

Field Survey

Habitats/Protected Species

- 2.8 The site was subject to a walk over, during which habitats were assessed in line with the habitat classifications detailed within the UK Habitat Classification User Manual². Definitions of broad habitat types and commonly recorded habitat types are provided within the appendices.
- 2.9 For plant species, abundance has been recorded using the DAFOR scale as detailed in the following table.

	Abundance	Percentage Cover
D	Dominant	50-100%
A	Abundant	30-50%
F	Frequent	15-30%
O	Occasional	5-15%
R	Rare	<5%

- 2.10 Mandatory Secondary Codes within the UK Habitat Classification have been used as defined within the User Manual.
- 2.11 During the survey the site was checked for evidence of protected species and habitats were assessed for their potential to support such species.
- 2.12 Survey was undertaken by James Streets CEcol MCIEEM, an experienced surveyor who holds protected species licences for a range of species including bats and great crested newts.
- 2.13 The following equipment was utilised during survey:
- Zeiss 8x30 binoculars.
 - Digital camera.

- 2.14 The survey was undertaken on the 4th August 2023 in the following weather conditions:

Date	Temperature	Cloud Cover	Precipitation	Wind Conditions
4 th August 2023	16°C	100%	None	F1-2 S

² Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2020). The UK Habitat Classification User Manual Version 1.1 at <http://www.ukhab.org/>

Limitations to Survey

2.15 There were considered to be no major constraints to survey.

Assessment Methodology

2.16 Guidance from the Chartered Institute of Ecology and Environmental Management (CIEEM) is utilised to provide habitat valuations.

2.17 The level of value of specific ecological receptors is assigned using a geographic frame of reference. For, example international value being most important (SACs, SPAs and pSPAs), then national (SSSIs), regional, county (LWS), district (LNR), local and lastly, within the immediate zone of influence of the site only (low).

2.18 In terms of species, for example breeding birds, should the population within the site constitute greater than 1% of the geographic population, it would be considered significant at that level. In addition, presence of designated sites, scarce species and or quality³/diversity of habitats are used to guide that valuation

2.19 Assessment methods for bats have been undertaken with reference to Wray et al. (2007)⁴, which correlates with the geographic frame of reference. Within which they define the relative rarity of each species based on the known distribution⁵ at the time and the value of the roost type, assuming that roosts such as feeding perches are of lower value that maternity roosts or sites that have a high level of fidelity.

2.20 Examples of ecological receptors at various levels of value are provided within Appendix 3.

³ Quality can be subjective and vary in different geographic areas. Reasoned professional judgement is therefore used to inform the assessment.

⁴ Wray et al (2007) Valuing Bats in Ecological Impact Assessment. In Practice. Based on a presentation at the Mammal Society – Specific Issues with Bats

⁵ It should be noted that there are regular changes to our understanding of distribution as further studies are undertaken.

3. Results

Desk Study

General Land Use

3.1 A review of aerial imagery and Ordnance Survey mapping highlighted that the general land use in the surrounding area is dominated by grazed farmland.

Designated Sites

3.2 A search of the Multi Agency Geographic Information for the Countryside Website⁶ indicated that the following designated sites for nature conservation lie within 2km of the site.

Designation	Site Name	Reason for Designation	Distance from Survey Area (Closest point)
Special Area of Conservation	North York Moors	Designates for the presence of wet heath and dry heath as well as blanket bogs.	1.9km
Special Protection Area	North York Moors	Designated for the populations of breeding golden plover and merlin	1.9km
Site of Special Scientific Interest	North York Moors	Designated for its breeding bird assemblages, as well as the extent of moorland present which is the largest in England. The moorland includes areas of blanket bog, wet heath, mires and dry heath with the valley sides allows for the development of areas of acid grassland, woodland and flushes.	1.9km

SSSI Impact Risk Zone (IRZ)

The site lies within an identified SSSI Impact Risk Zone relating to designated sites in the wider area, however development of the nature proposed does not meet the identified impact risk triggers, primarily as the proposals are for less than 50 units.

⁶ Multi Agency Geographic Information for the Countryside (MAGIC) www.magic.gov.uk (Accessed September 2023)

Priority Habitats

3.3 A search of the MAGIC website identified areas of habitat within 2km of the site identified within the Priority Habitat Inventory as the following habitat types:

- Deciduous woodland

3.4 Of the identified areas of habitat, the closest is an area of deciduous woodland which lies 300m to the west of the site.

Ancient Woodland

3.5 The MAGIC website identified the following areas of woodland listed within the Ancient Woodland Inventory within 2km of the site:

- Far Clack Wood

European Protected Species Licensing

3.6 The MAGIC website identified the following granted Natural England European Protected Species licences within 2km of the site⁷.

Licence Reference	Species	Licensed Work	Licence Period
EPSM2012-4359	Common pipistrelle, soprano pipistrelle, brown long eared bat, whiskered bat	Destruction of a resting place	2012 - 2014

Data Search

Local Records Centre

3.7 The following table summarises the data search results from NEYEDC. Records were provided for all protected and notable species within 2km of the site, of which key species are listed. The full data search can be provided on request.

Taxon	Species	No. of Records within Search Area	Records of Particular Note
	Eastern Grey Squirrel	1	-
		1	-

⁷ The dataset is noted as having been last updated in January 2022.

Table 3.3: Records from LRC Data Search			
Taxon	Species	No. of Records within Search Area	Records of Particular Note
Mammals (excluding bats)	West European Hedgehog	1	-
		1	-
Bats	Bats	1	-
	Common Pipistrelle	3	-
	Daubenton's Bat	1	-
	Noctule Bat	2	-
	Pipistrelle	1	-
Fish	Brown/Sea Trout	8	-
	Bullhead	8	-
Crustacean	White-clawed Crayfish	3	
Birds	Barn Owl	1	-
	Goosander	1	-
	Kestrel	1	-
	Mallard	1	-
	Swift	8	-
Reptiles	Adder	2	-
	Common Lizard	1	-
	Slow-worm	1	-

3.8 The records centre also provided information regarding the following Local Wildlife Sites (LWS) and Sites of Importance for Nature Conservation (SINC) which lie within 2km of the site:

- SE49-04 – Stony Lane Pond – Deleted SINC

Field Survey



Habitats

Table 3.4: Habitat Descriptions



Overview of habitats

The site comprises an area of a sheep grazed field, an area of amenity grassland and associated access.

The habitats within the site are illustrated within Figure 3.

Habitat Description		Habitat Category
Sheep Grazed Grassland The sheep grazed field has a limited diversity with the sward height consistent across its areas. It is considered to be modified grassland due to the limited forb cover.		<i>Primary Code</i> G4 – modified grassland 60 – sheep grazed
Species/m ² : <9	Sward Height: <7cm	Bare ground (%): <1%
Species List Meadow Grass <i>Poa</i> sp., Creeping Thistle <i>Cirsium arvense</i> , White Clover <i>Trifolium repens</i> , Chickweed <i>Stellaria media</i> agg., Perennial Ryegrass <i>Lolium perenne</i> subsp. <i>perenne</i> , Germander Speedwell <i>Veronica chamaedrys</i> , Creeping Buttercup <i>Ranunculus repens</i> , Yorkshire Fog <i>Holcus lanatus</i> , Spear Thistle <i>Cirsium vulgare</i> , Nettle <i>Urtica dioica</i> , Greater Plantain <i>Plantago major</i> .		
Schedule 9/Undesirable species present (Y/N): Yes small numbers of creeping thistle, nettle and spear thistle		Further Survey Needed (Y/N): No
		

Habitat Description	Habitat Category
Amenity Grassland Around the periphery of the field there has been a small strip of grassland which has been fenced off and managed as amenity grassland. This area	<i>Primary Code</i> G4 – modified grassland

has a similar species mix to the main field. It has had a number of young trees planted within it, and there is an ash tree present within the survey area which is mature in age and multi-stemmed.		64- mown 56 – young trees, planted
Species/m ² : <9	Sward Height: <7cm	Bare ground (%): <1%
Species List		
Meadow Grass <i>Poa</i> sp., Creeping Thistle <i>Cirsium arvense</i> , White Clover <i>Trifolium repens</i> , Chickweed <i>Stellaria media</i> agg., Perennial Ryegrass <i>Lolium perenne</i> subsp. <i>perenne</i> , Germander Speedwell <i>Veronica chamaedrys</i> , Creeping Buttercup <i>Ranunculus repens</i> , Yorkshire Fog <i>Holcus lanatus</i> .		
Schedule 9/Undesirable species present (Y/N): Yes small numbers of creeping thistle.		Further Survey Needed (Y/N): No
		

Hedgerow		<i>Primary Code</i>
To the east of the site there is a hedgerow which lines the access route to the site. This has a good diversity of species but will not be directly impacted by the proposals. There is also a hedgerow along the southern site boundary which is less well managed but has a similar species diversity.		H2a – native hedgerow
Height: 2-3m	Width: 2m	Intact (Y/N): Yes
Species Rich (Y/N): No		Managed (Y/N): Yes
Species List		
Elder <i>Sambucus nigra</i> , Holly <i>Ilex aquifolium</i> , Hawthorn <i>Crataegus monogyna</i> , Wych Elm <i>Ulmus glabra</i> , Blackthorn <i>Prunus spinosa</i> , Ivy <i>Hedera helix</i> .		
Schedule 9/Undesirable species present (Y/N): No		Further Survey Needed (Y/N): No



Target Notes

Table 3.5: Target Notes

Target Note 1

A multiple stem ash tree to the north of the site which will be retained within the proposals. It has a negligible risk for supporting roosting bats.

Target Note 2

Two mature ash trees to the south of the site which have the potential to support roosting bats but will be retained and buffered from the proposals.

Protected Species

Bats

- 3.9 No evidence of bats was recorded on site. There are largely no suitable roosting locations within the site with no structures within the site boundary suitable for supporting roosting bats. Ash trees located to the eastern site boundary provide some potential opportunities for bats with a moderate suitability recorded, however these are to be retained and buffered from the proposals.
- 3.10 The habitats within the site comprise limited opportunities for bats, however the trees around the periphery may provide foraging and commuting opportunities for locally common species such as pipistrelles.

Birds

- 3.11 The site provides limited opportunities for nesting birds, with the grassland unlikely to be used by nesting birds due to the length of the grassland and the disturbance of the site by livestock. The trees may provide opportunities for nesting birds however none were recorded during the site visit.

Great Crested Newts

- 3.12 There are no ponds within the site and none within 500m of the development area. The site comprises largely short grazed grassland. The grassland is unlikely to provide any substantial refugia given its regular mowing. No evidence of amphibians was recorded on site at the time of the survey.

Other protected and notable species

- 3.14 No evidence of other protected species was recorded on site. There is a low risk of reptiles being present however given the homogeneity of the grassland on site the presence of reptiles is considered to be low.
- 3.15 The grassland on site may support hedgehog in small numbers within adjacent gardens however no evidence of their presence was recorded on site.

4. Site Assessment

Assessment of Survey Findings

Habitats

- 4.1 Habitats on site are considered to be of low significance given the low diversity of the grassland and the species present within. There are additional areas of native hedgerow adjacent to the site, however these areas are of no more than local value and are to be retained.

Bats

- 4.2 The site is considered to be of no more than local significance based on the lack of suitable roosting opportunities across the majority of the site.
- 4.3 There are limited foraging areas within and around the site due to use for grazing livestock. The adjacent hedgerows and trees are of value to locally common species however these are to be retained as part of the proposals. The site has the potential to provide some limited linkages between adjacent areas of foraging and roosting opportunities within the nearby farm buildings.

Birds

- 4.4 The site provides limited opportunities for nesting birds with the trees and hedgerows supporting the structure to support nesting opportunities. Due to the nature of the grassland there are considered to be limited opportunities for ground nesting species as the grazing pressure reduces the sward to a limited height meaning that species such as skylark are unlikely to use the area. Overall the value of the site to birds is considered to be low.

Great Crested Newts

- 4.6 The site is considered to be of limited value to great crested newts due to the absence of ponds within 500m of the development area and the lack of substantial areas of refugia within the development area. Overall the value of the site to great crested newts is considered to be low.

Other Protected and Notable Species

- 4.7 Due to the nature of the site the presence of other protected species is considered to be unlikely. There are limited opportunities for reptiles with no obvious basking areas or refugia present although the hedgerow may provide some opportunities. The value of the site to reptiles is considered to be negligible.
- 4.8 The site may provide habitat for hedgehog however the areas of hedgerow and woodland in the wider area are likely to provide better opportunities for the species. Overall the value of the site is considered to be low for this species.

5. Impact Assessment

- 5.1 The following impact assessment is based on the survey work to date and the understanding that the Client wishes to construct 5 shepherds huts on site for tourist use.
- 5.2 As a result of the assessment completed and the nature of the proposed works, the likely impacts, without appropriate avoidance measures, mitigation and/or compensation scheme, are anticipated to be:
- The loss of areas of grassland of local value for their diversity.
 - The loss of habitats used by locally common bat species for foraging and commuting
 - Causing harm to mammals during construction work, including badger and hedgehog.
 - Causing the loss of habitat with the potential to be used by hedgehog.
 - Causing harm to nesting birds and their dependant young during site clearance.
 - Causing a small net loss in biodiversity.

Designated Sites

- 5.3 The site is within the impact risk zone for the North York Moors Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Special Area of Conservation (SAC) however the trigger thresholds for impacts on these sites as a result of the nature of the development, are for 50 residential units. As such no impacts are predicted.
- 5.4 There are no local wildlife sites in close proximity to the scheme and as such it is considered that there will be no impacts on these sites from the development.

6. Recommendations

Further Survey

6.1 No further survey work is recommended.

Avoidance Measures

6.2 The following measures should be incorporated into the design of the scheme to avoid impacts on wildlife:

- External lighting that may affect the site's suitability for bats will be avoided. If required this will be limited to low level, avoiding use of high intensity security lighting.
- Works will not be undertaken during the nesting bird season (March to August inclusive) unless the site is checked by an appropriately experienced ecologist and nests are confirmed to be absent.
- Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

Mitigation Strategy

6.3 The following is recommended:

- It is recommended that site design minimises impacts to grassland areas where they are to be retained and are protected from disturbance where retained.
- Retained trees and hedgerow around the site boundaries will be protected from damage in line with the recommendations in BS5837:2012.

Compensation Scheme

6.4 The following is recommended:

- Landscape planting shall include berry and fruit bearing species to provide increased foraging opportunities in the local area.
- Areas of grassland retained and enhanced where possible in order to address the grassland lost from the site.
- Areas of the site where greenspace is to be created are designed for wildlife and managed appropriately.
- Bird and bat boxes are recommended for erection within retained trees within the wider landholding of the developer.
- Consideration will be given to achieving a net gain in biodiversity.

Appendix 1 – Bat Suitability and Survey Effort

Classifications of suitability are based on those provided within the Bat Conservation Trust Good Practice Survey Guidelines⁸, with the table below taken from page 35 of the guidelines (table 4.1).

Guidelines for Assessing the Potential Suitability of Proposed Development Sites for Bats (based on the presence of habitat features within the landscape, to be applied using professional judgement)		
Suitability	Description	
	Roosting Habitats	Commuting and foraging habitats
Negligible	Negligible habitat features on site, likely to be used by roosting bats	Negligible habitat features on site, likely to be used by commuting and foraging bats
Low	<p>A structure with one or more potential roost sites that could be used by individual bats opportunistically.</p> <p>However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions^a and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e unlikely to be suitable for maternity or hibernation^b).</p> <p>A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential^c.</p>	<p>Habitat that could be used by small numbers of commuting bats such as gappy hedgerow or unvegetated stream, but isolated, i.e not very well connected to the surrounding landscape by other habitat.</p> <p>Suitable but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.</p>
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions ^a and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).	<p>Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens.</p> <p>Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.</p>
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions ^a and surrounding habitat	<p>Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge.</p> <p>High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree lined watercourse and grazed parkland.</p> <p>Site is close to and connected to known roosts.</p>
<p><i>a. For example in terms of temperature, humidity, height above ground level, light levels or levels of disturbance.</i></p> <p><i>b. Evidence from the Netherlands shows mass swarming events of common pipistrelle bats in the autumn followed by mass hibernation in a diverse range of building types in urban environments (Korsten et al., 2015). This phenomenon requires some research in the UK but ecologists should be aware of potential for larger numbers of this species to be present during the autumn and winter in larger buildings in highly urbanised environments.</i></p> <p><i>c. The system of categorisation aligns with BS 8596:2015 Surveying for bats in trees and woodland (BSI, 2015)</i></p>		

⁸ Collins, J. (ed) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd Edition). Bat Conservation Trust

The classification of the suitability relates to the level of further survey recommended.

Survey Effort and Timing Depending on Suitability of the Structure or Tree (Tables 7.1-7.3 in the BCT Guidelines)			
	Low roost suitability	Moderate suitability	High roost suitability
Survey Effort	One survey visit One dusk emergence or dawn re-entry survey	Two separate visits One dusk emergence and a separate dawn re-entry survey	Three separate visits At least one dusk emergence and a separate dawn re-entry survey. The third can be either dusk or dawn.
Timings	May-August (structures) No further survey (trees)	May to September. At least one must be in the optimum period (May to August)	May to September. two must be in the optimum period (May to August)
If bats are recorded	If bats emerge from or enter a building during surveys, the survey schedule will be adjusted to increase the survey effort so that enough information can be collected to characterise the roost and provide data should a Natural England Licence be required.		

Appendix 2 – Policy and Legislation

Planning Policy

National Planning Policy Framework (NPPF)⁹

The revised National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan. The key paragraphs from the relating to the natural environment are detailed below.

Ecologically Relevant Paragraphs of the NPPF	
Paragraph	Statement
8	<p>Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):</p> <ul style="list-style-type: none"> a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy
174	<p>Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

⁹ National Planning Policy Framework July 2021
(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

Ecologically Relevant Paragraphs of the NPPF	
Paragraph	Statement
	<p>e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and</p> <p>f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate</p>
175	<p>Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries</p>
179	<p>To protect and enhance biodiversity and geodiversity, plans should:</p> <p>a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and</p> <p>b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.</p>
180	<p>When determining planning applications, local planning authorities should apply the following principles:</p> <p>a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</p> <p>b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;</p> <p>c) 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 reasons⁶³ and a suitable compensation strategy exists; and</p> <p>d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.</p>
181	<p>The following should be given the same protection as habitats sites:</p> <p>a) potential Special Protection Areas and possible Special Areas of Conservation;</p> <p>b) listed or proposed Ramsar sites⁶⁴; and</p> <p>c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites</p>

Ecologically Relevant Paragraphs of the NPPF	
Paragraph	Statement
182	The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Local Planning Policy

The following table details the ecologically relevant policies of the local plan relevant to this site.

Ecologically Relevant Policies of the North York Moors Park Authority Local Plan¹⁰	
Policy No.	Policy
Strategic Policy H	<p>Habitats, Wildlife, Biodiversity and Geodiversity</p> <ol style="list-style-type: none"> 1. The conservation, restoration and enhancement of habitats, wildlife, biodiversity and geodiversity in the North York Moors National Park will be given great weight in decision making. 2. All development and activities will be expected to: <ol style="list-style-type: none"> a) Maintain and where appropriate enhance features of ecological value and recognised geodiversity assets; b) Maximise opportunities to strengthen the integrity and resilience of habitats and species within the National Park and provide a net gain in biodiversity; including those species for which the National Park supports a significant proportion of the regional or national populations and those found at the edge of their range. Examples would include nightjar, honey buzzard, goshawk and turtle dove; and c) Maintain and where appropriate enhance existing wildlife connections and landscape features such as water courses, disused railway lines, hedgerows and tree lines for biodiversity as well as for other green infrastructure and recreational uses. 3. Development proposals that are likely to have a harmful impact on protected or valuable sites or species will only be permitted where it can be demonstrated that: <ol style="list-style-type: none"> a) There are no alternative options that would avoid or reduce the harm to the protected or valuable interest; b) Suitable mitigation measures to avoid or reduce the harm have been incorporated into the proposals and will be maintained in order to retain their biodiversity or geodiversity benefits; c) Any residual harmful impacts have been offset through appropriate habitat enhancement, restoration or creation on site or elsewhere; and d) The wider sustainability benefits of the development outweigh the harm to the protected or valuable interest. <p>Proposals will be considered in accordance with the following hierarchy:</p> <p><u>International Sites and Protected Species:</u></p> <p>Proposals that have a likely significant effect on European sites (comprising Special Areas of Conservation, Special Protection Areas and Ramsar sites) will be subject to an Appropriate</p>

¹⁰ North York Moors National Park Authority Local Plan, July 2020, North York Moors National Park Authority

Ecologically Relevant Policies of the North York Moors Park Authority Local Plan¹⁰	
Policy No.	Policy
	<p>Assessment in accordance with the Habitats Regulations. Where the assessment indicates that it is not possible to ascertain that the proposal, either on its own or in combination with other plans or projects, would have no adverse effect on the integrity of the site, development will only be permitted in exceptional circumstances where there are no alternative solutions, there is an imperative over-riding public interest and compensation measures are secured. This protection will be extended to proposed or potential European sites and significant weight will be given to this policy in areas where the presence of internationally important features is recognised but no formal designation process has begun.</p> <p><u>National Sites and Protected Species:</u></p> <p>Proposals that would adversely affect the special interest features of a Site of Special Scientific Interest or National Nature Reserve or the nature conservation interest of a nationally protected species will only be permitted where the benefits of the development clearly outweigh the impact on the protected interest.</p> <p><u>Regional and Local Sites and other Valuable Habitats and Species:</u></p> <p>Proposals that would adversely affect any locally designated site such as a Local Nature Reserve, Local Wildlife Site, Regionally Important Geological or Geomorphological Site, Sensitive Marine Area, Marine Conservation Zone, or other valuable habitat or species (including Local or National Biodiversity Action Plan priority habitats or species) will only be permitted where the benefits of the development clearly outweigh the impact on the protected interest.</p> <p>4. Where a proposed development would attract a significant number of additional visitors to an area or facility, it should be demonstrated how any potential impact upon the area or feature of biodiversity interest will be managed as part of the new development</p>

Government Circular ODPM 06/2005 Biodiversity and Geological Conservation¹¹ (England only)

This Circular provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England.

Part IV - Conservation of Species protected by Law details that the presence of a protected species is a material consideration when considering a development proposal that may result in harm to the species or its habitat and that planning authorities must have regard to species protected under the Habitat Regulations.

It goes on to say that: *it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.*

¹¹ODPM Circular 06/2005 Office of the Deputy Prime Minister Eland House, Bressenden Place, London SW1E 5DU
Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System

Natural Environment and Rural Communities (NERC) Act 2006^{12 13}

Section 40 – To conserve biodiversity

This section puts a duty on public authorities to conserve biodiversity when undertaking its duties and functions.

Section 41 – Biodiversity list and Action

Requires the Secretary of State to *publish a list of the living organisms and types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity. They must also take such steps as appear to the Secretary of State to be reasonably practicable to further the conservation of the living organisms and types of habitat included in any list published under this section or promote the taking by others of such steps.*

The 2007 lists were superseded by the UK Post-2010 Biodiversity Framework.

UK Priority Habitats (excl. marine habitats)¹⁴	
UK BAP Broad Habitat	UK BAP Priority Habitat
Rivers and Streams	<ul style="list-style-type: none"> • Rivers
Standing Open Waters and Canals	<ul style="list-style-type: none"> • Oligotrophic and Dystrophic Lakes • Eutrophic Standing Waters • Ponds • Aquifer Fed Naturally Fluctuating Water Bodies • Mesotrophic Lakes
Arable and Horticultural	<ul style="list-style-type: none"> • Arable Field Margins
Boundary and Linear Features	<ul style="list-style-type: none"> • Hedgerows
Broadleaved, Mixed and Yew Woodland	<ul style="list-style-type: none"> • Traditional Orchards • Upland Mixed Ashwoods • Wood-Pasture and Parkland • Wet Woodland • Upland Oakwood • Lowland Mixed Deciduous Woodland • Lowland Beech and Yew Woodland • Upland Birchwoods
Coniferous Woodland	<ul style="list-style-type: none"> • Native Pine Woodlands
Acid Grassland	<ul style="list-style-type: none"> • Lowland Dry Acid Grassland
Calcareous Grassland	<ul style="list-style-type: none"> • Lowland Calcareous Grassland • Upland Calcareous Grassland
Neutral Grassland	<ul style="list-style-type: none"> • Lowland Meadows • Upland Hay Meadows
Improved Grassland	<ul style="list-style-type: none"> • Coastal and Floodplain Grazing Marsh
Dwarf Shrub Heath	<ul style="list-style-type: none"> • Lowland Heathland • Upland Heathland

¹² <https://www.legislation.gov.uk/ukpga/2006/16/section/40>

¹³ <https://www.legislation.gov.uk/ukpga/2006/16/section/41>

¹⁴ <http://jncc.defra.gov.uk/page-5706>

UK Priority Habitats (excl. marine habitats)¹⁴	
UK BAP Broad Habitat	UK BAP Priority Habitat
Fen, Marsh and Swamp	<ul style="list-style-type: none"> • Upland Flushes, Fens and Swamps • Purple Moor Grass and Rush Pastures • Lowland Fens • Reedbeds
Bogs	<ul style="list-style-type: none"> • Lowland Raised Bog • Blanket Bog
Montane Habitats	<ul style="list-style-type: none"> • Mountain Heaths and Willow Scrub
Inland Rock	<ul style="list-style-type: none"> • Inland Rock Outcrop and Scree Habitats • Calaminarian Grasslands • Open Mosaic Habitats on Previously Developed Land • Limestone Pavements
Supralittoral Rock	<ul style="list-style-type: none"> • Maritime Cliff and Slopes
Supralittoral Sediment	<ul style="list-style-type: none"> • Coastal Vegetated Shingle • Machair • Coastal Sand Dunes

Protected Species Legislation

European Protected Species

European Protected Species (EPS) are species of plants and animals (other than birds) protected by law throughout the European Union. They are listed in Annexes II and IV of the European Habitats Directive and receive full protection under The Conservation of Species and Habitats Regulations 2017 (as amended). This make it an offence to:

- deliberately capture, injure or kill any European Protected Species (EPS)
- deliberately disturb any European Protected Species (EPS);
- damage or destroy a breeding site or place of rest or shelter used by any European Protected Species (EPS).

The Wildlife and Countryside Act 1981 (as amended) adds further protection by making it an offence to intentionally or recklessly¹⁵ disturb an EPS while it is occupying a structure or place which it uses for shelter or protection, or to obstruct access to any structure or place the species uses for shelter or protection.

European Protected Species Relevant to the UK			
Animals		Plants	
All bat species	Great Crested Newt	Yellow saxifrage marsh	Creeping marshwort
Large blue butterfly	Otter	Shore dock	Slender naiad
Wild cat	Smooth snake	Killarney fern	Fen Orchid

¹⁵ Under the Countryside and Rights of Way Act 2000 (CROW Act) extended the protection to cover reckless damage or disturbance

European Protected Species Relevant to the UK			
Animals		Plants	
Dolphins, porpoises and whales (all species)	Sturgeon fish	Early gentian	Floating-leaved water plantain
Dormouse	Natterjack toad	Lady's slipper	
Sand lizard	Pool Frog		
Fisher's Estuarine Moth	Snail, Lesser Whirlpool Ram's-horn		
Marine turtles			

Other Protected Species

Other Protected Species Legislation		
Species	Legislation	Level of Protection
Birds	Wildlife and Countryside Act 1981 (as amended)	<p>Under the Wildlife and Countryside Act (1981) it is an offence if any person:</p> <ul style="list-style-type: none"> intentionally kills, injures or takes any wild bird intentionally takes, damages or destroys the nest of any wild bird whilst that nest is in use of being built; intentionally takes, damages or destroys eggs of any wild bird; <p>Wild birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) are protected from:</p> <ul style="list-style-type: none"> intentional or reckless disturbance whilst it is building a nest or is in, on or near a nest containing eggs or young; disturbance of dependent young
Badger	Protection of Badgers Act 1992 Wild Mammals (Protection) Act 1996	<p>The Protection of Badgers Act (1992) makes it an offence to wilfully or attempt to:</p> <ul style="list-style-type: none"> kill or injure a badger possesses a dead badger or any part of, or anything derived from a dead badger; digs for badgers; damages a badger sett or any part of it; destroys a badger sett obstructs access to, or any entrance of, a badger sett; causes a dog to enter a badger sett; disturbs a badger whilst it is occupying a badger sett. <p>Under the Wild Mammals (Protection) Act, badgers are protected from unnecessary suffering by a number of methods.</p>
Slow-worm Adder Grass Snake Common Lizard	Wildlife and Countryside Act 1981 (as amended)	<p>Under the Wildlife and Countryside Act (1981) it is an offence if any person:</p> <ul style="list-style-type: none"> intentionally kill or injures these slow-worms, adders, grass snakes or common lizards sells, offers or exposes for sale, or has in his possession or transports for the purpose of sale, any live or dead slow-worm, adder, grass snake or common lizard or any part of, or anything derived from, such an animal

Appendix 3 – UK Habitat Classification

UK Habitat Classification Habitat Definitions (Broad Habitats) ¹⁶	
Broad Habitat	Definition
Grassland (g)	Vegetation, not on waterlogged soils, with <u>more than 75% cover of herbaceous species</u> (grasses, sedges, rushes, herbs, forbs) with halophytic species absent or occasional. Includes pasture and semi-natural grasslands not on waterlogged soils and vegetation dominated by bracken.
Woodland and Forest (w)	Land with <u>more than 25% cover of trees more than 5m in height</u> . Includes recently felled woodland (but not clear felled forestry plantations unless re-planted), coppice, coppice-with-standards, lines of trees (but not hedgerows), wet woodland and bog woodland.
Heathland and Shrub (h)	Vegetation with <u>more than 25% cover of dwarf shrub species <1.5metres high or woody species up to 5m high</u> . Includes hedgerows of any height. Excludes lines of trees (w1g6), scattered scrub (secondary code (s.c.)10) and young trees (s.c. 56, 57).
Wetland (f)	Any habitat that is waterlogged (water table at surface with standing water for between 50% and 70% of the year). Excludes wet woodland/carr (w1d), wet habitats where the water table is always within 40cm of the surface and soil containing free water for most of the year and seasonally wet habitats, inundated for part of the year but becoming mesic in the summer.
Cropland (c)	Regularly or recently cultivated agricultural, horticultural and domestic habitats. Includes ploughed land and intensive orchards.
Urban (u)	Constructed, industrial and other artificial habitats. Includes constructed, industrial and other artificial habitats in rural areas. Excludes grasslands, woodlands, heathlands, wetlands, rivers, lakes and sparsely vegetated land in urban areas.
Sparsely Vegetated Land (s)	Unvegetated, disturbed (regularly or drastically periodically) or sparsely vegetated habitats (permanently or periodically natural unvegetated areas) inhabited by stress tolerating vegetation. Includes inland rock, supralittoral rock, supralittoral sediment and coastal habitats (including dunes).
Rivers and Lakes (r)	Inland surface waters (freshwater ecosystems)
Marine Inlets and Transitional Waters (t)	Pelagic habitats: low/reduced salinity water (of lagoons), variable salinity water (of coastal wetlands, estuaries and other transitional waters) and marine salinity water (of other inlets). Benthic habitats: littoral rock and biogenic reed, littoral sediment, shallow sublittoral rock and biogenic reef and shallow sublittoral sediment.

¹⁶ The UK Habitat Classification, Habitat Definitions Version 1.1, UKHab, September 2020

UK Habitat Classification Habitat Definitions (Commonly Recorded Habitat Types)¹⁶	
Habitat Type	Definition
Grassland (g)	
g1c Bracken	Land with bracken <i>Pteridium aquilinum</i> at >95% canopy cover at the height of the growing season. Excludes patches of bracken <0.04ha which are included in the broad habitat type with which they are associated (s.c. 12)
g3c Other Neutral Grassland	Neutral grassland that does not meet the definition of either g3a (Lowland Meadow) or g3b (Upland Hay Meadow). Perennial rye-grass <i>Lolium perenne</i> is likely to be present at <30% with between 9 and 15 further species (/m ²) also present.
g4 Modified Grassland	Vegetation dominated by a few fast-growing grasses on fertile, neutral soils. Frequently characterised by an abundance of rye-grass <i>Lolium spp.</i> and white clover <i>Trifolium repens</i> . <u>Species poor <9 species/m². Grass cover usually over 75%. Dominated by palatable grass species.</u>
Woodland (w)	
w1 Broadleaved Mixed and Yew Woodland	Vegetation dominated by trees that are <u>more than 5m high</u> when mature, which form a distinct although sometimes open canopy with a <u>canopy cover of greater than 25%</u> . Includes stands of both native and non-native broadleaved tree species and Yew <i>Taxus baccata</i> , where the <u>percentage cover of these trees in the stand exceeds 20% of the total cover</u> of the trees present.
w1d Wet Woodland	Wet woodland occurs on poorly drained or seasonally wet soils, usually with Alder <i>alnus glutinosa</i> , birch <i>Betula spp.</i> and willows <i>Salix spp.</i> as the predominant tree species, but sometimes including ash <i>Fraxinus excelsior</i> , oak <i>Quercus spp.</i> , Scots pine, <i>Pinus sylvestris</i> and beech <i>Fagus sylvatica</i> on the drier riparian areas.
w1f Lowland Mixed Deciduous Woodland	Lowland mixed deciduous woodland includes woodland growing on the full range of soil conditions, from very acidic to base-rich. Occurs largely within enclosed landscapes, usually on sites with well defined boundaries, at relatively low altitudes, although altitude is not a defining feature.
w1g Other Woodland; Broadleaved	Broadleaved mixed and yew woodland not meeting the definition of w1a to w1f (Upland Oakwood, Upland Mixed Ashwoods, Lowland Beech and Yew Woodland, Wet Woodland, Upland Birchwoods and Lowland Mixed Deciduous Woodland).
w1g6 Line of Trees	A line of trees <u>at least 20 metre in length</u> with open habitat on each side. Includes grow out hedgerows, avenues, narrow windbreaks, willows and alders along watercourses. Excludes overgrown hedgerows still capable of being laid into a stockproof hedge.
w1h Other Woodland; Mixed	A mixture of broadleaved and coniferous trees in which neither make up more than 80% of the tree cover.
w2 Coniferous Woodland	Vegetation dominated by trees that are <u>more than 5m high</u> when mature, which form a distinct, although sometimes open canopy which has a <u>cover of greater than 20%</u> , with stands of both native and non-native coniferous trees species (with the exception of yew <i>Taxus baccata</i>) where the <u>percentage cover of these trees in the stand exceeds 80% of the total cover</u> of the trees present.
Heathland and Shrub (h)	
h2 Hedgerows	A boundary line of shrubs, provided that at one time the shrubs were stock proof and more or less continuous. Includes where gaps between trees and shrubs <20m and any tree or herbaceous vegetation <2m from the hedgerow centre.

UK Habitat Classification Habitat Definitions (Commonly Recorded Habitat Types)¹⁶	
Habitat Type	Definition
h2a Hedgerow (Priority Habitat)	Hedgerows consisting predominantly (ie 80% or more cover) of at least one woody UK native species. Climbers such as honeysuckle and bramble are not included in the definition of woody species.
h2b Other Hedgerows	Hedgerows that do not consist predominantly (ie 80% or more cover) of at least one woody UK native species.
h3 Dense Scrub	Patches of shrubs less than 5 metres tall with continuous (>90%) cover. Includes patches with occasional trees more than 5 metres tall (s.c. 11) and tree species less than 5m tall. Sub categories dependent on dominant species: h3d Bramble Scrub, h3e Gorse Scrub, h3f Hawthorn Scrub, h3h Mixed Scrub (no single species dominant)
Wetland (f)	
f2e Reedbeds	Wetlands dominated by stands of the common reed <i>Phragmites australis</i> , with the water table at or above ground level for most of the year.
Cropland (c)	
c1a Arable Field Margins	Herbaceous strips or blocks around arable fields that are managed specifically to provide benefits for wildlife. Usually sited on the outer 2-12m margin of the arable field.
c1c Cereal Crops	Crops in the cereal group of domesticated grasses: wheat, barley, oats and maize.
c1d Non-Cereal Crops	Crops other than those defined in c1c.
Urban (u)	
u1a Open Mosaic Habitats on Previously Developed Land	Each of the following five criteria must be met. 1) Open mosaic habitat at least 0.25ha in size. 2) Known history of disturbance or evidence that soil has been removed or severely modified by previous uses(s). Extraneous materials/substrates such as industrial spoil may have been added. 3) Site contains some vegetation. This will comprise early successional communities consisting mainly of stress-tolerant species (e.g. indicative of low nutrient status or drought). Early successional communities are composed of a) annuals, or b) mosses/liverworts, or c) lichens, or d) ruderals, or e) inundation species, or f) open grassland, or g) flower-rich grassland, or h) heathland. 4) Contains unvegetated, loose bare substrate and pools may be present. 5) The site shows spatial variation, forming a mosaic of one or more of early successional communities a-h above (criterion 3) plus bare substrate, within 0.25ha.
u1b Developed Land; Sealed Surface	Soil surface sealed with impervious materials as a result of urban development and infrastructure construction.
u1b5 Buildings	A relatively permanent enclosed construction over a plot of land, having a roof and usually windows and often more than one level, used for any of a wide variety of activity, as living, entertaining or manufacturing.
u1c Artificial Unvegetated, Unsealed Surface	Land cleared for development, infrastructure construction or other purpose, currently unvegetated, but the soil surface is not sealed with impervious materials.
u1d Suburban/Mosaic of	Small-scale mosaic of developed and natural surfaces, as in housing and gardens in suburban areas.

UK Habitat Classification Habitat Definitions (Commonly Recorded Habitat Types)¹⁶	
Habitat Type	Definition
Developed/Natural Surface	
u1e Built Linear Features	Roads, railways, walls, fences, surfaced paths.
Rivers and Lakes (r)	
r1 Standing Open Water and Canals	Natural systems such as lakes, meres and pools, as well as man-made waters such as reservoirs, canals, ponds and gavel pits.
r2 Rivers and Streams	Rivers and streams from bank top to bank top, or, where there are no distinctive banks or banks are never overtopped, it includes the extent of the mean annual floor. Includes, the open channel, water fringe vegetation and exposed sediments and shingle banks.

Appendix 4 - Receptor Valuation

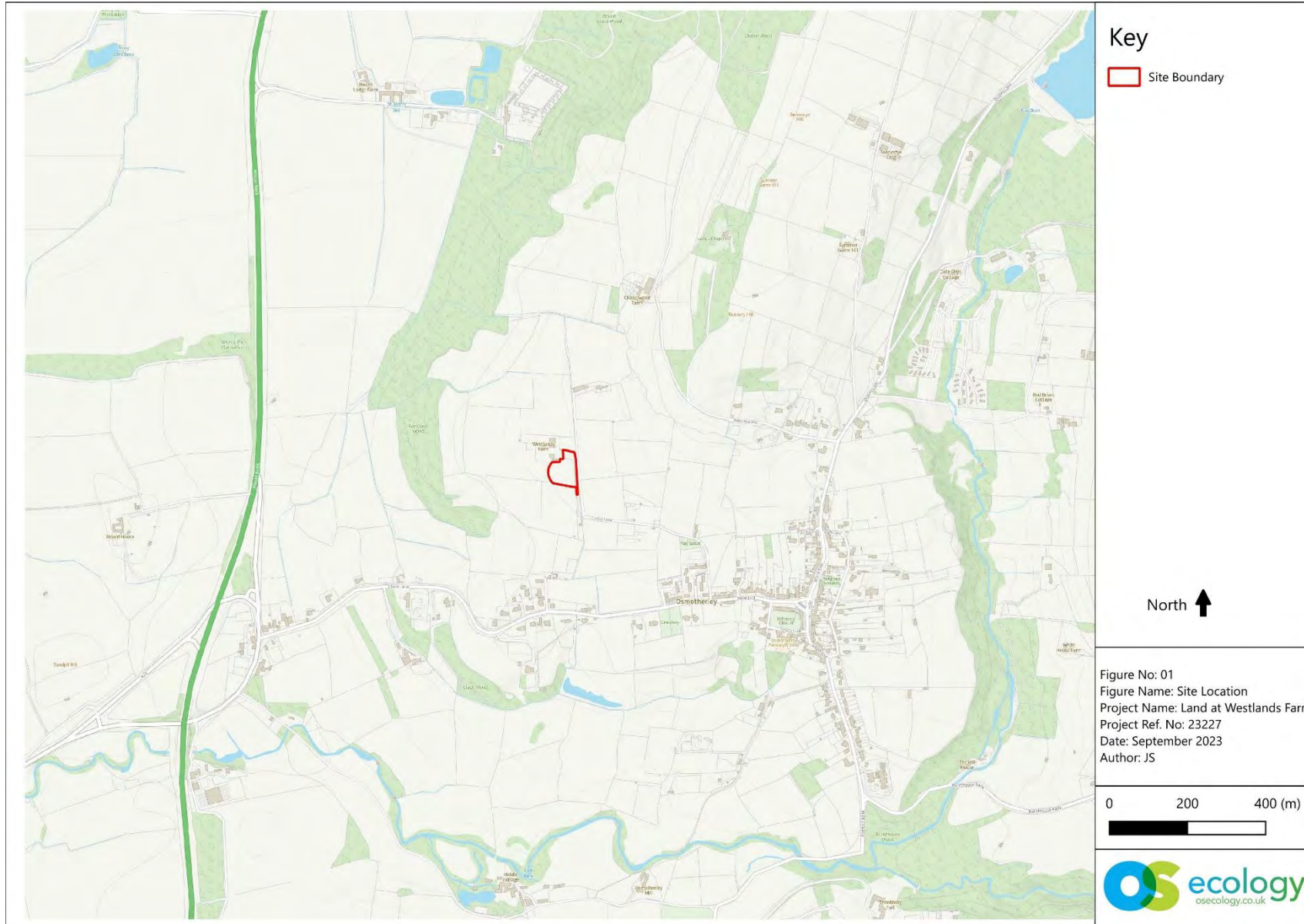
The importance of ecological features is considered within a defined geographic context, examples of which are provided within the table below. The valuation of features is a complex process and, in many cases, requires the application of expert judgement. Valuation considers a range of factors including statutory designations, national biodiversity lists, biodiversity action plan lists and lists of declining, rare or legally protected species. Other factors to be considered include the 'naturalness' of habitats, the functional importance of features and whether habitats are irreplaceable.

Examples of Importance of Ecological Features (Geographic Context)¹⁷			
Importance	Designated Site	Habitat	Species
International and European	Special Protection Area/Proposed Special Protection Area Special Area of Conservation/Proposed Special Area of Conservation Ramsar Site	A significant area of a Priority Habitat listed on Annex 1 of the Habitats Directive or a smaller area of such habitat that is thought to be functionally linked to a significant area of such habitat	An area that is functionally important to a species listed on Annexes II, IV or V of the Habitats Directive or Annex I of the Birds Directive which is present in internationally significant numbers (>1% of the biogeographic population)
National	Site of Special Scientific Interest	A significant area of a Priority Habitat listed as a habitat of principal importance under Section 41 of the Natural Environment and Rural Communities Act 2006 or a smaller area of such habitat that is thought to be functionally linked to a significant area of such habitat	An area that is functionally important to a species listed as a species of principal importance under Section 41 of the Natural Environment and Rural Communities Act 2006, which is present in nationally significant numbers (>1% of the national population)
Regional	-	An area of a Priority Habitat listed as a habitat of principal importance under Section 41 of the Natural Environment and Rural Communities Act 2006 which is not significant enough in extent to be considered of national importance but is considered to be of greater than metropolitan or county value.	An area that is functionally important to a species which is present in regionally significant numbers (>1% of the regional population)
Metropolitan area or County	Local Wildlife Site designated at a metropolitan area or county level	A significant area of a Priority Habitat listed within the relevant local Biodiversity Action Plan or a smaller area	An area that is functionally important to a species listed as a Priority Species within the relevant local Biodiversity

¹⁷ Based on information provided within Guidelines for Ecological Impact Assessment in the UK and Ireland (2018) CIEEM

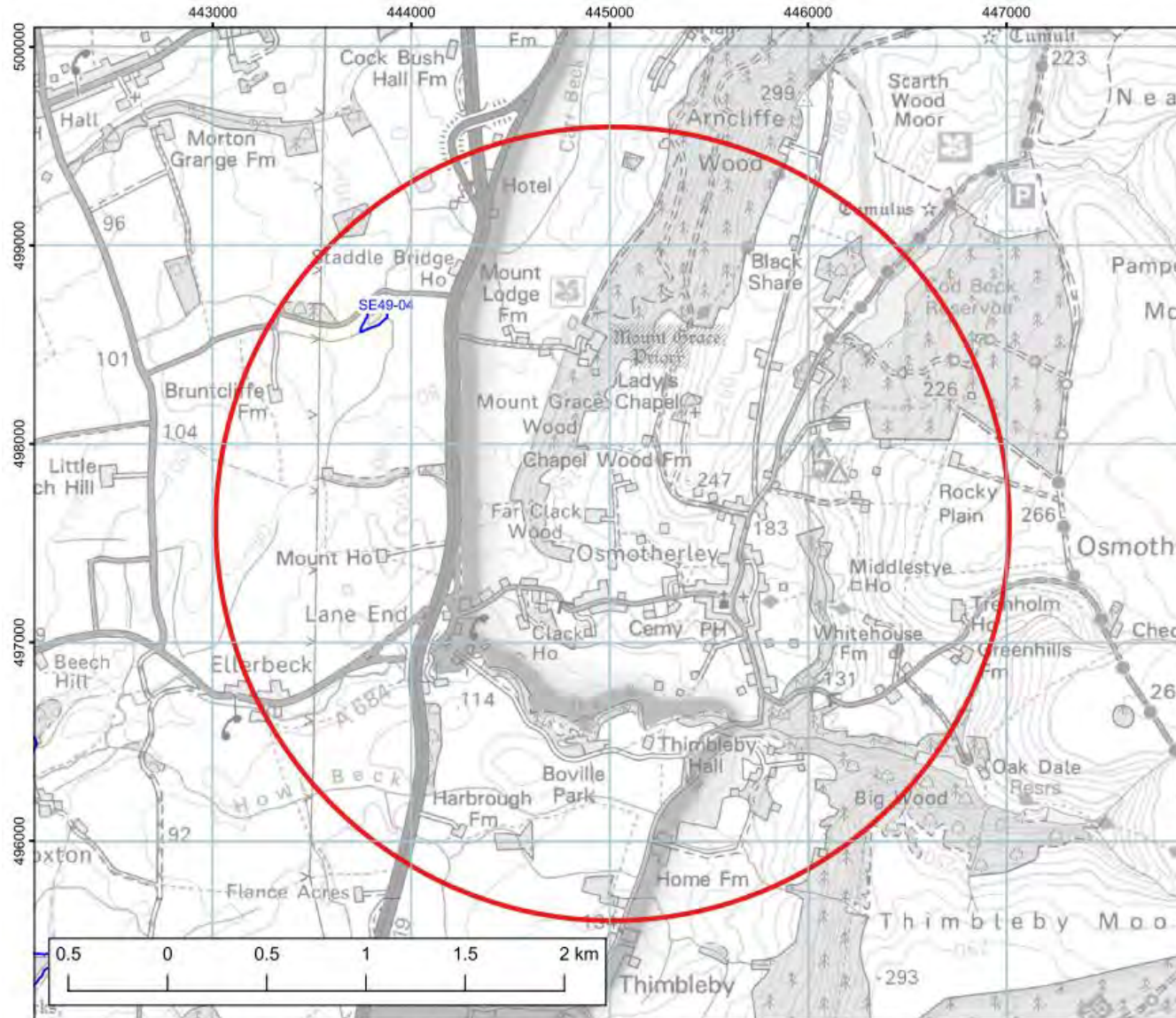
Examples of Importance of Ecological Features (Geographic Context)¹⁷			
Importance	Designated Site	Habitat	Species
Local (District/ Borough of Parish)	Local Wildlife Site designated at a district or borough level	of such habitat that is thought to be functionally linked to a significant area of such habitat	Action Plan, which is present in significant numbers within the geographic context.
Low	-	Habitats that are unexceptional in a local context and do not meet the above criteria.	Species populations that are unexceptional in a local context and do not meet the above criteria.

Appendix 5 – Figures









Local Sites

Client: OS Ecology Ltd



Client ref: 23227

Our ref: E07661

Search area: 2Km from
445015,497598

Map created on: 2023-09-18

Legend

-  North Yorkshire SINCs
-  Search Area



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PROPOSED HOLIDAY CABINS
WESTLANDS FARM, OSMOTHERLEY

NYMNPA

16/11/2023

LANDSCAPE IMPACT APPRAISAL

Prepared by: **LEEMING ASSOCIATES LTD**

For: **MR KEITH AUSTIN**

Job Number: 2323

Revision:

Date: July 2023

Status: ISSUE



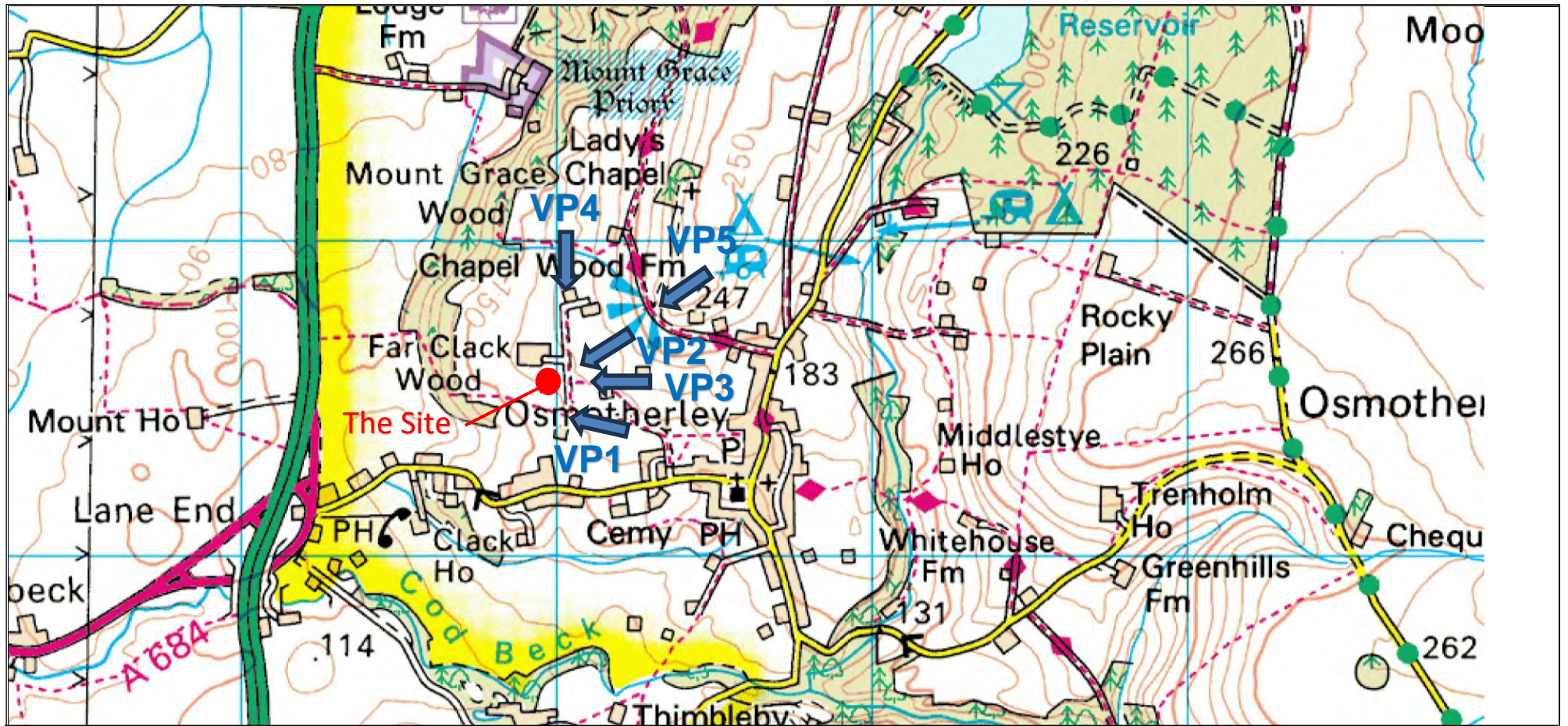
1.0 Introduction


- 1.1 My name is Nick Leeming I have a BA (Hons) in Landscape Design and a Diploma with Distinction in Landscape Architecture. I am a Chartered member of the Landscape Institute. I established Leeming Associates in 1996 in Darlington, Co Durham, a landscape architecture consultancy that is a Registered Practice of the Landscape Institute.
- 1.2 In July 2023 the Applicant commissioned Leeming Associates to prepare a Landscape Character and Visibility Appraisal to support a planning application for 5 holiday cabins adjacent to Westlands Farm, Osmotherley (refer Appendix B Drawings).
- 1.3 This Landscape Character and Visual Appraisal does not comply with the guidance for a full Landscape and Visual Impact Assessment contained in Guidelines for Landscape and Visual Assessment third edition (GLVIA3). It does however use the principles of GLVIA3 to give a preliminary assessment of the impact the development may have on the surrounding landscape and visual receptors.
- 1.4 Total Planning Solutions drawing TPS001 Full Plans should be referred to with this report.

2.0 Existing Situation

Refer to drawing 2323.01 Site Location and Viewpoints Locations

- 2.1 The site is on land to the immediate south of Westlands Farm 680 metres north east of Osmotherley at grid reference SE 45005 97542. The site access is from the existing driveway to Westlands Farm. The A19 and North York Moors National Park Boundary is approximately 750m due west of the site. A public right of way runs parallel to the eastern site boundary along the access road to Siddle Farm.



PROJECT Proposed Holiday Accommodation Westlands Farm, Osmotherley		CLIENT Mr K Austin		 LEEMING ASSOCIATES landscape architecture garden design environmental planning
SCALE Not to scale	DRAWING No 2323.01	DATE July 2023	TITLE Site Location and Viewpoint Locations	

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Topography

- 2.2 The site is at approximately 164m AOD in the foothills of The North York Moors. East of Osmotherley the land rises onto Osmotherley Moor to 317m AOD at Miley Pike Hill part of the Cleveland Hills upland. Osmotherley sits between 150-200m AOD.
- 2.3 To the west beyond the A19 the land stretches out into the Vale of Mowbray incorporating the Brompton Beck, Winton Beck and the River Wiske and eventually the River Swale 15km to the west.
- 2.4 Cod Beck flows to the east and south of Osmotherley.

Vegetation

- 2.4 Vegetation is largely associated with the steeper slopes of the foothills where deciduous woodland cover the slope. Native hedgerows follow field boundaries and scattered trees along field boundaries are not uncommon.
- 2.6 In the immediate vicinity of the site the access road to Westlands Farm is separated from Cuddy Lane by a native mixed hedge with a high proportion of holly.
- 2.7 Fields in the surrounding area are mainly laid to pasture.

Roads and Public Footpaths

- 2.8 Clack Lane links the A19 and A684 to Osmotherley from the west and Quarry Lane heads from the village north to Cod Beck Reservoir and on toward Swainby. Minor roads lead from the village to Thimbleby in the south and up over the moors eventually to Hawnby in the south west.
- 2.9 There are numerous public rights of way around Westlands Farm. PRoW 10.111/001/1 follows Cuddy Lane starting next to 58 West End in Osmotherley heading north and then turning due west toward Westland Farm. A short section of path PRoW 10.111/03/1 cuts off the corner between 10.111/001/1 and 10.111/02/1.
- 2.10 PRoW 10.111/001/1 continues through the adjacent field to the site and onwards through Far Clack Wood toward the A19.
- 2.11 PRoW 10.111/02/1 follows Cuddy Lane due north past Siddle Farm to meet PRoW 10.42/013/1. This path heads west to Mount Grace Priory

and east to Chapel Wood Farm. At Chapelwood Farm the path meets byway 10.111/012/1 which is also the Cleveland Way long distance path along the section that follows Arncliffe Wood northwards and west from North End in Osmotherley.

3.0 The Proposal and Landscape Provision

Refer to Appendix B

- 3.1 The application is for five small holiday cabins and a car park located close to Westlands Farm buildings. The five car parking area with an addition visitor space will be constructed using a cell system with topsoil and gravel infill and a gravel footpath will link to each cabin.
- 3.2 Around the cabins some native trees will be planted and along the driveway boundary a native mixed hedge will be planted. Refer Leeming Associates Planting Plan drawing 2323.02
- 3.3 No trees or shrubs will be removed. There are no works proposed within the Root Protection Zone of existing trees and all existing trees nearby will be protected during construction in line with current British Standards.

4.0 Landscape Character

Refer to 2323.01 Site Location and Viewpoint Locations

- 4.1 This appraisal has reviewed appropriate documents to give an overview of the landscape character around the site in a national and regional context. Bold highlight has been added by Leeming Associates.
- 4.2 Natural England, at a national level, divides the English Landscape into National Character Area (NCAs) including the site within **NCA 25 North York Moors and Cleveland Hills**. This NCA comprises a well-defined upland area, rising from the Tees Lowlands to the north, the Vale of Mowbray and Howardian Hills to the west and the Vale of Pickering to the south.
- 4.3 At a county level landscape character types are defined in North York Moors Character Assessment Update 2021 (NYMCA). This study places the site within **LCT 9 Western Escarpment Landscape Character Type** and incorporates the evidence base from the National Character Areas.
- 4.4 The key characteristics of the LCT9 Western Escarpment in relation to the application site include:

- *Land uses predominantly a mixture of agriculture (arable and improved pasture) and forestry.*
- *Semi-natural habitats include extensive woodland areas, patches of moorland (heather and grass), flushes, meadows, hedgerows and verges.*
- *Extensive forestry and woodland blocks on the escarpment, with riparian, parkland, hedgerow, roadside and in-field trees in lower areas.*
- *Generally irregular and medium-scale field pattern, with well-established hedges in lower areas, with occasional stone walls and fences. Often a smaller field pattern around villages.*
- *Many historic villages at base of scarp, often linear or nucleated, constructed of local stone.*
- *Outstanding surviving medieval sites, including abbey, priory, churches, castles and manors.*
- *Winding lanes and tracks at base, but few routes (including Sutton Bank) up escarpment.*
- *Panoramic views from escarpment, including exceptional views over surrounding lowlands.*
- *Strong sense of tranquillity away from main roads and settlements.*

4.5 The NYMCA further sub divides LCT9 and places the site within **Local Character Area LCA 9b Hambleton Foothills** This area is described as being:

.. located on the south-western edge of the National Park, and comprises the transition between the lowlands of the Vales of York and Mowbray to the west, and the Howardian Hills to the south (all outside the National Park) and the uplands of the Hambleton Hills (LCAs 1a and 5a). It contains many picturesque villages, the largest of which is Osmotherley.

The topography is complex, comprising the indented escarpment, outlying conical hills, and lower foothills dropping gradually down into the Vale of York and the Vale of Pickering.

The lower land below the escarpment is also very well treed, including numerous mature oaks, sycamore and chestnut trees. Some of these reflect the influence of the parkland estates and country houses which are present in this LCA and add to the lushness of the landscape.

This is an ancient landscape with many historic features, particularly from the medieval period. Byland Abbey and Mount Grace Priory are both located within this LCA, as well as numerous historic villages (many of which are

Conservation Areas) and Listed Buildings. Villages and farms are connected by narrow lanes winding between high hedges.

4.6 NYMCA provides guidelines for LCT9 outlining protecting, managing and planning the LCT and include:

- *Protect the relationship between farms/settlements and the surrounding landscape. Where new buildings are required, maintain this relationship through careful siting, design and mitigation (see National Park Design Guide).*

- *Manage hedgerows and dry stone walls using traditional methods where possible. Use new hedgerows to improve habitat connectivity between woodlands, and to promote Natural Flood Management where appropriate, using species present in existing local hedgerows. Plant new hedgerow and roadside trees, and encourage existing trees within hedgerows to grow out as standards.*

- Seek opportunities to expand native woodland cover using planting and/or natural colonisation as appropriate. New individual trees, in hedges, along roads and streams and in parkland should also be encouraged. T

5.0 Landscape Character Assessment

5.1 The application site and the surrounding area has some characteristics of the local character type LCT9 Western Escarpment in particularly ‘*Winding lanes and tracks*’ and *hedgerow, roadside and in-field trees in lower areas*.

5.2 The proposal for five cabins and a small car park will be located close to an existing farm and it will be visually linked to it. The type and small scale nature of the development will not detract from the existing character of the area.

5.3 The development will include new hedgerows and numerous trees and these will provide mitigation and support the guidelines for LCT9 outlined in NYMCA.

6.0 Planning Policy; Landscape

6.1 A full assessment of planning policy is given in the Planning Design and Access Report prepared by Total Planning Solutions. However the following policies in North York Moors National Park Authority Local Plan

(adopted July 2020) are relevant to landscape issues for the purposes of this appraisal. Bold highlight has been added by Leeming Associates and any clauses not relevant to landscape issues have been omitted.

6.2 **Strategic Policy G: Landscape** states:

*'The high quality, diverse and distinctive landscapes of the North York Moors will be conserved and enhanced. Great weight will be given to landscape considerations in planning decisions and development will be supported where **the location, scale and detailed design of the scheme respects and enhances the local landscape character** type as defined in the North York Moors Landscape Assessment.'*

6.3 **Strategic Policy J Tourism and Recreation:** states.

'Tourism and recreation development will be supported where:

- 2. **It does not lead to unacceptable harm to the local landscape character** or an ecological or archaeological asset;*
- 3. It provides and protects opportunities for all people to increase their awareness, understanding and enjoyment of the special qualities of the National Park in a manner that will not undermine the enjoyment of those qualities by other visitors or the quality of life of residents;*
- 4. It is of a **quality, scale and design that takes into account and reflects the sensitivity of the local landscape;***

6.4 **Policy UE2 Camping, Glamping, Caravans and Cabins:**

Development will only be permitted for small scale holiday accommodation (such as tents, pods, yurts, teepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) where:

- 2. It is in Open Countryside and **is not isolated from an existing business or residential unit** which will be used to manage the accommodation.*

***In order to respect the sensitivity of the local landscape character type** all sites must be screened by existing topography, buildings or adequate well established vegetation which is within the applicant's control and where arrangements for its long term maintenance can be demonstrated.*

The following criteria will be expected to be met:

- a) *The accommodation **avoids extensive alteration to ground levels and has a low environmental impact** through limited foundations to enable the accommodation to be removed without harm to the landscape;*
- b) *It does not lead to unacceptable harm in terms of noise and activity on the immediate area;*
- c) *The proposal **does not, in combination with existing development detract from the character, tranquillity or visual attractiveness of the area;** and*
- d) *The accommodation is of a **high quality design which complements its surroundings.***

7.0 Planning Policy; Landscape Assessment

7.1 The proposed five cabins and car park support North York Moors Local Plan (July 2020) Strategic Policies G and J and Policy UE2 in particular because:

- the location, scale and detailed design of the scheme respects and enhances the local landscape character;
- it does not lead to unacceptable harm to the local landscape character;
- is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape;
- avoids extensive alteration to ground levels and has a low environmental impact;
- does not, in combination with existing development detract from the character, tranquillity or visual attractiveness of the area;
- is of a high quality design which complements its surroundings.

8.0 Visibility Assessment

Refer to 2323.01 Site Location and Viewpoint Locations

8.1 Following a site visit and walkover of publicly accessible land, views of the application site were established and an initial assessment was made of the significance of any potential visual impact the development might have on receptors within the study area.

Impact on Views from Surrounding Properties

8.2 The cabins will not be seen from any property.

Impact on Views from Public Footpaths and Highway

- 8.3 PRow 10.111/02/1 follows Cuddy Lane parallel to the eastern boundary of the site which is marked by a mature mixed hedge and the drive to Westlands Farm. Views will be screened by the mixed hedge that contains a high percentage of holly except for a small gap by a tree and from a field gate. The impact would therefore be minor for only about 15-20 metres and these fleeting views would be screened once the proposed hedge along the drive to Westlands Farm has matured. See viewpoints 1 2 and 4
- 8.4 PRow 10.111/01/1 heads east to west in the field adjacent the south boundary of the site. Views of the proposal from this footpath will be largely screened by an existing mature hedge with only the roofs of the cabins visible and the impact has been assessed as minor.
- 8.5 PRow 10.111/03/1 cuts the corner between the two PRow mentioned above. The path rises from Cuddy Lane east of the site across a field to 170m AOD. Views of the site will be seen for a short section of path above the mature hedge but partly screened by a mature oak tree. The impact of the proposal has been assessed as minor and this will reduce once the proposed hedge along the drive to Westlands farm has matured. See Viewpoint 3
- 8.6 PRow 10.111/012/1 is 300 metres to the north east and circa 45 metres above the site. there is a topograph sign from a viewpoint adjacent the PRow. This viewpoint looks to the south west and the site is screened by intervening trees. Winter views when trees do not have leaves may be possible but the impact of the development will be insignificant. See Viewpoint 5
- 8.7 There are no highways that will have any view of the development.

Impact on important long-distance views

- 8.8 There are no views of the site from any long distance viewpoint.

9.0 Summary

Landscape Character

- 9.1 The type and small scale nature of the development will not detract from the existing character of the area and guidelines for the LCT9 will be followed by adding native hedges and trees.

Planning Policy; Landscape and Environmental Assets

- 9.3 The proposed five cabins and car park support North York Moors Local Plan (July 2020) Strategic Policies G and J and Policy UE2.

Visual Impact

- 9.4 The only impact from the development will be minimal from the three PRoW in the local area and it will be indistinguishable from the minor road 1km to the east.

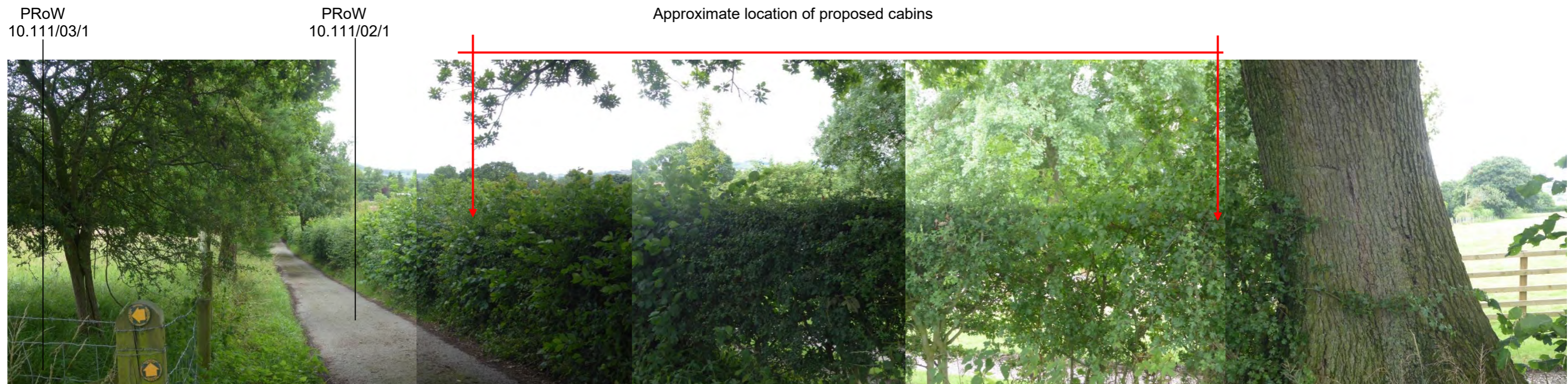
10.0 Conclusion

- 10.1 This appraisal has demonstrated that potential impact of the proposed development is extremely limited. There will be no impact on landscape character and visual impact will be extremely limited and confined to minimal impact from the PRoW's in the local area.

Viewpoint 1 View looking north west from PRow 10.111/02/1



Viewpoint 2 View looking west from PRow 10.111/02/1



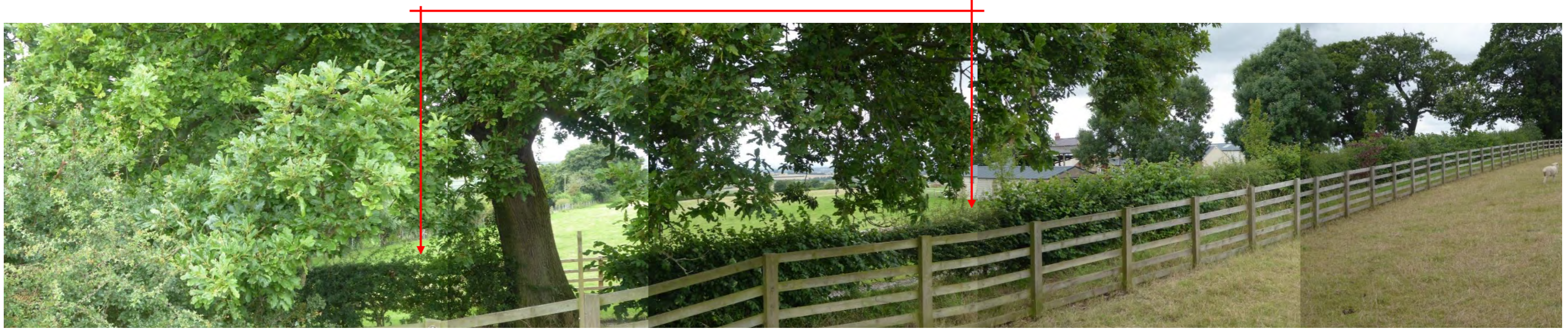
Viewpoint 3 View looking north west from PRow 10.111/03/1

PRow 10.111/03/1

Approximate location of proposed cabins

Westlands Farm

PRow 10.111/02/01



Viewpoint 4 View looking south west from PRow 10.111/02/1

PRow 10.111/02/1

Approximate location of proposed cabins

Westlands Farm



Viewpoint 5 View looking west from Byway 10.111/02/1

Approximate location
of proposed cabins



APPENDIX B DRAWINGS

PLANT SCHEDULE

TREES

Nr	Species	Girth	Height	Requirements
3	Fagus sylvatica	10-12cm	3.5-5.0m	CG or RB
3	Quercus robur	10-12cm	3.5-5.0m	CG or RB
8	Sorbus aucuparia	10-12cm	3.5-5.0m	CG or RB
10	Tilia cordata 'Rancho'	10-12cm	3.5-5.0m	CG or RB

NATIVE HEDGE

Total length of hedge is 146 m is 730 nr plants planted in a double staggered row at 400mm spacing and 150mm between rows. Shrubs planted in species groups of 5, 7 or 9 NB numbers rounded up/down for ease of ordering

Nr	Species	% of Mix	Height	Stock Type
55	Corylus avellana	7.5%	40-60	cell grown
400	Crataegus monogyna	55%	40-60	cell grown
55	Ilex aquifolium	7.5%	40-60	cell grown
15	Ligustrum vulgare	2%	40-60	cell grown
15	Malus sylvestris	2%	40-60	cell grown
150	Prunus spinosa	20%	40-60	cell grown
15	Rosa canina	2%	40-60	cell grown
15	Sorbus aucuparia	2%	40-60	cell grown
15	Viburnum opulus	2%	40-60	cell grown

PLANTING NOTES

Plant Quality

- Plants shall be supplied in accordance with BS3936 Parts 1, 2 and 10
- All trees and shrubs are to be supplied healthy, bushy, balanced and well established.

Planting/Staking

- Tree Pits. Excavate tree pit 750mm square. Remove all material other than topsoil. Break up sides and bottom of pit and line with geotextile. Backfill each tree pit 75% topsoil and 25% tree and shrub planting compost.
- Hedge lines to be cultivated 300mm deep removing stones and other material over 20mm dia.
- Hedge lines to have 50mm deep tree and shrub peat free planting compost incorporated into the soil prior to planting.
- Native hedge species to be planted in random groups.
- Standard trees to be staked using 2 nr 1.8m long 75mm dia straight sawn tanalised stakes, crossbar and tie. Stakes to be driven into the ground with 700mm visible above ground.

Plant Protection:

- For all plants and trees supply and fix Tubex Shelterguard (film coated) 60cm high by 130-160mm dia staked using one 1500 x 25 x 25mm timber stakes fixed to the guard using 2 nr pre fitted ties.
- Hedges to have either existing or new stock-proof timber fences installed on field side

Maintenance/Replacements

- Check, repair or adjust tree stakes and guards as necessary.
- Any plant which within 5 years from the completion of the development die, are removed, are severely damaged or become diseased will be replaced with others of similar species and size at the end of each growing season.
- Plants are to be watered as necessary to ensure healthy growth.
- Remove shelters 5 years after planting has established.



GENERAL NOTES

- Layout based on drawing reference TPS 001-FULL PLANS- LAND AT WESTLANDS FARM prepared by Total Planning Solutions received July 2023.
- Refer to TPS drawings for all hard works, boundary treatments and internal site fences/railings and gates.
- Site boundary indicative only. Refer TPS drawing.
- Do not scale from this drawing. The accuracy of this plan cannot be guaranteed.
- This drawing is copyright of Leeming Associates Ltd.
- Setting out of all elements to be agreed on site with the CA before construction commences.
- Any discrepancies to be reported to the Contract Administrator before work starts.

KEY

EXISTING

- Tree To be retained
- Hedge

PROPOSED

- Native tree
- Native hedge
- Amenity Grass
- Wildflora
- Compacted limestone drive
- Cell system with gravel infill
- Loose gravel footpath

Issue Revision Date



LEEMING ASSOCIATES

landscape architecture
garden design
environmental planning

43 Cleveland Terrace
Darlington DL3 7HD
t:01325 481511
f:01325 483082

Client

Mr K Austin

Project

Proposed Holiday Cabins
Westlands Farm

Drawing

Landscape Plan

Date

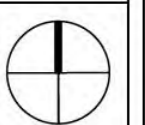
July 2023

Scale

1:200@A3

Drawing Number

2323.01



Note:
Only figured dimensions to be used.
All dimensions and setting out to be checked on site.
Refer any query to Leeming Associates.