

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(South)
Parish: Broxa-Cum-Troutdale

Application No. NYM/2019/0777/FL

Proposal: creation of pond (retrospective)

**Location: land west of Little Hilla Green Farm
Hackness**

**Decision Date: 17 February 2020
Extended to:**

Consultations

Parish – No objections

Environment Agency – No objections

Site Notice/Advertisement Expiry Date – 5 February 2020

Director of Planning's Recommendation

Approval subject to the following condition(s):

- 1 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
Location Plan	EX10 01	9/01/2020
Block plan and section	EX20 01	9/01/2020

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
- 2 The pond hereby permitted shall be used as a wildlife pond only and shall not be used for any commercial purpose, including any sporting or shooting activities.
- 3 The pond hereby approved shall not be stocked with fish or aquatic invertebrates.
- 4 Other than the existing bench sited by the lower pond, no further benches, seats, or other infrastructure shall be sited within the development site hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason(s) for Condition(s)

1. 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.
2. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with Core Policy C of the Local Development Framework.
3. In order that a variety of amphibians and aquatic invertebrates can occur naturally and be supported and in order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.
4. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.

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Background

This is a retrospective application for the retention of a wildlife pond in association with a property known as Little Hilla Green Farm in the valley of Troutsdale.

The pond is located approximately 500 metres to the west of that property and adjacent an existing pond which was created without planning permission more than 4 years ago (so now exempt for the need to submit an application).

The site sits in a valley, bounded to the south by woodland and to the north by rising land. The site slopes down to the south to the stream known as Sow Beck. To the west of the site is a public footpath.

The pond has been naturally shaped with meandering edges and measures a maximum of 115m long x 33m wide. There is an overflow outlet at the eastern end which creates a small waterfall into the existing lower pond and a timber bridge across a spring inlet at the northern edge of the pond.

In support of the application the applicant has stated that:-

The footbridge comprises two fairly substantial larch trunks with a wooden handrail. It is necessary to complete a walk around the pond without having to substantially divert around the spring. With impaired mobility this is necessary.

The waterfall fits well with the general amenity.

There are wild trout in the lower pond which have arrived from the connection with the adjacent Troutsdale Beck. There are no fish in the upper pond and it is not planned to introduce any; or any invertebrates.

Everyone I have talked to feels it is a great enhancement to the dale.

Main Issues

Core Policy C of the NYM Local Development Framework seeks to conserve and enhance the quality and diversity of the natural environment of the National Park through the maintenance and improvement of conditions for biodiversity.

The wildlife pond occupies an area of low lying ground which is not prominent in the landscape. It has been designed to follow the natural contours of the land and provides a suitable habitat for protected species such as white clawed crayfish.

The banks have been graded at a suitable angle to ensure a natural appearance and the sides of the pond have already re vegetated naturally.

Whilst visible from the adjacent public road and footpath, it does not appear as an alien feature in the landscape and consequently the development is not considered to detract from the appearance or character of the area.

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The Authority's ecologist has advised that the pond should not be artificially stocked with fish. As this would maximise the wildlife value of the pond. The pond is in a sensitive location as it is upstream of known white-clayed crayfish populations. The primary threat to white-clawed crayfish is the introduction of non-native crayfish which can carry a harmful disease known as crayfish plague.

The Authority's ranger has expressed some concerns regarding the design of the outfall pipe (stone waterfall) and the timber bridge,. However, it is not considered that either of these elements are visually intrusive or cause harm to the landscape.

As such approval is recommended.

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 confirmed to the applicant/agent that the development is likely to maintain the economic, social and environmental conditions of the area.