
From: Zara Hanshaw
Sent: Tuesday, July 4, 2023 2:35 PM
To: Hilary Saunders
Subject: Burgate Farm 2022/0555

Hi Hilary,

I've reviewed the submitted Air Quality Report, which demonstrates that the proposed development will result in a less than 1% increase in levels of nitrogen deposition. A condition should be included to ensure that the development is completed in accordance with the details included within that report, including that no more than 30 cattle will be housed within the building. I would also recommend that guttering should be provided on the building directed to a soakaway or water storage facility to ensure that clean roof water does not mix with areas fouled by cattle and machinery thus preventing the creation of dirty water.

Best wishes,

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

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

From:
To: [Planning](#)
Subject: FW: RECONSULTS etc.
Date: 03 May 2023 16:28:02
Attachments: [NYM-2023-0129 Blacksmiths Cottage Hawsker.jpg](#)
[NYM-2023-0555 Burgate Fm Harwood Dale.jpg](#)

Hi,

I've just been looking at these – most of these I can't see any tree issues with, but there are a couple which I think need more info:

NYM/2023/0129 – Blacksmiths Cottage, Hawsker - it looks from the aerial map that there are a couple of mature trees on the SE boundary of the site which could be affected by the building, which the plan shows may be within their root protection area. If this is the case we'll need a tree survey, an Arboricultural Impact Assessment (AIA) and a method statement to show how the trees will be protected during construction.

NYM/2023/0555 – Burgate Farm, Harwood Dale – it looks like there's at least one mature tree that could potentially be affected by the building. If not actually within the footprint, its root protection area may well be. Again, we'll need a tree survey, AIA and method statement.

I've attached pics showing the trees in question. Let me know if you need any further information.

Kind regards,

Nathan

Nathan McWhinnie
Tree & Woodland Officer
Conservation & Climate Change
North York Moors National Park Authority

From:
To: [Planning](#)
Subject: NYM/2022/0555 NE Response
Date: 22 November 2022 09:47:27
Attachments: [image001.png](#)
[image002.png](#)
[NYM_2022_0555.pdf](#)
[Annex A to standard letters - May 2022.PDF](#)

Dear Mr A Muir,

Planning consultation: Application for erection of steel portal framed agricultural livestock building at Burgate Farm, Harwood Dale

Thank you for your consultation on the above dated 04 November 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.

Further information on when to consult Natural England on planning proposals is here- [Planning and transport authorities: get environmental advice on planning - GOV.UK \(www.gov.uk\)](#)

Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, we offer the further advice and references to Standing Advice.

Natural England advises Local Planning Authorities to use the following tools to assess the impacts of the proposal on the natural environment:

Impact Risk Zones:

Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone then Natural England will provide an auto-response email.

Standing Advice:

Natural England has published Standing Advice. Links to standing advice are in Annex A

If after using these tools, you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require Natural England's advice.

Further information on LPA duties relating to protected sites and areas is here- [Protected sites and areas: how to review planning applications - GOV.UK \(www.gov.uk\)](#)

Further guidance is also set out in Planning Practice Guidance on the natural environment [Natural environment - GOV.UK \(www.gov.uk\)](#) and on Habitats Regulations Assessment [Appropriate assessment - GOV.UK \(www.gov.uk\)](#)

Non detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning 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.

Should the proposal change, please consult us again.

Yours sincerely,

Shannon Bowes

Operations Delivery
Consultations Team
Natural England
Hornbeam House, Electra Way
Crewe Business Park
Crewe, Cheshire CW1 6GJ

www.gov.uk/natural-england



Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

For further information on the Discretionary Advice Service see [here](#)

For further information on the Pre-submission Screening Service see [here](#)

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 of the [National Planning Policy Framework](#) (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on [Gov.uk](#) website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying [Good Practice Guide for Handling Soils in Mineral Workings](#).

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

² <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

Annex A – Additional advice

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

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

Natural England's [Biodiversity Metric 3.1](#) 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 3.1](#) 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 3.1](#) and is available as a beta test version.

Access and Recreation

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

Annex A – Additional advice

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

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

Biodiversity duty

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

From:
To: [Planning](#)
Subject: NYM/2022/0555 Burgate Farm, Harwood Dale
Date: 14 November 2022 12:35:04

Good morning,

The proposed building exceeds the 1% threshold for the Castlebeck and Scar Woods Site of Special Scientific Interest (SSSI). Based on the guidance provided by Natural England (May 2022) SSSIs sites now fall within the remit of a 1% significance level, rather than 4% as used previously, and therefore impacts of the development on the designated site cannot be ruled out at this stage. Whilst I note from the supporting information that there is no increase in stock, the current calculations still show that there will be an increase in nitrogen deposition, as a result of the proposed new housing system.

In previous applications relating to air quality impacts on SSSI alone, Natural England have commented to suggest that, where there is only a small exceedance, it may be possible to amend the building design, and therefore the SCAIL inputs, to reduce the emissions. If this not possible, a detailed air quality assessment will be required, and mitigation will need to be provided. I recommend that the entire livestock housing system is assessed, as it may be that the increase in nitrogen deposition from the proposed building can be offset by decreases from other buildings, due to there being no additional stock.

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: NYM/2022/0555 Application for erection of steel portal framed agricultural livestock building at Burgate Farm, Harwood Dale
Date: 25 August 2022 12:23:38

NYM/2022/0555 Application for erection of steel portal framed agricultural livestock building at Burgate Farm, Harwood Dale

Commercial Regulation – Environmental Health

Having reviewed the above application I have no comments to make from an Environmental Health perspective.

Regards

Julie Peirson
Commercial Regulation Manager MCI^{EH} CEnvH
Environmental Services
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

Date: 08 August 2022
Our ref: 402605
Your ref: NYM/2022/0555



Mr A Muir
North York Moors National Park Authority

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

BY EMAIL ONLY

Dear Mr Muir,

Planning consultation: Application for erection of steel portal framed agricultural livestock building.
Location: Burgate Farm, Harwood Dale

Thank you for your consultation on the above dated 27 July 2022 which was received by Natural England on 27 July 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.

Insufficient information provided

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and re-consult Natural England. Please note that you are required to provide a further 21 day consultation period, once this information is received by Natural England, for us to respond.

Natural England is not able to assess this case as there is insufficient information provided in relation to air quality impacts.

Manure stores, slurry lagoons and livestock sheds are a major source of emissions of ammonia which is directly toxic to vegetation and especially to lower plants (mosses, liverworts and lichens). Ammonia is also a major contributor to the deposition of nitrogen, which reduces habitat biodiversity by promoting the growth of a relatively small number of the more vigorous plant species which then out-compete the other species present.

Our Impact Risk Zones¹ have identified that interest features of the following designated sites may be sensitive to impacts from aerial pollutants, such as those emitted from this proposed development:

- Hayburn Wyke Site of Special Scientific Interest (SSSI)

¹ SSSI Impact Risk Zones layer within Statutory Land Based Designations on Magic Map available at: <http://magic.defra.gov.uk/>

- Castlebeck and Scar Woods Site of Special Scientific Interest (SSSI)
- Robin Hood's Bay: Maw Wyke to Beast Cliff Site of Special Scientific Interest (SSSI)
- Beast Cliff-Whitby (Robin Hood's Bay) Special Area of Conservation (SAC)
- North York Moors Site of Special Scientific Interest (SSSI)
- North York Moors Special Area of Conservation (SAC)
- North York Moors Special Protection Area (SPA)
- Biller Howe Dale Site of Special Scientific Interest (SSSI)

The consultation documents provided do not include any assessment of air quality impacts.

In order for us to advise on this case an initial screening for air quality impacts should be completed. Simple screening tools are available via the internet, the relevant regulator or consultants. The results of screening should inform the need for any further, more detailed assessment which may be required to fully assess the impacts of the proposal. Natural England would be happy to advise on the results of the screening opinion and any further steps required.

Prior to re-consulting, please ensure a suitable air quality screening assessment is provided. If using the Simple Calculation of Atmospheric Impact Limits (SCAIL) model: <http://www.scail.ceh.ac.uk/> please ensure the applicant has enclosed the final input file, the outputs for the model and the results, with the details of the application. If the applicant is replacing an old slurry lagoon or housing with a new system, or changing livestock type or numbers, this information should be submitted for both the existing and the proposed scenario. For guidance on how to do this in the free online [SCAIL](#), please see the attached annex.

Natural England has not considered any other matters at this stage. We will provide advice on all relevant matters upon receipt of this information.

Should the applicant 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 to
402605.

quoting our reference

Yours sincerely,

Shannon Bowes
Consultations Team


Annex A

The link to the website can be found here: <http://www.scail.ceh.ac.uk/cgi-bin/agriculture/input.pl>

You will need all of the details of the proposals to hand in order to complete the SCAIL template.

Completing the template:

Complete '**Project Details**', '**Location Details**', '**Installation Details**'.

Most boxes are self-explanatory, but where further assistance is required, click on the  button.

'Installation Location' – provide the co-ordinates of the installation's location (12 figure grid reference using x,y coordinates or select landranger format to enter map reference, or the tool allows you to select a point from Google Maps, a map or aerial photograph). Click 'ok' to return to SCAIL tool.

'Source Details' - Complete all fields not greyed out depending upon the source type selected, including the grid reference if different to the main installation location already identified above. To complete '**Source Type**', select relevant description from 'housing, litter/manure storage, land-spreading, grazing, outdoor yard' from dropdown list and enter further information as required, e.g. for slurry storage add the tonnage if fresh manure is being added, (an entry of '0' is required if slurry is being stored), number of storage days per year, surface area in m², type of container and how it will be covered. Click on the red 'Get Emissions Values' button to populate the template.

It is possible to enter additional sources, e.g. if there are more than one housing units in different locations on the farm. Select 'add source' from drop down menu and enter the details for the source as described above, and click on the red 'Get Emissions Values' button after each addition to populate the template.

'Designated site details' - select a search area of 10km and proceed to identify sensitive sites in proximity (click on red 'Run Receptor Search' button).

Calculate the emissions for the final assessment at the bottom of the page (click on red 'Calculate' button). This will calculate the emissions emitted from the proposal and received at each of the designated sites. If you need to return to the original page, click on the Green 'Back Button' at bottom right of screen.

Saving the Input file:

To save the Input file click on the red 'Save Inputs' button at the bottom left of the screen and select 'save as' with an appropriate name and location, and include with your application (.inp file extension). The input file can also be saved from the front screen by selecting 'Save Input Data' using the same process.

Saving the Outputs:

Once the pre-populated results are visible, scroll down and click on the red 'Save Results' button and select 'save as' with an appropriate name and location. This file should also be included with the application.

How to reduce emissions:

If the final row of figures on the Results page are all in black then the application is likely to be acceptable on Air Pollution grounds. If there are exceedances in red, these should be considered further through consultation or further mitigation and emissions reduction should be explored:

Total Depositions/Concentrations and Exceedances					
Concentrations/Depositions and Critical Loads/Levels	NH ₃ (µg/m ³)	N Dep. (kg N/ha/yr)	Acid Dep. (MEq H ⁺ /ha/yr)	PM ₁₀ (µg/m ³)	Odour (OU/m ³)
Process Contribution (PC) at receptor edge	0.10	0.52	0.035	-	-
Background concentration at receptor edge	1.97	18.75	1.54 (N: 1.34)(S: 0.20)	-	-
Predicted Environmental Concentration/Deposition (PEC)	2.07	19.25	1.55	-	-
Environmental Assessment Level or Critical Load / Level	Lower: 1 Upper: 3	Austropotamobius palipes	Austropotamobius palipes	-	-
ALTERNATIVE CRITICAL LOAD INFO					
USE OUR THRESHOLDS					
% of relevant standard PC	Lower: 10% Upper: 3%	n/a	n/a	-	-
% of relevant standard PEC	Lower: 207% Upper: 65%	n/a	n/a	-	-
EXCEEDANCE	Lower: 1.07 Upper: No Exceedance	n/a	n/a	-	-
Project Notes Cattle - 88 - Slurry - SCAIL Template Farm					
SAVE RESULTS		SAVE EXPORTS		[Use this Back button. Do not use the browser back button - you could lose all inputs] BACK	

By altering these details you can reduce the emissions of harmful air pollutants to sensitive sites before making an application. The main parameters in SCAIL which can be used by the land holder to reduce/mitigate air pollution are:

- The type of container and its cover will reduce emissions of ammonia and ammonia deposition
- Further reducing the surface area exposed to the air by making it deeper. This needs to be balanced with health and safety considerations.
- Location in relation to the nearest designated site (the further away the better)
- Reducing the length of time the facility is operating

Further ideas on mitigation can be found in the Code of Good Agricultural Practice for Reducing Ammonia Emissions - <https://www.gov.uk/government/publications/code-of-good-agricultural-practice-for-reducing-ammonia-emissions/code-of-good-agricultural-practice-cogap-for-reducing-ammonia-emissions>

PLEASE NOTE:

Should the applicant wish to replace an old slurry lagoon or housing with a new system, or change livestock type or numbers, a SCAIL report should be run and submitted for both the existing and the proposed scenario. This can be done by saving the current file, then pressing the SCAIL back button (not the web browser back button), changing the details, recalculating and saving the new file.

From:
To:
Cc: [Planning](#)
Subject: NYM/2022/0555 Burgate Farm, Harwood Dale
Date: 03 August 2022 15:57:11

Good afternoon Andrew,

The proposed barn will be used for housing cattle. As the floorspace is >500m² and the shed is within an Impact Risk Zone of the North York Moors SSSI, SAC and SPA we will therefore need a SCAIL assessment to be undertaken to determine the potential impacts of the proposed development on the designated site. This can be conducted on the [SCAIL – agricultural portal \(ceh.ac.uk\)](#) free of charge.

As the proposal is for a replacement building, a SCAIL assessment for the current building and the proposed building should be completed to enable comparison. Both should be assessed as at full capacity.

I recommend that the applicant exports the results into a .csv file which can be opened in Excel, and also takes a screenshot of the inputs used and submit this too – this means if there are any issues found with the data then it is easier for us to pinpoint where this could be or replicate the assessment if necessary.

Any queries, please let me know

Best wishes,

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

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