

## North York Moors National Park Authority

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| <b>Scarborough Borough Council (South)</b><br><b>Parish: East Ayton</b> | <b>App No. NYM/2019/0444/FL</b> |
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**Proposal:** works to existing car parks, creation of footpaths, earthworks, installation of interpretation boards, construction of footbridge and creation of new car park

**Location:** Forge Valley Woods National Nature Reserve, Seavegate, East Ayton

**Applicant:** Scarborough Borough Council, fao: Mr Chris Bourne, Town Hall, St Nicholas Street, Scarborough, YO11 2HG

**Agent:** Fairhurst, fao: Mr Josh Murphy, 1 Arngrove Court, Newcastle upon Tyne, NE4 6DB

**Date for Decision:** 23 August 2019

**Grid Ref:** 499203 485398

### Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified
3. DRGE00 The development hereby approved shall be carried out in accordance with the submitted Flood Risk and Drainage Assessment (by Fairhurst, dated September 2019, reference 128858 Forge Valley) and the following mitigation measures it details:
  - i) The bridge soffit levels shall be set no lower than 35.84mAOD
 These mitigation measures shall be fully implemented prior to being brought into use and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
4. MISC00 The development hereby approved shall be carried out in strict accordance with the Construction Method Statement by Fairhurst September 2019.
5. LNDS00 The development hereby approved shall be carried out in strict accordance with the mitigation measures set out in the Tree Survey, Arboricultural Method Statement and Arboricultural Impact Assessment prepared by EcoNorth dated September 2019.
6. LNDS00 The development hereby approved shall be carried out in strict accordance with Section 6 "Mitigation and Compensation Strategy" of the Extended Phase 1 Habitat Survey prepared by EcoNorth dated June 2019 and Section 6 "Mitigation and Compensation Strategy" of the Protected Species Survey prepared by EcoNorth dated July 2019.
7. ARCH02 Archaeological Interest Requiring Full Survey

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**Application No:** NYM/2019/0444/FL

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## Conditions continued

8.     HWAY00    Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements
- a.     The new and existing crossings of the highway verge at Seavegate and Wallis Quarry within the highway boundary shall be constructed in accordance with the Standard Detail number E9A.
- b.     The new footway within the highway boundary shall be constructed in accordance with Standard Detail number E6W.
- c.     The final surfacing of any private access within 1 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
9.     HWAY10    There shall be no access or egress by any vehicles between the highway and the new car park site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 120 metres measured along both channel lines of the major road Seavegate from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
10.    LNDS01    Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for additional tree planting and shall specify plant species, sizes and planting densities for all new areas of planting. The approved details shall be carried out no later than the first planting season following the completion of the development or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

**Informatives**

1.     The developer is advised that the bridge should be designed in such a way that the handrails do not prevent the free flow of flood water during extreme events. Best practice would be to only install handrails on the downstream side of the bridge.
2.     The developer is advised that the Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
  - on or within 8 metres of a main river (16 metres if tidal);
  - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal);
  - on or within 16 metres of a sea defence;
  - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert;
  - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

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**Application No:** NYM/2019/0444/FL

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Informatives continued

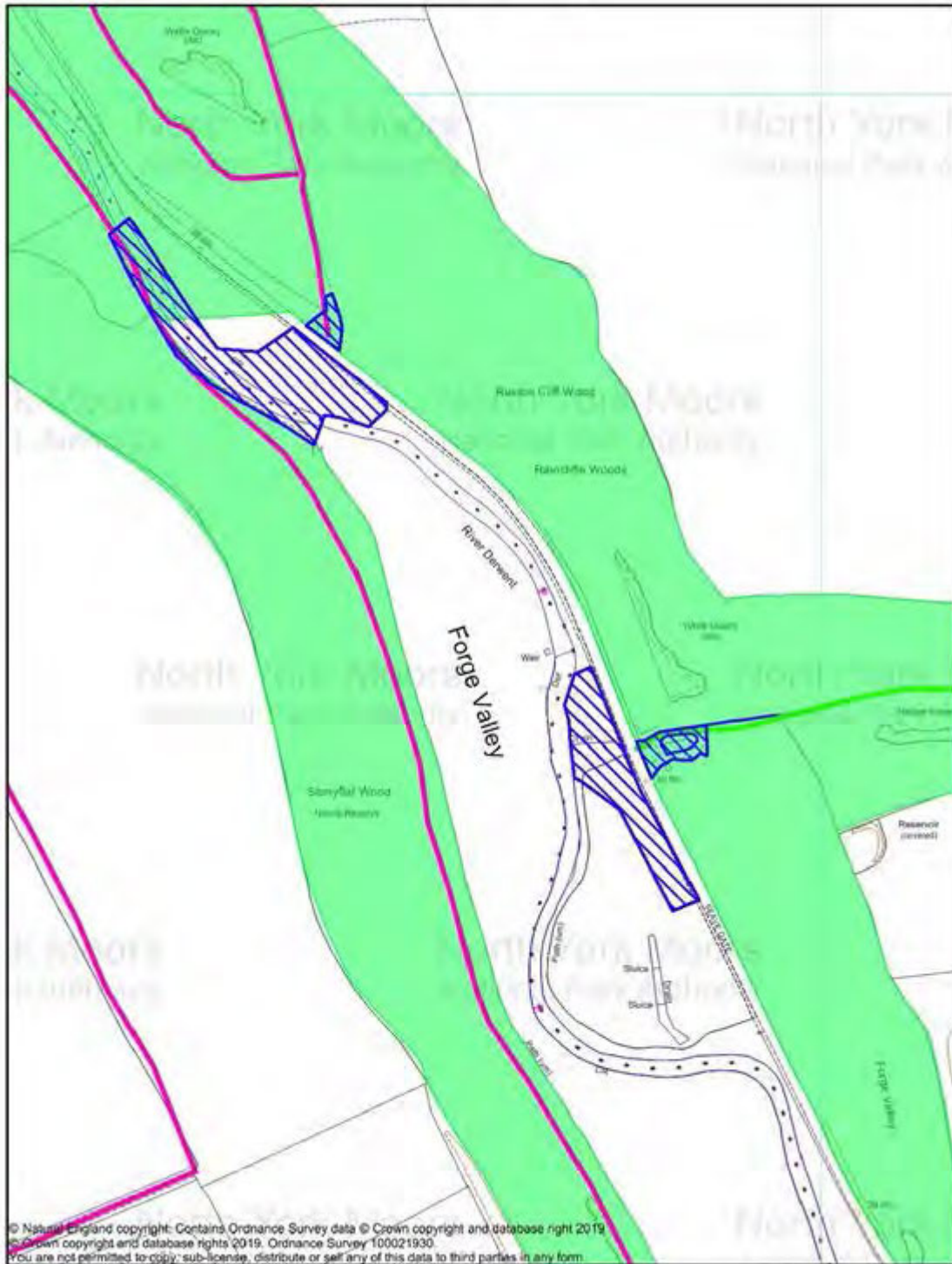
3. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.



North York Moors National Park  
Authority  
The Old Vicarage  
Bondgate  
Helmsley YO62 5BP  
01439 772700

Application Number: NYM/2019/0444/FL

Scale: 1:2500



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**Old Man's Mouth car park**



**Wallis Quarry car park**



**Seavegate Gill car park**



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**Application No: NYM/2019/0444/FL**

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**Consultations****Responses received to original proposals including new car park:****East Ayton Parish** – No objections**West Ayton Parish** – Supports the principle of:

- Boardwalk replacement (but disappointed full details have not been included in the application and that this is considered 'like-for-like replacement as the works will impact on neighbouring land owners and users);
- Improvement to Old Man's Mouth car park;
- Improvement to the Seavegate Gill car park and river area (but key area missing);
- Provision of improved information panels and picnic facilities.

Objects to:

- New footbridge and car park opposite Wallis Quarry which will result increased pressure of users on the boardwalk and the associated environmental and anti-social problems;
- Increasing volume of public access on a restricted width PROW in a SSSI designated protected area.

Main concerns:

- Damage to the SSSI caused by increased numbers of users which will be encouraged with the provision of a new footbridge and car park;
- Riverbank damage caused by off lead dogs leading to soil erosion;
- Faecal contamination of land and water;
- Increased sediment and nutrients in drinking water, abstracted by Yorkshire Water downstream;
- Road safety for pedestrians has not been addressed, particularly crossing the road to access the new footbridge and the entrance to the new car park opposite Wallis Quarry will be near to a blind corner on a 60 mph road causing a highway safety issue;
- No proposals for the refurbishment of existing overgrown roadside footpaths between Seavegate Gill and Wallis Quarry have been included in the application, endangering pedestrians and other users. Furthermore there is no footpath at the northern end of Castlegate in East Ayton to facilitate access to the footbridge;
- The damaged area of woodland below Seavegate Gill, which is used as an informal cycle park, car park and camp site has been excluded from the proposals with no protection for key veteran Champion tree and eroded riverbanks – this is the area visitors see first on entering the reserve so should be first to be restored and enhanced;
- Increased littering and fly tipping – no details of rubbish collection;
- Increased antisocial behaviour;
- Increased use of boardwalk by cyclists and potentially by off-road motorbikes endangering pedestrians, wheelchair users and buggies;
- Livestock worrying by dogs in adjacent meadow and litter in grass silage;
- No information on the method of refurbishment of the boardwalk;
- No details on location of site for contractor's compound and parking;
- Increased signage and information boards will not address the problems of littering, dog fouling and antisocial behaviour;
- No details provided as to the volume of timber to be removed and whether a felling licence from the Forestry Commission is required;



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**Application No:** NYM/2019/0444/FL

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Consultations continued

- The proposed new car park is at risk of flooding at high river levels and surface water run-off during heavy rain;
- No information has been provided on the diversion footpaths whilst the boardwalk is being replaced;
- There will be very limited impact on the economic role of sustainable development;
- What assurances are there from the Environment Agency for continued flood relief via the sluice into the Sea Cut?

Concludes that the objectives of the NYMNPA include the need to protect and enhance the special habitats and places in the National Park of which Forge Valley is one. Increasing public access should not be allowed to take precedence over the protection and enhancement of designated habitats, biodiversity and water quality in the SSSI and NNR.

Further comments received ahead of the last Planning Committee meeting which reiterated their concerns and objections notably that riverbank erosion is most prevalent around Old Man's Mouth car park which will be exacerbated by the proposals; the proposed works at Seavegate Gill fail to protect the heavily trafficked area around the veteran horse chestnut tree; a reduced speed limit and traffic calming measures are required to improve highway safety in the valley; and question who will maintain the proposed facilities.

**Highways** – No objections as the application aims to improve the existing facilities within the reserve for all users and recommend conditions to ensure existing and proposed accesses are constructed to meet the specification of the local Highway Authority.

**Natural England** – No objection subject to appropriate mitigation being secured, without which it is considered that the proposal would damage or destroy the interest features for which Raincliffe and Forge Valley Woods SSSI has been notified. In order to mitigate these adverse effects and make the development acceptable the following mitigation measures are required:

- an updated Construction Management Plan which incorporates the recommendations within Appendix H in the Extended Phase 1 Habitat Survey;
- a biosecurity risk assessment/protocol requiring prevention measures to be put in place to ensure any equipment and construction workers do not accidentally introduce nor spread non-native species in the SSSI/NNR;
- an updated schedule of tree works which only proposes removal of trees for health and safety purposes.

In addition the proposal has potential to adversely affect woodland classified on the Ancient Woodland Inventory and advises that the Authority, along with the developer, should ensure that there is suitable evidence to make a decision, including proposed mitigation and compensation measures.

Finally there are users of the site that are causing damage to habitats both within and outside the SSSI/NNR through inappropriate car parking and access. As such it advises that the Authority should consider whether the proposal will exacerbate these problems further and whether any measures can be implemented to protect these habitats from damage.

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**Application No:** NYM/2019/0444/FL

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**Environment Agency** – No objection- The site lies within Flood Zone 1, 2 and 3, the low, medium and high probability zones. The proposed works, including the construction of footbridge, are considered to be a 'less vulnerable' land use in [Table 2: Flood Risk Vulnerability Classification](#) of the Planning Practice Guidance: Flood Risk and Coastal Change. The application is supported by a site-specific flood risk assessment (FRA), however the proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if a condition is imposed requiring the bridge soffit levels to be set no lower than 35.84m AOD.

**Forestry Commission** – Standing advice issued.

**Ramblers Association** –

**Police (Traffic)** –

**Others** - Mrs Rosie Pither, 23 Moor Lane, East Ayton  
Mrs Joanne Martin, 50 Shelton Avenue, East Ayton  
Mrs Elizabeth Waite, Oakroyd, Pickering Road, West Ayton  
Lynn Johnson, 13 Lonsdale Place, East Ayton  
Miss Anna Greenwood, 33 Garth End Road, West Ayton  
Mrs Morna McLennan, 68 Shelton Ave, East Ayton  
Mr Malcolm McLennan, 68 Shelton Avenue, East Ayton  
Mr David Sidebottom, 35 Racecourse Road, East Ayton  
Mrs Kerry Jeffrey, 52 Chantry Road, East Ayton  
Mrs Alexandra Haworth, 27 Meadow Drive, East Ayton  
Dorne Whale, Lavender Cottage, 9 Pickering Road, West Ayton  
Mrs Julie Smith, Diving Duck Cottage, 46 Carr Lane, East Ayton  
Mr Marcus Halliday, 44 Chantry Road, East Ayton  
Lynda Stewart, 14 Sheepfold Way, West Ayton  
Mrs Susan Farthing, 21 Broadlands Drive, East Ayton  
Mrs Frances Hall, 12 Uplands Avenue, East Ayton  
Mr Richard Mead, 3 The Mount, Mill Lane, West Ayton  
Doug Cartlidge, 21 The Garlands, Scarborough  
David Jefferson, 16 Morley Drive, West Ayton  
Mr Dave Evans, 27A Throxenby Lane, Scarborough  
Mrs Eileen Race, 20 Broadlands Drive, East Ayton  
Miss Vikki Metcalfe, 22 Shelton Avenue, East Ayton  
Mrs Lynda Stewart, 14 Sheepfold Way, West Ayton  
Mr Anthony Stewart, 14 Sheepfold Way, West Ayton  
Mr Robert Peacock at 44 Meadow Drive, East Ayton  
Graham Tacon, 10 Chantry Road, East Ayton  
Mrs Elizabeth Riley, The Wilf Ward family Trust, 42 Betton Rise, East Ayton  
Paul Cain, Seamer Road, East Ayton  
Mrs Margaret Beal, 17 Seamer Road, East Ayton  
Miss Sarah Swift, 47 Herons Court, Gilesgate, Durham

All of the above support the application for some or all of the following reasons:

- Forge Valley Boardwalk is a much used and loved area of natural beauty and the proposed works will be a great asset to the residents of all ages in the village and for visitors;
- It will make the area more accessible for all to enjoy the health and wellbeing benefits that the Forge Valley reserve offers;



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**Application No:** NYM/2019/0444/FL

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## Others continued

- A footbridge at the southern end of Forge Valley would be an invaluable amenity providing a safe walking route from East Ayton to both the Castle and the boardwalk for residents and walkers, and is long overdue;
- Dedicated parking provision within the new car park for those with accessibility needs ensures they can visit all year round, which they presently cannot do at Old Man's Mouth due to such steep access;
- It will allow access to the boardwalk from East Ayton and create circular walking routes from both East and West Ayton and also Old Man's Mouth;
- Improved and increased parking will greatly improve the safety of pedestrians using the area who are unable to walk down the road safely due to the current paths being overgrown;
- The boardwalk is in much need of replacement;
- The prevention of parking amongst the tree opposite Seavegate Quarry will improve the area;
- A reduction in the speed limit and/or traffic calming measures would enhance the area;
- The proposed improvements will also need to be maintained and anti-social behaviour and rubbish kept under control;
- The plans represent a well thought out scheme while being sympathetic to the natural surroundings that will bring pleasure to many people of all abilities;
- The benefits far outweigh any environmental concerns given that the valley is already compromised by the boardwalk and a busy road on either side of the river;
- The proposals will enhance tourism in area, helping the local economy from the additional footfall generated by the facility.

**Mr Christopher Gray, 9 Castle Rise, West Ayton** – Objects for the following reasons:

- Much of the delight and charm of Forge Valley will be destroyed if a new car park and footbridge are created which will transform the western bank into a picnic playground and campsite;
- If additional leisure areas and cycle tracks are wanted then Raincliffe Woods is better suited being much larger with better gradients and already has four underused car-parks.

**Mrs Catherine Cussons, Low Yedmandale Farm, West Ayton** (owners of the fields at the southern end of the boardwalk and within Ayton Castle, adjacent to West Ayton Caravan Club Site) – No objection to the replacement boardwalk or the improvements to Old Man's Mouth car park but object to the new footbridge as it will increase visitors to this important SSSI/NNR which need protection from anti-social behaviour and vandalism and not being turned into another outdoor leisure facility like Dalby Forest.

**National Farmers Union** – Wish to make the following comments on behalf of their members in the area:

- The community benefits of improved access in the area are acknowledged as are the rights for all to enjoy the countryside however there are concerns that the proposals may further increase visitor numbers to the area;
- The plans for Wallis Quarry will lead to an increased visitor footfall, heightening existing environmental and anti-social behaviour problems (e.g. fly-tipping, camping, bonfires, trespassing onto farmland, gates being left open, dog worrying of livestock, damage to the river bank etc.) already experienced and cause further problems for farming business in the area;

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**Application No: NYM/2019/0444/FL**

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Others continued

- If the plans are approved, more need to be done to tackle these problems as the current signage is not sufficient.

**North York Moors Local Access Forum** – Supports the application but wishes to raise a number of concerns:

- The river banks and water are clearly being contaminated by dog fouling and it is suggested that advisory notices at strategic locations should be erected explaining the need for dogs on leads and that the river provides drinking water to Ayton and further south.
- The river banks need considerable work to restore and maintain them in a satisfactory manner, and limit access for dogs into the river. The boardwalk reconstruction should ensure adequate locations to accommodate disabled users scooters/wheelchairs and the recycled rubber intended for the surface material needs to be non-slip.
- Work to improve the access/egress to Old Man's Mouth car park would be hugely beneficial to walkers using the area and the addition of a picnic area would add significantly to the attraction for visitors.
- A 'tidying up' of the Seavegate area opposite Wallis Quarry would further enhance the attraction of the Forge Valley area.

**Responses received to revised proposals omitting new car park:**

**East Ayton Parish Council** –

**West Ayton Parish Council** –

**Highways** – The amended drawings fulfil the requirements of providing the additional spaces needed following the omission of the proposed new car park. On the understanding that the accesses to the existing car parks will be constructed according to the Highway Authority specification, there is no objection to the amended details.

**Natural England** – No further comments to make.

**Environment Agency** – No further comments to make.

**Forestry Commission** –

**Ramblers Association** –

**Police Traffic** –

**Others** – Morna McLennan, 38 Shelton Avenue, East Ayton – Fully supports the proposal as the boardwalk is a much used facility and to improve access for wheelchair users is long overdue.

**Site Notice/Advertisement Expiry** – 7 August 2019

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**Application No: NYM/2019/0444/FL**

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**Background**

This application by Scarborough Borough Council is for a range of improvement works to the Forge Valley National Nature Reserve to provide all year round accessibility suitable for wheelchair users, walkers and runners. At present the area includes a boardwalk on the west side of the River Derwent, a number of designated car parks along with informal parking facilities at the southern end of the reserve at Seavegate. The existing boardwalk was created in 2000 to enable wheelchair users to access the nature reserve but is no longer fit for purpose and in need of replacement.

The works proposed as part of this application form part of a wider scheme of improvement works to the nature reserve, with some works such as the replacement of the existing boardwalk and formalisation of existing car parks, not requiring planning permission. As originally submitted the proposed works in the application comprised improvements and an extension to the existing car park at Old Man's Mouth to provide additional parking spaces, including disabled and minibus parking along with a picnic area; the construction of a new car park, including disabled and minibus parking and new footbridge constructed in recycled plastic to match the refurbished boardwalk to connect with Public Rights of Way on the East Ayton side of the River Derwent opposite Wallis Quarry car park; the creation of new footpath links and formalisation of the current parking arrangements at the southern end of the nature reserve around the Seavegate Gill car park; the installation of interpretation boards; and areas of new native tree planting, reinstatement of grass verges and protection to existing trees from current informal parking arrangements with soil bunds with log tops. However following concerns that the proposed new car park would fall partly within the area shown designated as Ancient Semi-Natural Woodland on the Natural England Inventory, this element of the application proposal has been removed and instead additional car parking spaces are provided within the existing car parks with the formalisation of the existing spaces. However the proposed footpath links in that area linking the car parks to the proposed new footbridge have been retained in the scheme and these will be surfaced with reinforced gravel grid whereas the extension to Old Man's Mouth car park will be in crushed stone to match the existing surfacing. Timber bollards are also proposed around both car parks to protect pedestrians and the surrounding woodland.

The site lies within Raincliffe & Forge Valley Woods Site of Special Scientific Interest (SSSI) and Forge Valley National Nature Reserve (NNR). The Forge Valley NNR was established to "protect important habitats, species and geology, and to provide 'outdoor laboratories' for research. In turn this offers great opportunities to schools, specialist interest groups and the public to experience wildlife at first hand and to learn more about nature conservation". Furthermore as a SSSI any development needs to be carried out with sensitivity and with minimal disruption to the natural flora and tree population, whilst balancing the need to manage the trees for safety and amenity value.

The application was originally accompanied by a Planning Statement; Design and Access Statement; Flood Risk and Drainage Statement; copy of the Environment Agency permit application; Extended Phase 1 Habitat Survey; Protected Species Survey Report; Tree Survey Report; Arboricultural Impact Assessment and Construction Method Statement, and these documents have all been updated to reflect the amended plans.

Prior to the submission of the application, the applicants entered into pre-application discussions with the Authority and sought to engage with the local community with a public consultation meeting organised by the RWCE and attended by Fairhurst after which there was a two week consultation period from which the responses were collated and considered with modifications made to the scheme such as the reduction of hardstanding within the car parking areas and the reduction in the number of parking spaces in the Old Man's Mouth car park to make space for a picnic area. The formalisation of the existing lay-

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**Application No:** NYM/2019/0444/FL

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Background continued

by area, located at the southern end of the nature reserve was also removed from the final design owing to concerns of an urbanisation of the area.

### **Main Issues**

#### **Policy**

Core Policy A states seeks to further the National Park purposes and duty by encouraging a more sustainable future for the Park and its communities whilst conserving and enhancing the Park's special qualities. Priority will be given to providing a scale of development and level of activity that will not have an unacceptable impact on the wider landscape or quiet enjoyment of the National Park nor detract from the quality of life of local residents or the experience of visitors whilst also maintaining and enhancing the natural environment.

Core Policy C seeks to conserve and enhance the quality and diversity of the natural environment of the North York Moors National Park and states that protected sites and species will be afforded the highest level of protection.

Core Policy G seeks to conserve and enhance the landscape, historic assets and cultural heritage of the North York Moors with particular protection being given to those elements which contribute to the character and setting of sites of archaeological importance.

Development Policy 1 supports new development only where it will not have an unacceptable adverse impact on surface and ground water, soil, air quality and agricultural land; will not generate unacceptable levels of noise, vibration, activity or light pollution; will not have an adverse impact on the health, safety and amenity of the public and users of the development; and there will be sufficient infrastructure capacity to accommodate the demand generated by the development.

Development Policy 2 seeks to ensure development will not lead to an increase in flood risk elsewhere.

Development Policy 3 seeks to maintain and enhance the distinctive character of the National Park, requiring a high standard of design detailing, good quality sustainable design and construction techniques and a satisfactory landscaping scheme as an integral part of the proposal.

Development Policy 7 seeks to ensure that proposals do not have an unacceptable impact on the integrity or setting of a Scheduled Monument, or other sites or remains considered to be of national archaeological importance.

Development Policy 14 seeks to improve the quality of the tourism and recreation product in the National Park where it will provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities of the National Park; can be satisfactorily accessed from the road network or by other sustainable modes of transport; and will not generate an increased level of activity, including noise, which would be likely to detract from the experience of visitors and the quality of life of local residents.

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**Application No: NYM/2019/0444/FL**

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**Principle**

The proposed works would enhance the existing facilities and opportunities in the Forge Valley for visitors to understand and enjoy the special qualities of the National Park thereby meeting one of the Authority's statutory purposes as set out in the 1995 Environment Act. In particular the provision of the new footbridge at the southern end of the boardwalk will enable new circular walk opportunities for tourists in the locality and provide opportunities for the local school and the residents of East and West Ayton to explore the lower end of Forge Valley and the castle with short circular walks.

In support of the application the Authority's Head of Recreation and Ranger Services has commented that the proposal would provide disabled access and a second access point to the very popular boardwalk, which is due to be replaced in early 2020 subject to funding approval. The current car park (Old Man's Mouth) which provides access to the boardwalk is difficult to negotiate for many drivers and cannot be readily altered due to archaeological constraints. The car park is often full meaning that disabled users can't be sure of having enough space to get out of their car safely.

Many of the objections which have been raised about the boardwalk proposal – dog mess, erosion etc. – are unlikely to be affected by a second access point; if anything the impact may be reduced in intensity instead of concentrated in the one area, as currently. The numbers of dog walkers is unlikely to change greatly as the application proposes improvements to the existing car parks. These concerns relate more to existing infrastructure and the ongoing management of the site. Raincliffe Woods Community Enterprise is due to take over management of the wider site under a lease arrangement with Scarborough Borough Council and they are fully aware of the need to tackle dog fouling issues.

**Natural Heritage/Ecology/Trees**

The Extended Phase 1 Habitat Survey identifies that the development will potentially have the following impacts upon the ecological interests of the site:

- Felling of trees may result in loss of bat roosts and therefore have a High impact.
- The works could have a Moderate impact on otters and badgers due to the disturbance caused by the works.
- The works could have a Moderate impact on water vole due to the disturbance caused by the works.
- The works could have a Moderate impact on nesting birds due if the works are carried out within the nesting bird season (March to August, inclusive).
- Loss of deciduous woodland habitat would be Low due to the possible impact areas being small and the retention of connectivity within the woodland.
- Loss of foraging habitat for bats would be Low due to the retention of the remaining woodland.

However the Authority's ecologist is satisfied that the ecological constraints of the sites have been adequately considered and the mitigation proposed is proportionate to the potential impact. The survey was carried out at an appropriate time of year to adequately identify the constraints present. It is recommended that if Members are minded to approve the application that section 6 of the Extended Phase 1 Habitat Survey report (Mitigation and Compensation Strategy) should be a conditional requirement of the development. This covers the time limitations of works (e.g. to take place outside of the bird breeding season), additional surveys required and precautions required for working in/near aquatic habitats.

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**Application No: NYM/2019/0444/FL**

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**Main Issues continued**

A Tree Survey and Arboricultural Impact Assessment has been undertaken for all three application sites which concludes that as a result of the works “no significant impacts to the current established trees are predicted” and “any impacts will be within acceptable limits when the mitigation measures proposed in this report are applied”. The courses of new footpaths are respectful of the roots of the existing trees to be retained, with only minor intrusion into their RPAs which will be protected with sensitive installation of new surfacing. The Authority’s Woodland Officer is pleased to note that overall the woodland around the area will have increasing protection as there are some very fine trees which are being damaged through current land use.

The application as originally submitted included a proposed new car park opposite Wallis Quarry car park which lay partly within the area recorded as Ancient Semi-Natural Woodland on the Natural England Inventory. The NPPF states “development resulting in the loss or deterioration of irreplaceable habitats (such as Ancient Woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”. In this case the originally proposed new car park would result in a loss of Ancient Woodland area and potentially some deterioration to adjacent habitat from the use of the proposed facilities and as such has been omitted from the application in favour of making better use of the existing car parking including the provision of designated disabled car parking spaces in Wallis Quarry car park.

The application still retains the proposed footbridge and the proposed footpath links through the area of Ancient Woodland. The Authority’s Woodland Officer considers that this is acceptable providing construction methods are appropriate and the vegetation management confines footfall to the paths (as addressed in the amended plans). He also acknowledges the overall benefits of the scheme and welcomes the mitigation proposed which includes substantial additional tree planting.

Natural England have not raised an objection to the scheme and have commented that appropriate mitigation should be secured, without which the proposal would damage or destroy the interest features for which Raincliffe and Forge Valley Woods SSSI has been notified. In order to mitigate these adverse effects and make the development acceptable the agent has submitted an updated Construction Management Plan which incorporates the recommendations within Appendix H in the Extended Phase 1 Habitat Survey; a biosecurity risk assessment/protocol requiring prevention measures to be put in place to ensure any equipment and construction workers do not accidentally introduce or spread non-native species in the SSSI/NNR; and an updated schedule of tree works which only proposes removal of trees for health and safety purposes, which Natural England are satisfied with.

**Cultural Heritage/Archaeology**

Two of the three sites included in the above application require no archaeological mitigation, although the northernmost, Old Man’s Mouth car park will. This car park is on the site of Ayton Forge, about which Scarborough Archaeological and Historical Society have recently supplied a survey report. This report identifies the high importance of the site within the local industrial heritage, and the areas about which more could be known. Whilst the proposals take into account the importance of the archaeology here, should the application be successful the groundworks at this site will require an approved WSI and watching brief to be completed. A suitable condition to this effect is recommended.



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**Application No:** NYM/2019/0444/FL

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**Highway Safety**

The application seeks to improve the existing facilities within the Forge Valley Woods National Nature reserve for all users. There are three separate sites where development is proposed which would affect access to and from the highway to which the Highway Authority has no objection.

The formalisation of the car park at Seavegate Gill will require improvements to the existing access to ensure it meets the specification of the local Highway Authority. The proposed works opposite this car park comprise soil bunds with log tops along the highway boundary to prevent informal parking in this area where currently vehicles park damaging the verge and adjoining woodland and as such is welcomed.

The proposed new car park opposite Wallis Quarry as originally proposed has been omitted from the scheme in favour of formalising the existing parking spaces at Wallis Quarry and Seavegate Gill including the provision of two disabled parking spaces. The existing access to the highway will need improving as it is not constructed to the specification of the local Highway Authority. However it is not considered that the additional vehicle movements which would be generated by the proposed additional car parking spaces would have a significant impact on the amount of traffic in the area.

With regard to the existing car park at Old Man's Mouth, the access is steep and does not meet the current highway visibility requirements but it is not possible to improve this without significant engineering works which would not be reasonable within the reserve.

**Conclusion**

It is considered that the proposal will improve the existing facilities available at the Forge Valley National Nature Reserve for the benefit of visitors to the National Park and local residents without having an unacceptable impact on the wider landscape or quiet enjoyment of the National Park nor detract from the quality of life of local residents or the experience of visitors whilst also maintaining and enhancing the natural environment, subject to resolving the matters raised by Natural England. As such the proposal accords with Core Policies A, C and G and Development Policies 1, 2, 3, 7 and 14 of the Core Strategy and Development Policies Document and approval is recommended.

**Contribution to Management Plan Objectives**

Approval is considered likely to help meet Policy U3 which seeks to ensure opportunities to enjoy the National Park will be available to a wide cross section of society; Policy U7 which seeks to improve access to recreational activities for local communities; Policy U14 which seeks to increase visitors and residents understanding of the special qualities of the National Park.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.