of Prospect House, P. O. Box 6, Scarborough, N. Yorkshire YO11 3WZ.
-

END OF REGISTER

NOTE A: A date at the beginning of an entry is the date on which the entry was made in the Register.
NOTE B: This is a copy of the register on 21 November 2002 at 08:37:54.



Handwritten notes on the left margin, including a cross symbol at the top and various illegible markings.



PRODUCED AND EXAMINED
AGAINST THE ORIGINAL
AT THE OFFICES OF COUN
BROWN KISSON SOLICITORS
WHITBY

CSK
4TH NOVEMBER 2002



THIS DEED is made the - first - day of - May, - One thousand
nine hundred and seventy-four BETWEEN LAWRENCE PATRICK WARD and
TERESA WARD his wife both of "Brown's Caravan Camp" Mill Lane Cayton
near Scarborough in the North Riding of the County of York
(hereinafter called "the First Owners") of the first part MICHAEL
DENNIS WARD and MARJORIE ELIZABETH WARD his wife both of "The Riggs"
Stainsacre near Whitby in the North Riding of the said County of York
(hereinafter called "the Second Owners") of the second part and the said
MICHAEL DENNIS WARD (hereinafter called "the Third Owner") of the third
part

WHEREAS

- (1) The First Owners are the estate owners in respect of the fee simple
in possession free from incumbrances of the land and property hatched
red on the plan annexed hereto and known as "Asp House Farm" Stainsacre
aforesaid
- (2) The Second Owners are the estate owners in respect of the fee simple
in possession free from incumbrances of the land and the property shown
on the said plan and hatched blue and the Third Owner is the estate owner
in respect of the fee simple in possession free from incumbrances of the
land and property shown and hatched in green on the said plan all of
which said property hatched in blue and in green is known as "The Riggs"
Stainsacre aforesaid
- (3) The parties hereto have recently for their common benefit in
connection with their respective properties laid a line of pipes for
obtaining a supply of water beneath the surfaces of the said properties
and connecting with the water main as marked on the said plan the course

of such line of pipes being shown on the said plan by an orange dotted line between the points marked "A-B" "B-C" "C-D" and "D-E"

NOW THIS DEED WITNESSETH as follows:-

1. IN CONSIDERATION of the premises the First Owners hereby grant unto the Second Owners and the Third Owner full right and liberty for the Second Owners and the Third Owner and their successors in title the owners and occupiers of the land and property known as "The Riggs" Stainsacre aforesaid and their respective servants and licensees (in common with the First Owners and all others having the like right) to use the said pipes on the land hatched red for the purpose of receiving and conveying water through the said pipes for the benefit of the said land and property known as "The Riggs" AND TOGETHER ALSO WITH the right and liberty for the Second Owners and the Third Owner and their servants and licensees to enter upon the said land hatched red to inspect take up cleanse maintain repair re-lay renew renovate re-instate and replace the said pipes or any parts thereof making good all damage thereby occasioned TO HOLD the said rights and liberties hereby granted to the Second Owners and the Third Owner in fee simple

2. IN CONSIDERATION of the premises the Second Owners and the Third Owners hereby grant unto the First Owners the right and liberty for the First Owners and their servants and licensees to enter upon the said land hatched green and hatched blue to inspect take up cleanse maintain re-lay renew renovate re-instate and replace the said pipes or any parts thereof making good all damage thereby occasioned

3. THE parties hereto hereby mutually covenant each with the other and their successors in title that they and their respective successors

title will from time to time contribute one half or a fair proportion according to use of the costs of inspecting repairing renewing re-laying cleaning and maintaining the said pipes the proportion in case of dispute to be ascertained by a single arbitrator appointed under the Arbitration Act 1950 or any statutory modification or re-enactment thereof for the time being in force

IN WITNESS whereof the said parties hereto have hereunto set their hands and seals the day and year first before written

SIGNED SEALED AND DELIVERED by the)
said Lawrence Patrick Ward and)
Patricia Ward in the presence of:-)

1950 or 0A9

SIGNED SEALED AND DELIVERED by the)
said Michael Dennis Ward and)
Marjorie Elizabeth Ward in the)
presence of:-)

