

From:
Sent: 19 April 2024 15:55
To: Planning
Subject: Comments on NYM/2024/0124 - Case Officer Hilary Saunders - Received from Mr Peter Mitchell at Newton Croft, Falling Foss, Foss Lane, Sneaton, Whitby, YO22 5JD

I am joint owner of Newton Croft (myself and brother Stephen Mitchell). I would like to submit our joint letter of Objection as follows (Stephen has also submitted in his name):

Stephen & Peter Mitchell
Newton Croft (aka "The Shack"),
Foss Lane,
Falling Foss,
Sneaton,
Whitby,
YO22 5JD

10th April 2024

Dear Mrs Hillary Saunders,

Re: NYM/2024/0124

We would like to object to the above development. We will set out in this letter the grounds for this, which broadly cover 3 key topics of concern, which will be addressed in order below:

- 1) Our direct concerns, as Newton Croft borders Newton Hays, and the site is in our line of view to and across the valley (ie concerns of overlooking, privacy and tranquillity)
- 2) Limitation on resources and infrastructure: Concerns shared by the local community. There are serious concerns about the capacity of the spring (which we all depend upon for water), as well as other infrastructure, eg communications, road access and sewage.
- 3) Environmental concerns and National Park guidelines: Covering biodiversity, conservation and principles and aims of the National Park.

First of all to clarify a few points in the application form and supporting documentation of NYM/2024/0124:

- The site location address of the Newton Hays 'Pods' is actually Foss Lane, Falling Foss, Sneaton. The same site address of the applicant. It is not on Lousy Hill Lane, Littlebeck, as the application states (which is about 2km away as the crow flies).
- Newton Croft is a directly adjoining property, but receives no mention in the Supporting Information, despite lying immediately south east of the main residential property and we are bordered on 3 sides by Newton Hays. The field the pods are proposed to be built is immediately in front of our property and across which is our view of the valley and up to the heather Goathland moor and the A169.
- We contest the claim that the development will generate 2.5 Full Time Equivalent jobs. The proposed 3 small pods would only require cleaning after each stay and some maintenance and gardening per year. Even at full capacity we estimate this not more than 0.2 FTE required (workers who likely travel from outside the park, contributing to traffic and pollution).
- The Supporting Documentation highlights "a distinct lack of accessible accommodation within the local area." We contest this as there are a plethora of cottages, B&B's and campsites in the surrounding area, even on Foss Lane itself there are a number of pods and a campsite (owned and managed by Newton Farm, I Forster). Furthermore, the National Park border is less than 5 minutes by car, beyond which is not protected to the same degree, so there is plenty of scope for development just outside of the park. Just 5 minutes further is Whitby, which possesses a glut of existing accommodation and well developed tourist amenities. We believe there is insufficient justification for this development given the objectives of the National Park Local Plan and the proximity of the site to plentiful accommodation outside the Park (as well adequate existing tourist accommodation in the park).

1. Our direct concerns, as Newton Croft borders Newton Haye

- We have strong concerns about Overlooking and Privacy, as the pods will be visible from both our property and from the other side of the valley – right up to and including the A169. (this means the development would be contra to Objective #5 of the National Park Local Plan, which is to “Safeguard and improve the sense of tranquillity and remoteness).

2. Limitation on resources and infrastructure:

- We have serious concerns about the impact on the natural spring water supply (which all surrounding properties use). Our property, Newton Croft, receives water from the spring from the highest outlet in the collection tank, and we have lost our running water supply on many occasions in recent years, and with ever increasing frequency. During the 2022 drought we were without water for much of the summer (had to rig up a temporary feed, kindly from a neighbour – a workaround which is no longer possible). We had no running water on 4 occasions during 2023, even once during the record wet autumn 2023.
- We and guests have had to pack up and leave on several occasions.
- The spring originally fed only the farm, Newton House (the Grade II listed stately home) and Newton Croft, while in recent times the properties around the farmyard have all been redeveloped, adding another 4 or 5 properties dependant on the spring, in addition to the Pods already built higher up on Foss Lane. We believe the spring has already reached capacity and beyond.
- Newton House, while in need of repair now, is at some point likely to be restored and could then be put to all manner of uses (including as a children’s visitor centre as before) – most using much more water usage than its current residents.
- We have not objected to previous developments, however we have now reached a point where we believe the locale has already been overdeveloped, to the point where the existing water supply infrastructure cannot meet the demand, and especially with the impact of climate change ever greater.
- Telecommunications have also been impacted. The mobile broadband connection, which used to perform acceptably, has reduced in speed by about half during the past two years. Additional people and development will increase the demands on the networks further, to a point where the speed could simply become unviable. Noting the fixed phone lines have never been good enough at any time.
- Foss Lane, the access road is already congested, with too much traffic using the small country lane, emitting noise, and pollution.
- We also have concerns that the sewage system, which is also off-grid, could be over-loaded and compromised which could result in contamination of the land.

3. Environmental concerns and National Park guidelines: Covering biodiversity, conservation and principles and aims of the National Park.

- We contest the application form entries that there are no Protected and priority species, and that there are no Designated sites, important habitats or other biodiversity features, either on the site or adjacent to. Falling Foss is one of the premier ancient woodlands in the wider region, and it is highly unlikely to contain no protected or priority species. In particular, we see many bats across the Newton Haye field at dusk on most evenings. Bats are protected species.
- No bat survey has been performed (which I understand is needed when there is a reasonable likelihood of roosts being present and impacted by the proposals). Nowhere in the supporting documentation, nor in the consultations, does it mention local wildlife, whether animals, plants or fungi, or the importance and impact thereof. There is no evidence of any environmental surveys carried out.
- In addition there are frogs and toads, deer, , woodpeckers, owls and many other species seen and heard very frequently in and around Newton Haye. Even cutting the dead trees down will remove a certain amount of habitat of fungi, invertebrates, birds, bats, owls, woodpeckers, etc. There are 29 category A trees and 12 category B on the development site.
- We believe that the interests of allowing people to enjoy the pleasantness, aesthetic and recreational possibilities of the national park are best served by minimising development and the impact of humans on the environment (to best preserve and enhance the natural qualities of the park).

- Throughout the National Park large amounts of land have been fenced and in use for agriculture and for single species forestry. Aside from open moorland, there are precious few areas of truly natural habitat currently in the National Park, Falling Foss and the surrounding patch of ancient woodland is one of the best, if not the best, natural woodland area the North York Moors National Park has.

- Given the above, the Newton House hamlet and Falling Foss locale ought to be one of areas in the park which is afforded the most protection from development, given the objectives set out in the North York Moors National Park Local Plan (July 2020). This development is contra to a couple of points of the stated vision of the North York Moors National Park Authority Local Plan (July 2020). Namely 2.3.7 A Vision:

“A place where biological and cultural diversity, and other special qualities are conserved and enhanced. A place where natural resources are managed sustainably and environmental limits are recognised”

And s.2.39 “This Vision is now translated into a series of objectives”, this development runs contra to a number of the objectives, inter alia:

1. Conserve and enhance the natural beauty, wildlife and cultural heritage of the North York Moors National Park 3. Seek to foster the economic and social wellbeing of local communities. [The development will not benefit the local community] 5. Safeguard and improve the sense of tranquillity and remoteness [the pods will be visible for miles] 6. Maintain and improve the darkness of night skies 11. Support tourism and recreation enterprises which do not detract from the National Park’s special qualities and which contribute to the local economy. [The development is unlikely to contribute to the National Park economy, as pod guests will have to drive outside the national park for all spending, even to buy food, as the nearest shops are in Sleights and Whitby].

We also have strong and not unfounded concerns that subsequent applications may be lodged for more Pods, and that if this application is approved, it will set a precedent and this will eventually lead to further development and expansion, including associated habitat loss, loss of tranquillity, our isolation, privacy and appreciation of the nature, the view, etc.

Once built, there could also then be possible to sell the pods as second homes (stated objective #20 of the National Park Local Plan is to limit the number of second homes). Once development is done, it cannot be undone.

We see no grounds to approve any development on this site.

Should you approve, we should like there to be conditions in place, including what kinds of construction activity can take place and when. For example the renovation of Newton Hays main property itself (ref NYM/2021/0442/FL, construction 2022), much of which was during peak summer season, and produced very loud noise for long periods, eg all roof tiles cut on site and continuing into the late evening until almost 10pm. This resulted in disturbance to local residents and wildlife. We would like to see construction plans showing method, access plans for deliveries etc, that do not cut across or impact other properties, impact assessments on surrounding properties, and no works permitted after 8pm.

Yours Sincerely,

Stephen Mitchell and Peter Mitchell.

Comments made by Mr Peter Mitchell of Newton Croft, Falling Foss, Foss Lane, Sneaton, Whitby, YO22 5JD
Preferred Method of Contact is Post

Comment Type is Object

From:

To:

Subject: Comments on NYM/2024/0124 - Case Officer Hilary Saunders - Received from Mr Pete Mitchell at 22 Orford Avenue, Radcliffe-on-Trent, NOTTINGHAM, NOTTINGHAM, United Kingdom, NG12 2DD

Date: 11 April 2024 09:01:29

We would like to object to the above development. We will set out in this letter the grounds for this, which broadly cover 3 key topics of concern, which will be addressed in order below:

- 1) Our direct concerns, as Newton Croft borders Newton Haye, and the site is in our line of view to and across the valley (ie concerns of overlooking, privacy and tranquillity)
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First of all to clarify a few points in the application form and supporting documentation of NYM/2024/0124:

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- Newton Croft is a directly adjoining property, but receives no mention in the Supporting Information, despite lying immediately south east of the main residential property and we are bordered on 3 sides by Newton Haye. The field the pods are proposed to be built is immediately in front of our property and across which is our view of the valley and up to the heather Goathland moor and the A169.
- We contest the claim that the development will generate 2.5 Full Time Equivalent jobs. The proposed 3 small pods would only require cleaning after each stay and some maintenance and gardening per year. Even at full capacity we estimate this not more than 0.2 FTE required (workers who likely travel from outside the park, contributing to traffic and pollution).
- The Supporting Documentation highlights "a distinct lack of accessible accommodation within the local area." We contest this as there are a plethora of cottages, B&B's and campsites in the surrounding area, even on Foss Lane itself there are a number of pods and a campsite (owned and managed by Newton Farm, I Forster). Furthermore, the National Park border is less than 5 minutes by car, beyond which is not protected to the same degree, so there is plenty of scope for development just outside of the park. Just 5 minutes further is Whitby, which possesses a glut of existing accommodation and well developed tourist amenities. We believe there is insufficient justification for this development given the objectives of the National Park Local Plan and the proximity of the site to plentiful accommodation outside the Park (as well adequate existing tourist accommodation in the park).

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- We and guests have had to pack up and leave on several occasions.
- The spring originally fed only the farm, Newton House (the Grade II listed stately home) and Newton Croft, while in recent times the properties around the farmyard have all been redeveloped, adding another 4 or 5 properties dependant on the spring, in addition to the Pods already built higher up on Foss Lane. We believe the spring has already reached capacity and beyond.
- Newton House, while in need of repair now, is at some point likely to be restored and could then be put to all manner of uses (including as a children's visitor centre as before) – most using much more water usage than

its current residents.

- We have not objected to previous developments, however we have now reached a point where we believe the locale has already been overdeveloped, to the point where the existing water supply infrastructure cannot meet the demand, and especially with the impact of climate change ever greater.
- Telecommunications have also been impacted. The mobile broadband connection, which used to perform acceptably, has reduced in speed by about half during the past two years. Additional people and development will increase the demands on the networks further, to a point where the speed could simply become unviable. Noting the fixed phone lines have never been good enough at any time.
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- We contest the application form entries that there are no Protected and priority species, and that there are no Designated sites, important habitats or other biodiversity features, either on the site or adjacent to. Falling Foss is one of the premier ancient woodlands in the wider region, and it is highly unlikely to contain no protected or priority species. In particular, we see many bats across the Newton Haye field at dusk on most evenings. Bats are protected species.

- No bat survey has been performed (which I understand is needed when there is a reasonable likelihood of roosts being present and impacted by the proposals). Nowhere in the supporting documentation, nor in the consultations, does it mention local wildlife, whether animals, plants or fungi, or the importance and impact thereof. There is no evidence of any environmental surveys carried out.

- In addition there are frogs and toads, deer, , woodpeckers, owls and many other species seen and heard very frequently in and around Newton Haye. Even cutting the dead trees down will remove a certain amount of habitat of fungi, invertebrates, birds, bats, owls, woodpeckers, etc. There are 29 category A trees and 12 category B on the development site.

- We believe that the interests of allowing people to enjoy the pleasantness, aesthetic and recreational possibilities of the national park are best served by minimising development and the impact of humans on the environment (to best preserve and enhance the natural qualities of the park).

- Throughout the National Park large amounts of land have been fenced and in use for agriculture and for single species forestry. Aside from open moorland, there are precious few areas of truly natural habitat currently in the National Park, Falling Foss and the surrounding patch of ancient woodland is one of the best, if not the best, natural woodland area the North York Moors National Park has.

- Given the above, the Newton House hamlet and Falling Foss locale ought to be one of areas in the park which is afforded the most protection from development, given the objectives set out in the North York Moors National Park Local Plan (July 2020). This development is contra to a couple of points of the stated vision of the North York Moors National Park Authority Local Plan (July 2020). Namely 2.3.7 A Vision: “A place where biological and cultural diversity, and other special qualities are conserved and enhanced. A place where natural resources are managed sustainably and environmental limits are recognised” And s.2.39 “This Vision is now translated into a series of objectives”, this development runs contra to a number of the objectives, inter alia:

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11. Support tourism and recreation enterprises which do not detract from the National Park’s special qualities and which contribute to the local economy. [The development is unlikely to contribute to the National Park economy, as pod guests will have to drive outside the national park for all spending, even to buy food, as the nearest shops are in Sleights and Whitby].

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appreciation of the nature, the view, etc.

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Comments made by Mr Pete Mitchell of 22 Orford Avenue, Radcliffe-on-Trent, NOTTINGHAM, NOTTINGHAM, United Kingdom, NG12 2DD

Preferred Method of Contact is Email

Comment Type is Additional Complainant

From:

Subject: Comments on NYM/2024/0124 - Case Officer Hilary Saunders - Received from Mr Stephen Mitchell at Newton Croft / "The Shack", Falling Foss, Sneaton, YO22 5JD
Date: 10 April 2024 16:09:18

Stephen & Peter Mitchell
Newton Croft (aka "The Shack"),
Foss Lane,
Falling Foss,
Sneaton,
Whitby,
YO22 5JD

10th April 2024

Dear Mrs Hillary Saunders,

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Yours Sincerely,

Stephen Mitchell and Peter Mitchell
(Joint owners of Newton Croft).

Comments made by Mr Stephen Mitchell of Newton Croft / "The Shack", Falling Foss, Sneaton, YO22 5JD

Preferred Method of Contact is Email

Comment Type is Third Party Correspondence

Sarah Walker
The Coach House
Newton House
Littlebeck
Whitby
YO22 5JD
25-03-2024

Your Ref : NYM/2024/0124

Dear Mrs Saunders,

I am writing regarding the application for the removal of containers, erection of three cabins for holiday letting purpose with associated parking, access paths, bin storage and landscaping works at Newton Haye, Lousy Hill Lane, Littlebeck. I am the executor to Mrs Eva Ann Walker, who until recently lived at Newton House, and live in an adjoining property to the afore mentioned Newton House, so am directly impacted by the proposed development.

I have some concerns regarding the development which I would like the planning authority to take into consideration.

1. The planning application states that the cabins for holiday letting will be connected to the existing water supply, which is spring fed. I am worried that the capacity of the spring could be compromised by further development. It is already serving four or five permanent residential properties, Newton House Farm, a number of holiday lets and the recently developed Newton House campsite. In the summer of 2022, following a prolonged dry spell, there were occasions where the water supply to both Newton House and the Coach House temporarily ran dry – something which has never happened before in the 38 years that my family has lived here.
2. Due to the gradient of the land, I am concerned that the headlights of cars arriving after dark will shine directly into the upstairs windows of Newton House impacting on the quality of life and privacy of those living there. The planning application states that visitors will be reminded to dip their headlights, but this will be impossible to enforce.
3. The proposed location for bin storage is directly next to the entrance to both Newton House and The Coach House.

Yours sincerely,

Sarah Walker