

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Egton

Application No. NYM/2019/0728/FL

Proposal: creation of new access track and upgrading of a section of existing track to Lodge Hill Farm

**Location: Land off Smith's Lane
Egton Grange**

**Decision Date: 11 December 2019
Extended to:**

Consultations

Parish -

Highways – No objections – 14 November 2019

Natural England – Object – 4 December 2019 - Asphalt is an inappropriate material for an agricultural track in this location

No objections – 16 January 2020 - following amendment of material proposed from asphalt to local stone

Site Notice/Advertisement Expiry Date – 19 November 2019

Others -

Director of Planning's Recommendation

Approval subject to the following condition(s):

- 1 Standard Three Year Commencement Date
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
- 2 Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified
The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Access Track Site Plan (Proposed Route)	09-2019-3002 Rev A	20 December 2019
Access Track and Sections	09-2019-3003	20 December 2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
- 3 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 60 metres measured along both channel lines of the major road Smith's Lane from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05metres and the object height shall be 1.05metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

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Informatives

1	<p>Birds</p> <p>Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>
2	<p>The proposed new access track is adjacent to a relatively mature hedgerow for part of its length between NZ 78869 03848 and NZ 78841 03815. It is important that excavation works do not negatively impact on this hedgerow by encroaching too close to the base of the trees and their root systems. Therefore, a minimum buffer of at least 1.5m from the base of the hedge should be observed, unless otherwise agreed with the Local Planning Authority.</p>

Reason(s) for Condition(s)

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. In accordance with NYM Development Policy 23 and in the interests of road safety.

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Background

Lodge Hill Farm is located roughly 2km south-west of the main built up area of Egton Bridge. The site lies in a fairly isolated surrounding adjacent to Park Hole Wood and as such vehicular access to the site is limited. At present, Lodge Hill Farm shares an access track off Smith's Lane.

This application seeks permission for the creation of a new track from Smith's Lane directly to Lodge Hill Farm. It is proposed that the track will be excavated down to a naturally occurring hard surface and filled with local stone.

Main Issues

The relevant policies contained within the NYM Core Strategy and Development Plan Policy Documents to consider with this application are Core Policy A and Development Policy 3.

Core Policy A 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. The policy states that priority will be given to aspects including the enabling of access to services, facilities, jobs and technology whilst minimising the environmental impacts of transport. Development should also maintain and enhance the natural environment and conditions for biodiversity and geodiversity.

Development Policy 3 of the NYM Local Development Framework affirms that to maintain and enhance the distinctive character of the National Park, development will only be permitted where the siting, orientation, layout and density preserves or enhances views into and out of the site, spaces about and between buildings and other features that contribute to the character and quality of the environment. Furthermore, the Authority seeks a high standard of design detailing whether traditional or contemporary, which reflects or complements that of the local vernacular.

Both Natural England and the Authority's Ecology team initially raised concerns regarding the use of asphalt for the track as this is not an appropriate material for an agricultural track in this location. The applicant was advised of this and subsequently amended the scheme and replaced asphalt with local stone. Both Natural England and the Authority's Ecology team were satisfied with this amendment and resolved no objections following the submission of the amended scheme.

The Authority's Ecology team have also raised the issue that the proposed new access track is adjacent to a relatively mature hedgerow for part of its length between NZ 78869 03848 and NZ 78841 03815. It is important that excavation works do not negatively impact on this hedgerow by encroaching too close to the base of the trees and their root systems. Therefore, a minimum buffer of at least 1.5m from the base of the hedge should be observed.

The applicant was advised that the design of the track as a full width single was contrary to Development Policy 3 as it would have an unacceptable visual impact on the surrounding landscape. An amended scheme was subsequently submitted for a twin trod track of local stone, supported by both Officers and the Authority's Ecology team.

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Considering the above, the proposed construction and finish of the proposed track will not have a negative visual impact on the surrounding area and therefore adheres to Development Policy 3 and Core Policy A.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including revised material and design, so as to deliver sustainable development.