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Our Ref: 3494/NTR/MC  
11<sup>th</sup> September 2020



**Submitted via Planning Portal (Reference PP-08580720)**

Mark Hill  
Head of Development Management  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsely  
YO62 5BP

Dear Mark

**Re: Raithwaite Estate, Whitby – Provision of additional tourist accommodation**

I hereby submit a planning application on behalf of Raithwaite Trading Company Limited for the provision of 12 Woodland Rooms, located within eight stand alone 'lodges' – to be used as hotel rooms ancillary to the existing hotel at the Raithwaite Estate. This application recognises that Raithwaite Estate can make a greater contribution to the National Park and surrounding area through the provision of a truly exceptional year-round tourist destination; positively enhancing the area's tourism offer, and providing increased employment in both the construction and operational phases in a way that is consistent with the Local Plan policy objectives whilst respecting the special qualities of the National Park.

The application has been submitted via the Planning Portal along with the following documentation:

- Planning Statement
- Drawings
- Design and Access Statement
- Ecological Appraisal
- Arboricultural Survey Report
- Drainage Note
- Transport Note

I confirm that the application fee of £3,234 has been paid online. I trust that you have all the information you need to approve this planning application but do please contact me in the meantime should you require any further information or clarification.

Yours sincerely

Niall T Roberts  
Managing Director  
**NTR Planning**



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The table below lists the drawings submitted with this application.

<b>Drawing Number</b>	<b>Title</b>
RTWT-HMA-08-ZZ-DR A-00-8002 Rev. P2	Woodland Room Type A
RTWT-HMA-08-ZZ-DR A-00-8003 Rev. P2	Woodland Room Type B (DDA)
RTWT-HMA-08-ZZ-DR A-00-8004 Rev. P2	Woodland Room Type C
RTWT-HMA-08-ZZ-DR A-90-8002 Rev. P2	Dunsley Beck – Existing Site Plan
RTWT-HMA-08-ZZ-DR A-90-8003 Rev. P3	Dunsley Beck – Proposed Site Plan
RTWT-HMA-08-ZZ-DR-A-90-8010 Rev. P2	Proposed Site Sections
RTWT-HMA-08-ZZ-DR-A-90-8001 Rev. P2	Site Location Plan

NYMNP  
14/09/2020



Our ref: 3494/NTR/MJC

**Raithwaite Bay**

**Whitby**

**Planning Statement**

On behalf of

**Raithwaite Trading Company Limited**

September 2020



**Small Planning Consultancy of the Year 2019**

**NTR Planning Ltd**  
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## 1. Introduction

- 1.1 This Planning Statement is prepared on behalf of the applicant, Raithwaite Trading Company Limited, in support of their planning application for the provision of 12 Woodland Rooms, located within eight stand alone ‘lodges’ – to be used as hotel rooms ancillary to the existing hotel at the Raithwaite Estate.
- 1.2 The proposal will help make a greater contribution to the National Park and the surrounding area through the provision of enhanced tourist accommodation. The aim of the proposal is to bring a truly exceptional year-round tourist destination to Whitby, bringing significant economic benefits whilst respecting the special qualities of the national park and helping to fulfil Local Plan policy objectives.
- 1.3 In July 2018 planning permission was granted (Ref. 18/00241/FL) on the main part of the Estate by Scarborough Borough Council for the erection of 71 cottages, 82 apartments and 37 lodges for holiday use, new restaurant, café and shop, additional car parking, roads and an extension to the footpath network including landscaping and ancillary works. This application seeks to further the tourism investment at Raithwaite Estate.
- 1.4 Submitted with the planning application are the following documents:
- Planning Statement
  - Drawings
  - Design and Access Statement
  - Ecological Appraisal
  - Arboricultural Assessment
  - Transport Note
  - Drainage Note

- 1.5 The documentation submitted with the planning application fully describes the proposal which adds to significant tourism investment at Raithwaite Estate, consistent with the Authority’s aspiration to provide high quality tourist accommodation that extends the tourist season whilst respecting the special qualities of the National Park. Sufficient information is provided with the planning application for the Authority to approve it with confidence.

## 2. The Site and Proposals

2.1 The application site falls within the established Raithwaite Estate and is fully described in the Design and Access Statement. The northern part of the Estate lies outside of the North York Moors National Park boundary, which intersects the existing hotel. The proposed units will be ancillary to the existing hotel and located entirely within the National Park boundary.

2.2 The site characteristics, its topography and woodland setting, along with the fact it is already an established tourist destination, renders it eminently suitable for the application proposal.

2.3 The proposed development is as follows:

**Provision of 12 Woodland Rooms ancillary to existing hotel, located within eight stand alone 'lodges'.**

2.4 The units are contemporary larch and timber clad structures raised above the ground on bespoke micro pile foundations, benefitting from internal views of the woodland. Three woodland room types have been designed to accommodate the topography of the site. The proposed development is fully described in the Design and Access Statement.

### 3. Planning History

3.1 There is no relevant planning history in relation to the application site. However, the wider Raithwaite Estate has been subject to a variety of planning applications, reinforcing its role as a tourist destination. As the Estate lies within the boundary of both North York Moors National Park Authority and Scarborough Borough Council, planning applications from both authorities are considered below. In December 1994 planning permission (94/01011/FL) was granted for the conversion of Raithwaite Hall into 9 holiday flats, conversion of redundant buildings into five holiday units and erection of a building comprising two holiday units. Following this there was a series of applications submitted for further conversions and extensions as follows:

95/00911/FL	Detailed plans for conversion of storage building to a holiday cottage	Full permission 07/11/1995
05/00836/FL	Extensions to side and rear elevations	Full permission 13/06/2005
07/01619/FL	Application for extension and conversion of Lodge House into three holiday cottages with parking.	Full permission 03/09/2007
08/02553/FL	Change of use of Raithwaite Hall to a hotel, extension to north elevation, conversion of detached outbuilding to loft suites and formation of a 171-space car park.	Full permission
NYM/2008/0796/FL	Change of use, alterations and extensions to Raithwaite Hall and outbuildings to form a hotel	Full permission
09/00954/FL	Refurbishment and extension of two existing cottages to form four holiday lodges in total with gardens, parking and landscaping.	Full permission 02/07/2009
10/00771/FL	Erection of five holiday cottages within the Raithwaite Estate, adjoining Home Farm and other existing holiday cottages in the courtyard.	Full permission 09/07/2010



10/00953/FL	Demolition and rebuild of existing garage block at Raithwaite Hall to provide five suites in connection with existing planning approval.	Full permission 09/07/2010
10/01933/FL	Erection of ancillary office building	Full permission 11/11/2010
10/02029/FL	Erection of new building as an annex to Raithwaite Hall to provide 21 additional bedrooms and family suites together with dining/lounge areas and dog kennelling and grooming facilities.	Full permission 07/01/2011
12/00592/FL	A mix of 46 contemporary and traditional holiday lodges and an educational centre, which has been implemented, although not completed.	Full permission
12/02740/NMA	Non material amendment to application ref. 12/00592/FL for the relocation of 9 lodges	Approved
13/00145/NMA	Non material amendment to application ref. 12/00592/FL for the relocation of 20 parking spaces	Approved
NYM/2012/0420/FL	Construction of a single storey restaurant extension.	Full permission 20/08/2012
12/01496/FL	Proposed four-bedroom cottage to replace existing fruit house cottage and approved cottage 5 and alterations to cottage 1 and associated external works.	Full permission 12/09/2012
NYM/2012/0442/FL	Construction of 2 external spa pods together with creation of access bridge.	Full permission 03/10/2012
12/02718/FL	Construction of traditional cottage style building for use as a tea room/café.	Full permission 05/03/2015

13/01990/FL	Coastal protection scheme including works to replace existing concrete revetment with stepped concrete and rock revetments, measures to stabilise slope above the Sandsend Road and the infilling of the Raithwaite Gill outfall area.	Full permission  17/12/2013
16/02555/FL	Provision of additional tourist accommodation comprising 64 cottages, 72 apartments and 64 forest lodges, a new restaurant and associated leisure facilities	Refused
18/00241/FL	Erection of 71 cottages, 82 apartments and 37 lodges for holiday use, new restaurant, café and shop. Provision of additional car parking, roads and an extension to the footpath network including landscaping and ancillary works	Full permission
20/00438/NMA	Non material amendment application in relation to 18/00241/FL for the repositioning of the Newholme Farm building with alterations to floor layout and external design	Approved
20/00437/FL	Extension to the existing hotel to provide 30 additional rooms and formation of 30 additional car parking spaces with associated demolition (including 1no. cottage), refuse and storage area and landscaping	Full permission

3.2 The planning history of the Estate confirms the suitability of the site to accommodate the enhanced tourist accommodation proposed.

## 4. Planning Policy

4.1 The Planning policy relevant to the consideration of the proposal is contained within the following documents:

- National Planning Policy Framework (The Framework) (February 2019)
- North York Moors National Park Authority Local Plan (The Local Plan) (July 2020)
- Design Guide Supplementary Planning Document (June 2008)

4.2 The North York Moors National Park's development plan comprises the North York Moors National Park Authority Local Plan, the Whitby Business Park Area Action Plan (2014), the Helmsley Plan (2015), supplementary planning documents and one Neighbourhood plan. The relevant planning policy documents are those set out above at paragraph 4.1.

4.3 This section considers the relevant policies under the following headings.

### **The National Planning Policy Framework**

4.4 The National Planning Policy Framework (The Framework) sets out the Government's planning policies for England and how they are expected to be applied in the formulation of planning policy and in the determination of planning applications. It reinforces the principle that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise (paragraph 2).

### Achieving Sustainable Development

4.5 The purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7) which is defined as:

**"Meeting the needs of the present without compromising the ability of future generations to meet their own needs"**

Resolution 42/187 of the United Nations General Assembly

4.6 Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

An **economic** role – to help build a strong, responsive and competitive economy;

A **social** role – to support strong, vibrant and healthy communities and by fostering a well-designed and safe built environment; and

An **environmental** role – to contribute to protecting and enhancing our natural, built and historic environment; helping to improve biodiversity, use natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy.

#### The presumption in favour of sustainable development

4.7 Fundamental to the approach of sustainable development within the Framework is the presumption in favour of sustainable development – proposed development that accords with an up-to-date local plan, such as the subject application, should be approved without delay.

#### Decision-making

4.8 Local planning authorities should approach decisions on proposed development in a positive and creative way and decision-makers at every level should seek to approve applications for sustainable development where possible (paragraph 38).

4.9 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible.

#### Building a strong, competitive economy

4.10 Planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support

economic growth and productivity. The approach taken should allow each area to build on its strengths, such as the National Park’s Tourism industry (paragraph 80).

- 4.11 Planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, including sustainable rural tourism and leisure developments which respect the character of the countryside (paragraph 83).
- 4.12 This policy framework provides support for the application proposal.

Promoting sustainable transport

- 4.13 The Framework acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas (paragraph 103), and this should be taken into account in both plan-making and decision-making. In other words, rural areas may not be able to meet the same transportation choices as in urban areas – the objective is to maximise what is achievable and to promote sustainable transport modes.
- 4.14 The Framework confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (paragraph 108). There are no such grounds to refuse the subject application.

Achieving well designed places

- 4.15 The Government attaches great importance to the design of the built environment – good design is a key aspect of sustainable development (paragraph 124). The Framework encourages decisions makers to ensure that developments:
- Will function well and add to the overall quality of the area over the lifetime of the development;
  - Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - Are sympathetic to local character and history;

- Establish or maintain a strong sense of place to create attractive and distinctive places to live, work and visit;
- Optimise the potential of the site to accommodate development;
- Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

4.16 The proposal meets these policy aspirations as described within the Design and Access Statement.

Meeting the challenge of climate change, flooding and coastal change

4.17 The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. New development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change and can help to reduce greenhouse gas emissions, such as through its location, orientation and design.

4.18 The Framework states that in determining planning applications local planning authorities should expect new development to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. The woodland rooms have been designed with this in mind.

4.19 The Drainage Note demonstrates that the woodland rooms lie within Flood Zone 1 and that it is a suitable development within that zone. The rooms do not lie within Flood Zones 2 and 3 – as such it advises that the Sequential Test is passed and that the Exception Test is not required.

Conserving and Enhancing the Natural Environment

4.20 Planning should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, geological conservation interests and soils;

- Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services;
- Maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- Minimising impacts on biodiversity and providing net gains in biodiversity;
- Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by levels of soil, air, water or noise pollution or land instability;
- Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate

4.21 In respect of heritage coasts, planning policies and decisions should be consistent with the special character of the area and the importance of its conservation (paragraph 173). The woodland rooms will be well screened and integrated with the valley setting provided by the Raithwaite Estate.

4.22 In seeking to conserve and enhance biodiversity local planning authorities are required to apply the following principles:

*If significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*

The Ecological Appraisal demonstrates that harm will be avoided and should the potential of harm exist, precautionary working methods, appropriate mitigation measures are recommended.

*Opportunities for biodiversity in and around development should be encouraged;*

At paragraphs 5.2.4 and 6.1.3 the Ecological Appraisal details recommendations for the protection of habitats of ecological value and wildlife enhancement.

### **The North York Moors Local Plan (July 2020)**

4.23 The relevant policies of the North York Moors Local Plan are considered under separate headings below.

#### **Tourism**

4.24 The North York Moors Local Plan acknowledges the importance of the tourism industry to the National Park and local economy; supporting 10,923 jobs and creating £647 million a year in income. Local Plan Objective 11 is to ‘Support tourism and recreation enterprises which do not detract from the National Park’s special qualities and which contribute to the local economy’. The application proposal is a good example of such an enterprise.

4.25 The Plan states that the Authority will assess proposals for all new development, including tourism and recreational development with the utmost care to ensure that they represent sustainable development of a quality that respects and is sensitive to its National Park setting. In making this assessment the Authority will apply the following guiding principles:

#### **First purpose guidance principles**

- 1. The overriding priority is to avoid damaging the very qualities that visitors and residents enjoy. When assessing planning applications for new development the question to be asked is ‘does the proposal respect and show understanding of the National Park Authority’s first purpose?’ Of particular note is the high value visitors place on the North York Moors landscapes and peace and quiet. Proposals should be of a high standard of design and be appropriate in scale.**  
*The proposed rooms are small in scale and will nestle into the valley, visually screened from the wider area. The rooms will be raised above the ground on bespoke micro pile foundations to minimise permanency and any potential harm to the application site. The materials, positioning, spacing, small size and lightweight design of the proposal ensure that the beauty and tranquility of the park is conserved.*
- 2. Proposals will conserve and enhance the natural beauty, wildlife and cultural heritage of the North York Moors National Park.**  
*The high quality design will complement the surrounding built and natural environment. The Ecological Appraisal demonstrates that the proposal will conserve and enhance the Park’s wildlife and recommends and mitigation measures to this end.*



- 3. National Parks are not suitable locations for major development and the need to protect their special qualities means that small scale, well designed development which underpins enjoyment and which does not detrimentally impact on the landscapes, dark night skies and tranquillity are more likely to be acceptable.**

*The proposed woodland rooms are visually contained, small in scale and have a lightweight aesthetic. Three different room types have been designed to complement the topography of the site and provide visual relief across the landscape.*

- 4. Proposals should result in the better use of visitor facilities in locations with existing services.**

*The woodland rooms will be ancillary to the existing Raithwaite Estate Hotel.*

- 5. Upgrading of existing facilities may include varying the tourism offer in terms of facilities and services and it will also be an opportunity to secure design and landscape improvements to existing buildings and associated transport infrastructure, car parks and facilities.**

*Not applicable.*

## **Second purpose principles**

- 6. Proposals which are based on the special qualities of the National Park and lead to a greater understanding of the North York Moors' evolution, natural processes, cultural heritage, and of how it functions today are more likely to be supported.**

*The following special qualities are relevant to the proposal: a strong feeling of remoteness, a place for spiritual refreshment, tranquillity, an abundance of forest and woodland, ancient trees and woodland rich in wildlife, a rich and diverse countryside for recreation. The design evolution of the proposal has ensured that the proposed rooms preserve the tranquillity of the site and wider area and respect the surrounding landscape and woodland.*

- 7. Proposals for new development should build on the character of the North York Moors National Park. People visit the North York Moors for 'the Moors experience' and come here to do many things – for example taking in the serenity and openness of its moorland, visiting its ancient abbeys and monuments, taking in the charm of its fishing villages or enjoying its local food and drink. Proposals that promote the use of the North York Moors' long distance walking and cycling routes are also encouraged.**

*Increasing the tourism offer at the Raithwaite Estate will allow more visitors to appreciate the area. Each woodland room will give a unique view and experience of the Park's tranquillity.*

- 8. New tourism and recreation facilities should improve the quality and variety of tourism facilities and should cater for the needs of as wide a range of people as possible, including younger people. Development that is available to all, and particularly those who find it difficult to visit the National Park, for example through disability, hardship or lack of transport will be supported in principle. Proposals which help to spread provision and activity across the North York Moors and in doing so reduce the negative impacts of high visitor pressure elsewhere will be supported where they do not undermine the National Park's special qualities.**

*The quality of the Raithwaite Estate makes it an asset to the surrounding area and the proposal strikes the appropriate balance between enhancing the existing tourist accommodation stock and respecting the special qualities of the park in a sustainable way. One of the proposed rooms will be fully wheelchair accessible and one will be suitable for people with impairments who are not wheelchair-bound. The universal access aspect of the proposal is detailed fully in the Design and Access Statement.*

- 9. Proposals which encourage the promotion of a healthier mind and body and promote a more active lifestyle or which deliver mental or physical health benefits are more likely to be supported.**

*The woodland rooms will allow a healthy appreciation of the woodland, and has easy access to public rights of way.*

- 10. Proposals should deliver economic benefits to the local communities that host them, in line with the duty to foster the economic and social well-being of local communities. New development should not detract from the amenities of the local communities through significant additional traffic and noise disturbance. The proposal will maintain and potentially increase job opportunities in relation to an established local business. The scale and location of the development mean that the proposal will not lead to a significant traffic increase or noise disturbance.**

4.26 Strategic Policy J ‘Tourism and Recreation’ aims to encourage appropriate tourism and recreational development when:

- 1. It is consistent with the principles of sustainable tourism set out in paragraph 5.4;**

*Detailed above at paragraph 4.25.*

- 2. It does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset;**

*The Ecological Appraisal demonstrates that the proposal does not lead to unacceptable ecological harm. There is no harm to any 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;**

*Detailed above at paragraph 4.25. Enhancing the existing tourist accommodation stock will allow more people to enjoy the National Park and its special qualities.*

- 4. It is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape;**

*The Design and Access Statement demonstrates that the positioning, scale, spacing between the rooms and lightweight aesthetic have been carefully designed to reflect the sensitivity of the local landscape.*

- 5. Any accommodation is used only for short term holiday stays;**

*The woodland rooms will only be available for short term holiday stays and will be managed as part of the established Raithwaite Hotel.*

- 6. It does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way; and**

*The woodland rooms are located within the valley away from other existing tourism and recreational facilities. The proposal will complement the existing tourism offering at the Raithwaite Estate.*

- 7. It does not lead to unacceptable harm in terms of noise and activity to the immediate neighbourhood.**

*The scale and location of the proposed development ensure that there will be no harm to the immediate neighbourhood.*

4.27 The explanation following ‘Strategic Policy J – Tourism and Recreation’ directs applications to ‘Strategic Policy A – Achieving National Park Purposes and Sustainable Development’, which may be used to assess proposals. As detailed below, the proposal is compliant with Strategic Policy A.

**Strategic Policy A – Achieving National Park Purposes and Sustainable Development**

**Within the North York Moors National Park a positive approach to new development will be taken, in line with the presumption in favour of sustainable development set out in the National Planning Policy Framework and where decisions are consistent with National Park statutory purposes:**

- 1. To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park;**

*The natural beauty, wildlife and cultural heritage have informed the proposal from an early stage, as demonstrated by paragraphs 4.25 and 4.26 of this Planning Statement and the Design and Access Statement.*

- 2. To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.**

*The woodland valley location will allow visitors to appreciate the beauty of the Park. As demonstrated by the Arboricultural Survey and Ecological Appraisal the proposal respects the rich variety of local wildlife and woodland (including the Ancient Woodland).*

**Where there is an irreconcilable conflict between the statutory purposes the Sandford Principle will be applied and greater weight will be attached to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.**

*No such conflict exists in relation to the proposal*

**Sustainable development means development which:**

- a) Is of a high quality design and scale which respects and reinforces the character of the local landscape and the built and historic environment;**

*This policy criterion is satisfied as detailed by Paragraphs 4.25, 4.26 and the 'Design' section of this Planning Statement. The Design and Access Statement fully describes the design approach.*

- b) Supports the function and vitality of communities by providing appropriate and accessible development to help meet local need for housing or services, facilities, energy or employment opportunities;**  
*The proposal will maintain and potentially increase employment opportunities at an established local business.*
  
- c) Protects or enhances natural capital and the ecosystem services they provide;**  
*The Ecological Appraisal demonstrates that harm will be avoided. Precautionary working methods, appropriate mitigation methods and further surveys are recommended where necessary to protect the site.*
  
- d) Maintains and enhances geodiversity and biodiversity through the conservation and enhancement of habitats and species;**  
*The Ecological Appraisal details recommendations for the protection of habitats of ecological value and wildlife enhancement. The use of green roofs aims to mitigate against any ecological losses resulting from the proposal.*
  
- e) Builds resilience to climate change through adaptation to and mitigation of its effects;**  
*The woodland rooms have been designed to be energy efficient and the scheme will be fully compliant with the current Building Regulation Part L.*
  
- f) Makes sustainable use of resources, including using previously developed land wherever possible; and**  
*The Design and Access Statement confirms that 'sustainability has been embedded in the design approach to ensure that the impact of the construction and operation of the new buildings on the environment is reduced as far as possible, including using sustainable materials where possible to do so.'*
  
- g) Does not reduce the quality of soil, air and water in and around the National Park.**  
*The woodland rooms will be built upon bespoke micropile foundations to minimise damage to the soil. There will be no adverse impact upon air quality in and around the development owing to the scale of the proposal. The proposal has been designed to reduce emissions. In relation to water the Design and Access Statement confirms that 'the design of buildings and landscaping to ensure flow of rainwater is attenuated so that sewers are not over-burdened, that rainwater run-off does not contribute to land erosion or contribute to localised flooding.'*

4.28 The above demonstrates strong policy support for the proposal which should be approved in accordance with the Authority's positive approach.

4.29 Strategic Policy B ‘The Spatial Strategy’ notes that development will only be permitted in the Open Countryside in limited circumstances, including ‘where it meets the requirements set out at Policy UE2 (Camping, Glamping, Caravans and Cabins)’ – The proposal is consistent with Policy UE2, as detailed at paragraph 4.30 below.

‘Policy UE1 – Location of Tourism and Recreation Development’ states:

**‘Tourism and recreation development will only be permitted where:**

1. **It is located in Helmsley or within the main built up area of one of the villages listed in Strategic Policy B; or**  
*Not applicable*
2. **In Open Countryside where it involves a small scale conversion and/or extension of an existing building of architectural or historic interest, or where it complies with Policy UE2...’**  
*The proposal is for tourism in the Open Countryside and complies with Policy UE2.*

4.30 The supporting text states that the Authority recognises that there may be existing tourism and recreation businesses in the Open Countryside that may wish to expand or diversify. In such cases the policy requires that existing buildings should be used in preference and that the proposed development is functionally dependent on the existing use. It also requires that new development be subservient in scale. The proposal is an expansion of the established Raithwaite Estate Hotel and will be managed by the Hotel management team. The woodland rooms will be ancillary to the Raithwaite Hotel and will be subservient in scale to it.

‘Policy UE2 – Camping, Glamping, Caravans and Cabins’ reads as follows:

**‘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:**

1. **It is within Helmsley or the main built up area of a settlement listed in the hierarchy outlined in Strategic Policy B and it is in close proximity to an existing residential unit which will be used to manage the accommodation, or;**  
*Not applicable.*
  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.**  
*The application site is in open countryside and an extension to the existing Raithwaite Estate which will be used to manage the proposal.*
-

**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 proposal is well screened by the woodland and valley topography, all of which is in the applicant's control.*

**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;**

*The proposed rooms will be raised above the ground on bespoke micropile foundations to minimise permanency and any potential harm to the landscape*

- b) It does not lead to unacceptable harm in terms of noise and activity on the immediate area;**

*The woodland rooms provide peaceful and tranquil accommodation.*

- c) The proposal does not, in combination with existing development detract from the character, tranquillity or visual attractiveness of the area; and**

*The positioning, spacing, small size and lightweight design have been carefully designed to respect the tranquillity of the area.*

- d) The accommodation is of a high quality design which complements its surroundings.**

*The proposed rooms will be a modern and lightweight design that is sensitive to the natural and built environment. The design is fully described in the Design and Access Statement.*

**In additional to the above criteria:**

- i. For camping and glamping proposals the net floor space of each unit is less than 25sq.m and the development is not connected to a foul drainage system. Accommodation which exceeds these requirements will be considered as a cabin and chalet proposal;**

*Not applicable*

- ii. For cabin and chalet proposals the development is in close proximity to and adequately accessible to the existing road network; and the site provides adequate levels of car parking that is sympathetically designed to complement the site and its surroundings.**

*The proposal will use the existing road network and parking at the Raithwaite Estate.*

**Proposals for new static caravans or the conversion of existing camping or caravanning sites to statics will not be permitted. Exceptions will be considered where the proposal will reduce the visual impact of the site in the wider landscape.**  
*Not applicable*

**Applications will be expected to provide details outlining the proposed management arrangements for the accommodation.'**  
*The woodland rooms will be managed as part of the existing hotel.*

- 4.31 The supporting text to Policy UE2 states that the policy is intended to cover accommodation fabricated off site and which can be easily removed without harm to the landscape, but which is likely to still form a long-lasting but reversible form of development. The Design and Access statement demonstrates that 'each lodge will be delivered to site as a factory built flat-pack so that it can be assembled quickly without damaging the woodland'. The bespoke micro pile foundations enables this long-lasting accommodation to be reversible.
- 4.32 The supporting text notes that the intention of the policy is to allow for small scale and sensitively designed holiday accommodation to support local businesses and allow people to enjoy the special qualities of the National Park whilst avoiding sporadic development in unsuitable and unsustainable locations. The woodland rooms are small scale and have been the subject of a sensitive and bespoke design approach. The proposal is in a sustainable location and will be managed by the existing hotel and is able to benefit from the existing transport network.
- 4.33 The text goes on to state that as a guide, sites comprising no more than 12 units (including any existing units) are likely to be considered small in scale and that in the case of cabin or chalet development units will be required to be of a high quality design, be of lightweight construction and should have adequate spacing between the units. The proposal is consistent with this. There is currently no built development on the site and there are 8 units proposed (comprising 12 individual rooms). The submitted drawings and the Design and Access statement demonstrate that the proposals are of a high quality, modern design, lightweight construction and adequately spaced.

- 4.34 The Authority has adopted the principles of sustainable tourism which is commonly defined by the World Tourism Organisation as ‘meeting the needs of the present tourists and host regions while protecting and enhancing opportunities for the future’. The proposal enhances the Park’s tourism offering by expanding an existing tourism business in a sustainable manner. In the construction and operative phases, the proposal will create jobs for the local community and strengthen an existing local business. The proposal seeks to mitigate against climate change through energy efficient design and the sustainable use of materials. The proposal is economically, socially and environmentally sustainable and improves the current tourist accommodation stock whilst respecting the special qualities of the National Park.
- 4.35 At paragraph 5.11 the Local Plan specifies that in relation to chalet, cabin and caravan sites proximity to the road network and adequate car parking arrangements in also required. The woodland rooms will benefit from access to the existing estate network and buggy track.
- 4.36 The text goes on to state that ‘where sites are screened by existing vegetation this should be in the ownership of the landowner and its management over the duration of the use will be expected and the Authority may make this a condition of permission.’ The applicant owns the surrounding trees and the woodland will be managed as part of the wider estate.
- 4.37 The text also states that ‘in the case of cabin or chalet development units will be required to be of a high quality design, be of lightweight construction and should have adequate spacing between the units.’ The design approach has been refined through pre-application discussions with the Authority and, as above, the submitted drawings and the Design and Access statement demonstrate that the proposals are of a high quality, modern design, lightweight construction and adequately spaced.

The Rural Economy

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4.38 The Plan recognises that traditional farming, forestry and tourism have dominated the economy of the Park and aims to support the tourism and recreation industry.

‘Strategic Policy K – The Rural Economy’ states:

**‘Development that fosters the economic and social well-being of local communities within the National Park will be supported where one or more of the following criteria are met:**

**1. It promotes and protects existing businesses by providing flexibility for established rural businesses to diversify and expand;**

*The proposal is for the expansion of an existing rural tourism business.*

**2. It helps maintain or increase job opportunities in the agricultural, forestry and tourism sectors which help maintain the land based economy and cultural heritage of the National Park or contribute to National Park purposes;**

*The increase in tourist accommodation at the Raithwaite Estate will help to maintain and potentially increase job opportunities in the tourism sector.*

**3. It provides for and supports small and micro business through the provision of flexible start-up businesses;**

*Not applicable*

**4. It provides additional opportunities to diversify and better equip the National Park’s workforce, including through the development of new communications technologies (including superfast broadband) and home working;**

*Not applicable*

**5. It provides additional facilities, or better use of existing facilities for educational and training uses, including those which provide further opportunities to understand and enjoy the special qualities of the National Park.’**

*Not applicable*

4.39 The expansion of the established Raithwaite Estate will strengthen the economic position of the Estate and help to maintain, and potentially provide, jobs. There is therefore is clear policy support for the development proposal.

#### Design

4.40 The key design policy is ‘Strategic Policy C – Quality and Design of Development’. The Policy reads as follows:

**'To maintain and enhance the distinctive character of the National Park, development will be supported where:**

- 1. The proposal is of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide;**  
*The design approach is fully described in the Design and Access Statement and the Design Guide is considered at paragraph 4.42 below.*
- 2. The proposal incorporates good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular;**  
*The woodland rooms will be subservient to the existing hotel and the contemporary, lightweight design is appropriate to its woodland setting.*
- 3. The siting, orientation, layout and density of the proposal complement existing buildings and the form of the settlement, preserving or enhancing views into and out of the site and creating spaces around and between buildings which contribute to the character and quality of the locality;**  
*The siting and spacing between the rooms have been revised following pre-application advice received from the Authority so that the woodland rooms sit attractively in the natural landscape.*
- 4. The scale, height, massing and form of the proposal are compatible with surrounding buildings and will not have an adverse impact upon the amenities of adjoining occupiers;**  
*The proposed rooms are single storey only and subservient to the existing hotel. There are no adjoining occupiers.*
- 5. Sustainable design and construction techniques are incorporated in the proposal including measures to minimise waste and energy use and where appropriate use energy from renewable sources;**  
*The proposal meets this policy criterion, as explained throughout the Design and Access Statement particularly at page 19.*
- 6. A good quality landscaping and planting scheme which reinforces local landscape character, increases habitat connectivity and makes use of appropriate native species forms an integral part of the proposal;**  
*The Arboricultural Survey Report notes that 'The removal of trees will be mitigated with replacement tree planting. New planting will diversify the range of tree species on site and provide a sustainable long term population of better quality trees. Appropriate species selection will take account of the mature tree sizes and existing available space and site conditions. This will ensure new tree planting will successfully establish and will have sufficient space (above and below ground) and light requirements to attain a full term healthy life.'*
- 7. Proposals enhance local wildlife and biodiversity, for example through the inclusion of nesting boxes and bat roosts;**  
*The Ecological Appraisal details how the proposal will protect and enhance local wildlife and biodiversity.*

- 8. Provision is made for adequate storage including storage for domestic items kept outdoors and waste management facilities;**

*The proposed woodland rooms will benefit from the existing waste management facilities at the Raithwaite Estate.*

- 9. Where appropriate, cycling facilities and car parking are provided provision and without compromising local highway safety, traffic flow or Public Rights of Way; and**

*The proposal will benefit from the existing cycle and car parking at the Raithwaite Estate.*

- 10. The proposal ensures the creation of an accessible, safe and secure environment for all potential users, including the elderly, children and those with a health condition or impairment.**

*The Design and Access Statement details how safety and accessibility have informed the design approach. One woodland room is to be fully wheelchair accessible and one woodland room will be suitable for people with impairments who are not wheel-chair bound. At page 18 the Design and Access Statement details how community safety has informed the design approach.*

4.41 The supporting text that follows ‘Strategic Policy C – Quality and Design of Development’ recognises that a high standard of design makes a positive contribution to the locality and states that the Authority does not wish to replicate the past or stifle innovation or originality. More contemporary, modern designs will be supported where they are sympathetic to their surroundings. The design approach is fully described within the Design and Access statement. The proposed woodland rooms are of a high quality and modern design that will complement the surrounding natural environment.

4.42 The Local Plan is supported by the Design Guide Supplementary Planning Document which aims, inter alia, to raise the quality of new development and move away from ‘standardised’ approaches. The Design Guide recognises that in some circumstances, modern, innovative designs may positively enhance a landscape setting and that contemporary design is welcomed in the context of historical perspective and designers are encouraged to offer something new. There is therefore clear policy support for the woodland rooms and the high quality, contemporary design.

The Natural Environment

- 4.43 'Strategic Policy E – The Natural Environment' states that the quality and diversity of the natural environment of the Park will be conserved and enhanced.
- 4.44 The woodland rooms will be supported by the existing infrastructure and are raised on bespoke micro pile foundations to avoid traditional foundations and minimise any potential lasting detriment to the natural environment, consistent with National Park policy.
- 4.45 Strategic Policy G – Landscape' states that 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. The positioning, lightweight structure and spacing between the proposed rooms ensures that they are successfully integrated into the surrounding landscape. The proposals therefore align with this Policy.
- 4.46 'Strategic Policy H – Habitats, Wildlife, Biodiversity and Geodiversity' states that 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. The Ecological Appraisal demonstrates that harm will be avoided and should the potential of harm exist, precautionary working methods, appropriate mitigation measures and further surveys are recommended.
- 4.47 'Policy ENV1 – Trees, Woodlands, Traditional Orchards and Hedgerows' states that there will be a presumption in favour of the retention and enhancement of existing trees, woodland, traditional orchards and hedgerows of value on all developments. The Arboricultural Survey Report provided by Smeeden Foreman details tree works in accordance with 'BS 3998:2010 Recommendations for Tree Work' and specifies that in relation to new tree planting, the removal of trees will be mitigated with replacement tree planting that will provide a sustainable long term population of trees with appropriately selected species. The proposed development is therefore consistent

with Strategic Policy ENV1. The proposals are also consistent with the policy criterion set out in ‘Policy ENV7 – Environmental Protection’, the woodland rooms will not have an adverse impact on water quality, soil quality, surface and groundwater, noise, vibration or odour.

### Transport

4.48 Local Plan Objective 18 is to ‘Foster vibrant local communities, where young people have an opportunity to live and work, and new development is supported by appropriate infrastructure including sustainable transport.

‘Policy CO2 – Highways’ states:

**‘New development will only be permitted where:**

- 1. It is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety;**
- 2. The external design and layout and associated surfacing works take into account, as appropriate, the needs of all users including cyclists, walkers, horse riders and users of mobility aids; and**
- 3. Highway detailing, road improvements and street furniture are sensitive to the character, heritage, built form and materials of the area, the need to conserve and enhance biodiversity and are the minimum required to achieve safe access.**

**New roads and significant road widening schemes are not considered appropriate in the National Park and will not be permitted unless it can be robustly demonstrated that they will meet a compelling need which cannot be met in any other way and are acceptable in terms of landscape and other impacts.’**

4.49 The existing road network and car parking available at the Raithwaite Estate can accommodate any small increase in traffic generated by the development. The proposal is consistent with the Local Plan transport policies. The Transport Note concludes that:

**‘the development would have no significant impact on the road safety or traffic flow of the local highways network. The statement also concludes that the proposed access arrangements are satisfactory and that the site is in a sustainable location.’**

## 5. Planning Analysis

5.1 This Planning Analysis considers the merits of the application proposals in terms of policy compliance and other material considerations. Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. We conclude that the proposal accords with the development plan insofar as it is applicable. It also accords with national planning policy in the Framework in delivering sustainable development; supporting sustainable rural tourism; promoting sustainable transport; promoting good design; conserving and enhancing the natural environment; and supporting gains in biodiversity

### Tourism

5.2 The planning policy section of this Statement identifies a positive policy framework for new tourism development at National and Local level. In respect of the Development Plan, there are clear and supportive tourism policies. The development proposal accords with the provisions of the development plan by:

- Supporting, diversifying, and promoting new tourism facilities and visitor accommodation;
- Protecting the Park's special qualities;
- Expanding an existing facility;
- Supporting economic growth and jobs;
- Protecting the landscape;
- Being sustainable; and
- Providing high quality design.

5.3 At paragraph 5.3 the Local Plan states that the National Park Authority will be supportive of proposals for new tourism and recreation development where they are compatible with the following two statutory purposes of National Parks: to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; and to promote opportunities for the understanding and enjoyment of the special

qualities of the Park by the public. Section 4 of this Statement details how the proposal conserves and enhances the natural beauty and wildlife of the Park and how enhancing the existing tourist accommodation stock will allow more visitors to appreciate and enjoy the special qualities of the Park.

- 5.4 As detailed in the Design and Access statement the proposed woodland rooms have been sensitively designed to minimise visual impact ensuring the conservation and enhancement of the natural beauty that the Park offers. Three different room types are proposed to offer visual relief, providing a tailored yet cohesive approach that truly works with the topography and surrounding landscape. The proposed development aims to enhance the existing tourism stock. Each room offers a unique view and appreciation of the Park’s tranquility.
- 5.5 The proposal enhances the existing tourist accommodation stock whilst respecting the special qualities of the Park.

#### Rural Economy

- 5.6 The proposed development promotes an existing business and increases job opportunities in the tourism sector and is therefore consistent with ‘Strategic Policy K – The Rural Economy’. The proposed woodland rooms are also consistent with the Plan’s objectives. Local Plan Objective 3 is to seek to foster the economic and social well-being of local communities whilst conserving and enhancing the natural beauty, wildlife and cultural heritage of the Park and promoting opportunities for the understanding and enjoyment of the special qualities of the Park.

#### Design

- 5.7 The Design Guide Supplementary Planning Document and Local Plan acknowledge that high quality design does not necessarily mean replicating existing design or adopting a standardised approach and that innovative design can enhance existing landscapes. There is therefore support for the architectural style of the proposed woodland rooms.

5.8 Following pre-application feedback from the Authority the proposed woodland rooms were taken out of the open space and moved towards the woodland edge or into the woodland, minimising the visual impact of the rooms. The Design and Access Statement produced by Holder Mathias Architects details the design, page 7 of which notes that:

**'In order to minimise the impact of the rooms on the character of the existing woodland, the design ensures that the rooms are kept as small in plan and volume as possible.**

**Architecturally, the design has been developed to reduce the overall visual impact of the rooms.'**

5.9 By virtue of their positioning, small size, lightweight design, Larch cladding and spacing the visual impact of the proposed rooms has been reduced insofar as possible, preserving the tranquility of the Park. To this end vehicular access to the site has been limited to electric buggies only.

5.10 The design accords to local and national planning policy as well as the Design Guide Supplementary Planning Document.

#### Natural Environment

5.11 Conserving and enhancing the natural environment, wildlife and habitats is critical to sustaining the tranquility, diversity and other special qualities that the Park offers. The proposals have been developed with this in mind.

5.12 The Ecological Appraisal provided by Smeeden Foreman concludes, at paragraph 6.1.2, that no impacts upon designated sites are anticipated as a result of the proposed development. The Ecological Appraisal goes on to recommend general site enhancements and mitigation and precautionary working methods where appropriate.

5.13 The importance of local arboriculture has informed the development proposals from an early stage. Page 9 of the Design and Access Statement notes that the rooms have been positioned to avoid the main specimen trees identified in the arboricultural



survey. A summary of the arboricultural impacts can be found at paragraph 6.2 of the Arboricultural Survey Report produced by Smeeden Foreman. The Report concludes:

**'6.4.1 The removal of trees will be mitigated with replacement tree planting. New planting will diversify the range of tree species on site and provide a sustainable long term population of better quality trees. Appropriate species selection will take account of the mature tree sizes and existing available space and site conditions. This will ensure new tree planting will successfully establish and will have sufficient space (above and below ground) and light requirements to attain a full term healthy life.'**

#### Traffic and Transport

- 5.14 The development proposal will utilise the existing transport network. The site is in a highly sustainable location, being within a short walk of bus stops at the site entrance served by regular bus services. There are no transportation or highways grounds on which to refuse the application proposal.

## 6. Conclusion

- 6.1 This planning statement considers the relevant background to the application site, including its planning history, and sets out the details of the development proposal and the policy framework within which it should be considered. This statement forms part of a suite of documents which demonstrate the suitability of the proposal within the North York Moors National Park. Raithwaite Bay is a truly exceptional year-round tourist destination which positively enhances the Park's tourism offer and attraction. The proposal provides employment in both construction and support employment during operation in a way that is consistent with the Local Plan policy objective to encourage new and appropriate tourism accommodation.
- 6.2 The proposal accords with national and local planning policy and is an inherently sustainable form of development, fulfilling all three sustainability roles: economic, social and environmental.
- 6.3 The proposal balances the desire to provide high quality tourist accommodation against the need to protect the National Park. Raithwaite Estate is an ideal location to build upon – it is substantially hidden within the landscape due to its woodland setting and the topography of the site allows for the concealment of development below the ridge line of the valley.
- 6.4 The Authority should be able to approve this application in confidence and in accordance with the proper application of Section 38(6) of the Planning & Compulsory Purchase Act 2004.

NTR Planning Ltd

September 2020

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NYMNP  
14/09/2020

Woodland Rooms - Design and Access Statement

July 2020



## Site Location



The proposed development forms part of the wider Raithwaite Estate located off the A174 Whitby to Sandsend road.

Comprising two undulating Becks that run roughly parallel to each other, over time their flow has eroded two deep valleys which cut out of the surrounding undulating landscape to create a series of uniquely sheltered woodland environments.

Stradling the boundary of Scarborough and North York Moors National Park Authorities, the Estate has over time been developed into a quality tourist accommodation destination. The proposal seeks to build on this success to introduce a new and unique offer to complement these existing uses within the confines of Dunsley Beck Valley, the Western of the two streams.



## Site Constraints

### Topography

A key feature that defines the character of this part of the estate is the undulating topography carved out of the landscape by Dunsley Beck. The valley that this has created has an enclosed and secluded feel from the rest of the Estate, which is part of the appeal for this development.

### North York Moors National Park

The application site lies towards the Southern part of the Raithwaite Estate, and wholly within North York Moors National Park.

### Site Access

An existing forest track leads to the site splitting off from the main Estate circulation road from the North. The track continues through the site into the woodland towards the South. An informal network of secondary paths and clearings run through the development site. In addition, a footpath exists which leaves the road in Raithwaite Beck opposite the existing hotel, running due South parallel but raised to the Lakehouse road, before curving to head steeply uphill towards the ridge that separates the Becks.

### Ancient Woodland

The area immediately South of the development contains a small area of replanted Ancient Woodland. The proposal seeks to avoid this area and stay outside of a notional 20m buffer zone of this part of the woodland.








# Ecological Constraints

A detailed tree survey has been undertaken across the application site and though the area generally comprises woodland, key specimens have been identified and catalogued with regard to their species, age and condition.

This information has been used to inform a strategy of retention and where necessary, felling of existing trees. This strategy is the key design driver to the proposed site layout ensuring that the woodland habitat and character can be enhanced by the development, as well as ensuring its survival into the future.

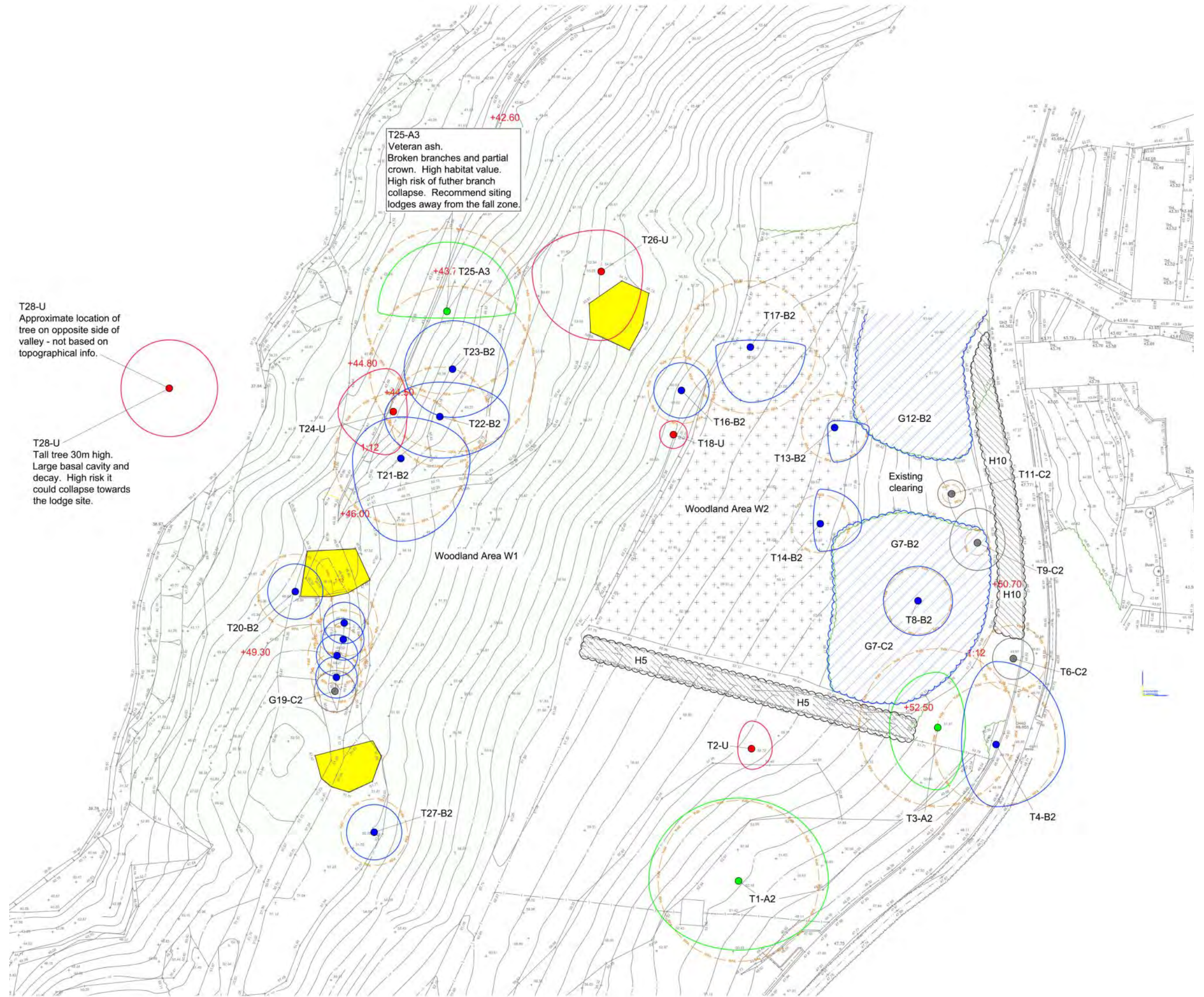
**Key**

-  Existing hedge
-  W1 - Existing woodland  
Early-mature trees.  
Average stem diameter: 200/400mm.  
Average height: 15/20m.  
Species composition:  
Mixed woodland comprising conifers and deciduous species. Mostly Larch and Sycamore, with a smaller percentage of ash, alder and pine.  
Note: Larger significant trees in this area are surveyed individually.
-  W2 - Existing woodland  
Young/Semi-mature trees.  
Average stem diameter: 200mm.  
Average height: 15m.  
Species composition:  
Deciduous woodland. Mostly Sycamore and ash, with hawthorn understory.  
Note: Larger significant trees in this area are surveyed individually.
-  Existing evergreen shrubs
-  **Tree retention category A**  
High quality with an estimated life expectancy of at least 40 years
-  **Tree retention category B**  
Moderate quality with an estimated life expectancy of at least 20 years
-  **Tree retention category C**  
Low quality with an estimated life expectancy of at least 10 years, OR young tree with a stem diameter below 150mm
-  **Tree removal category U**  
Poor condition with an estimated life expectancy of less than 10 years
-  **RPA**  
minimum Root Protection Area
-  **Existing woodland clearing**  
(tarpaulin)

Trees have been surveyed and categorized as per the recommendations and guidance in BS 5837:2012 Trees in relation to design, demolition and construction.

This drawing is to be read in conjunction with the Arboricultural Survey report.

This drawing is to be reproduced in colour.



T28-U  
Approximate location of tree on opposite side of valley - not based on topographical info.

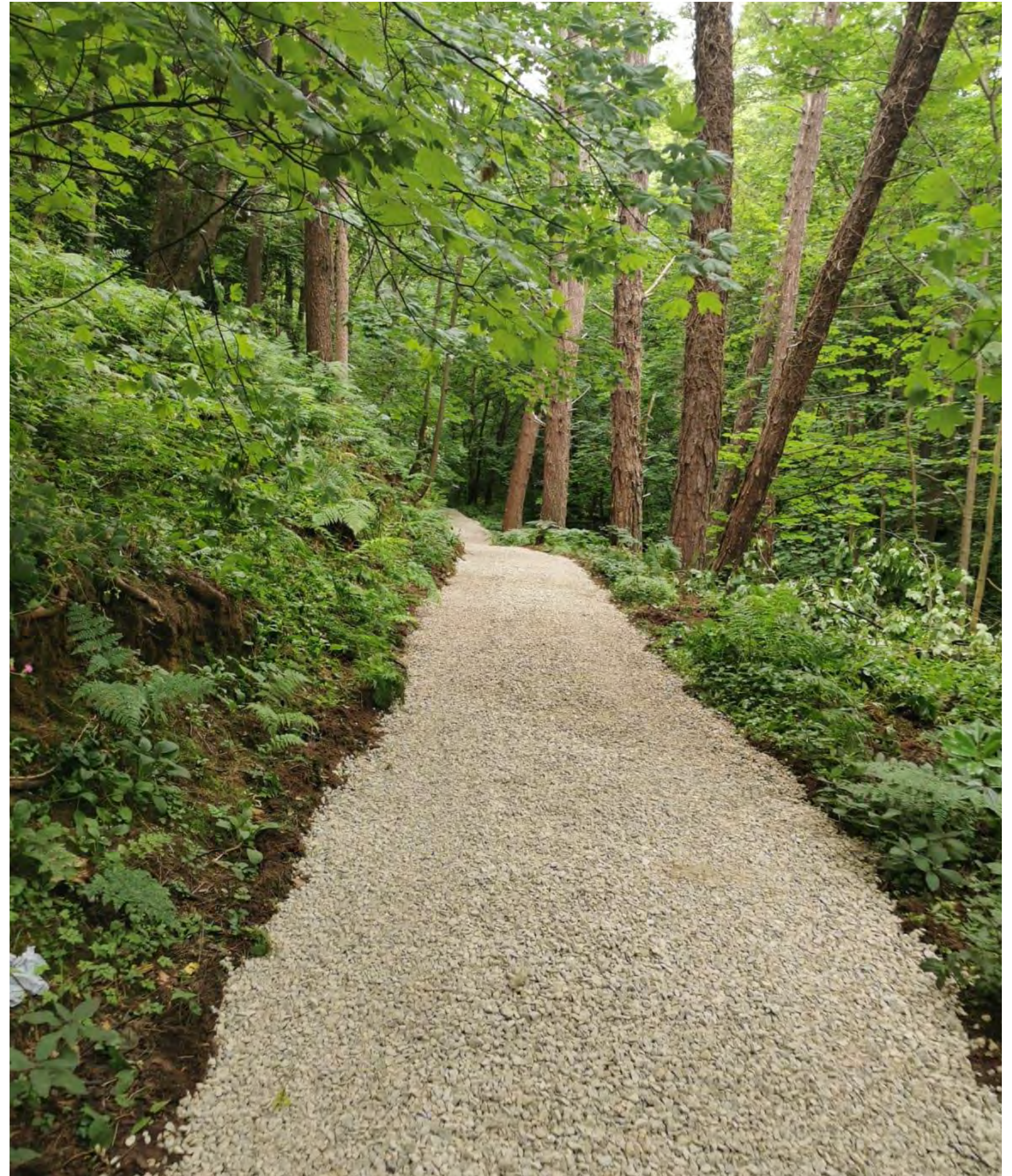
T28-U  
Tall tree 30m high. Large basal cavity and decay. High risk it could collapse towards the lodge site.

T25-A3  
Veteran ash.  
Broken branches and partial crown. High habitat value. High risk of further branch collapse. Recommend siting lodges away from the fall zone.

## Site Character



The existing woodland is accessed from the North using the track from Newholme Farm, or by using existing footpaths over the ridge. It is currently actively managed woodland, and is used to host a variety of outdoor adventures. The proposal seeks to introduce a series of 12 woodland rooms which will serve to add a unique offer to the hotel at Raithwaite, and will be directly managed and serviced by the hotel.



## Site Layout Development

Following the feedback received on the scheme presented during pre-application consultation, work was undertaken to move the rooms out of the open space and either towards the woodland edge, or into the woodland itself. This both to provide a reduced visual impact by setting the rooms against the silhouette of the woodland, as well as providing a unique outlook from the rooms themselves to create a unique sense of retreat.

A number of options were considered to best balance the need to provide access to the rooms for guests and servicing against the impact on the woodland.

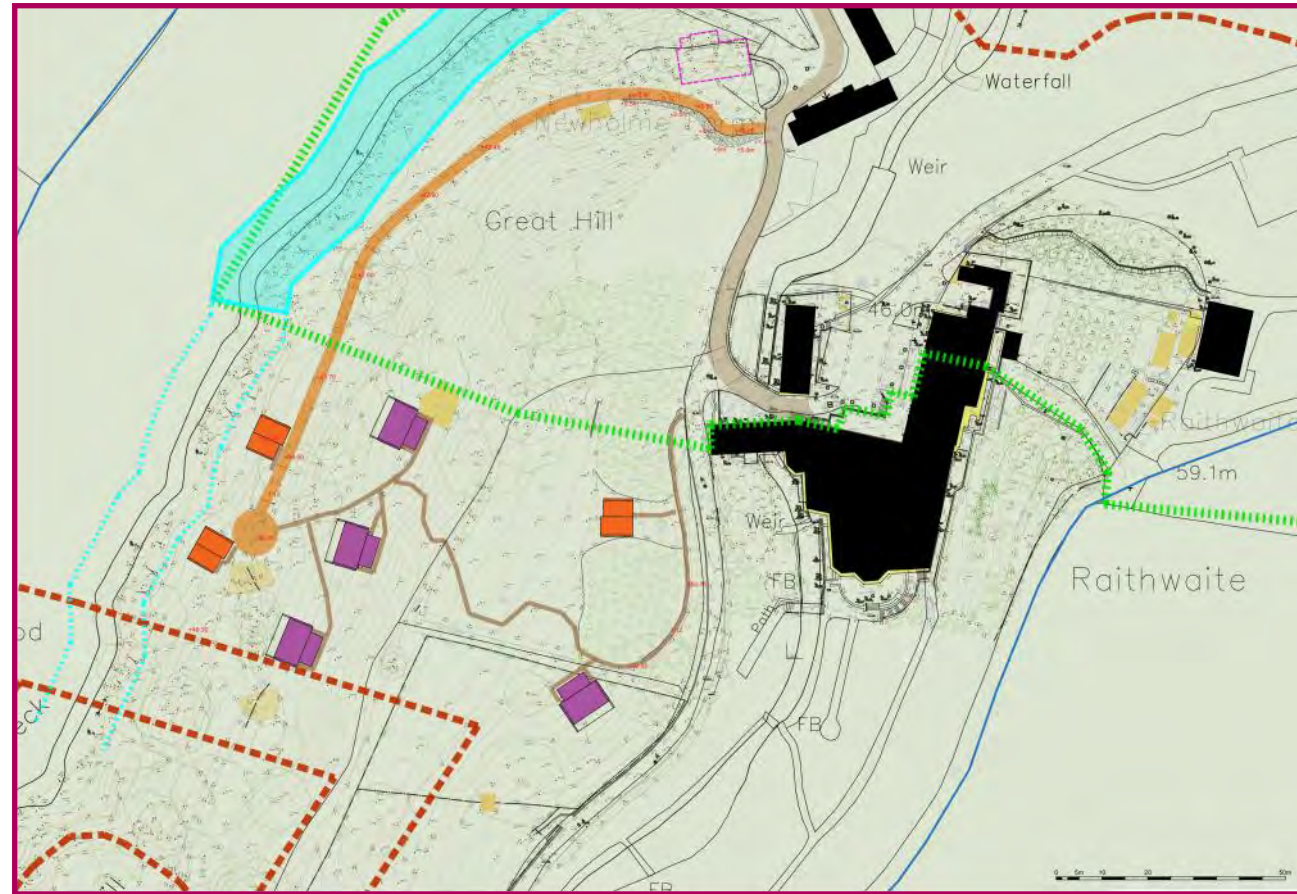
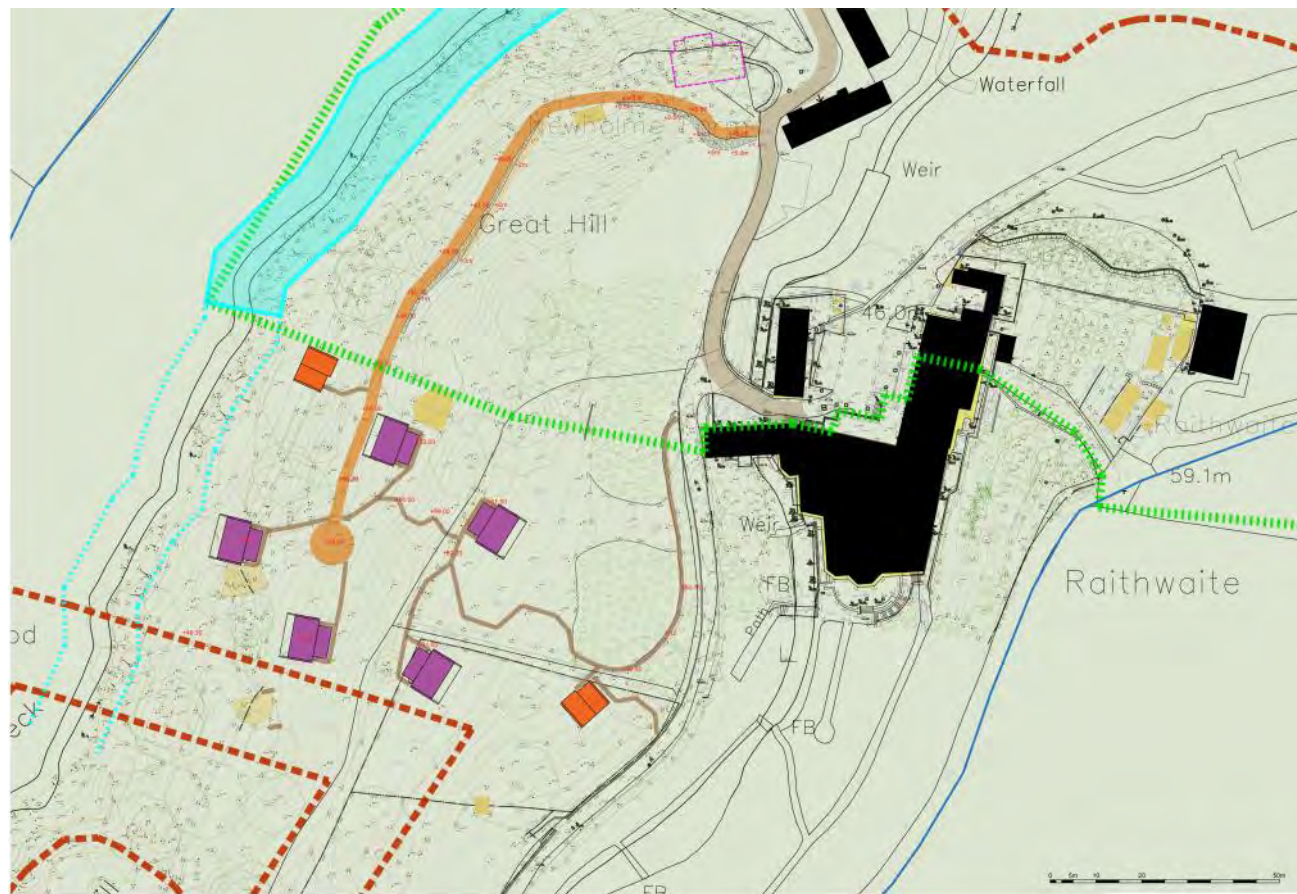
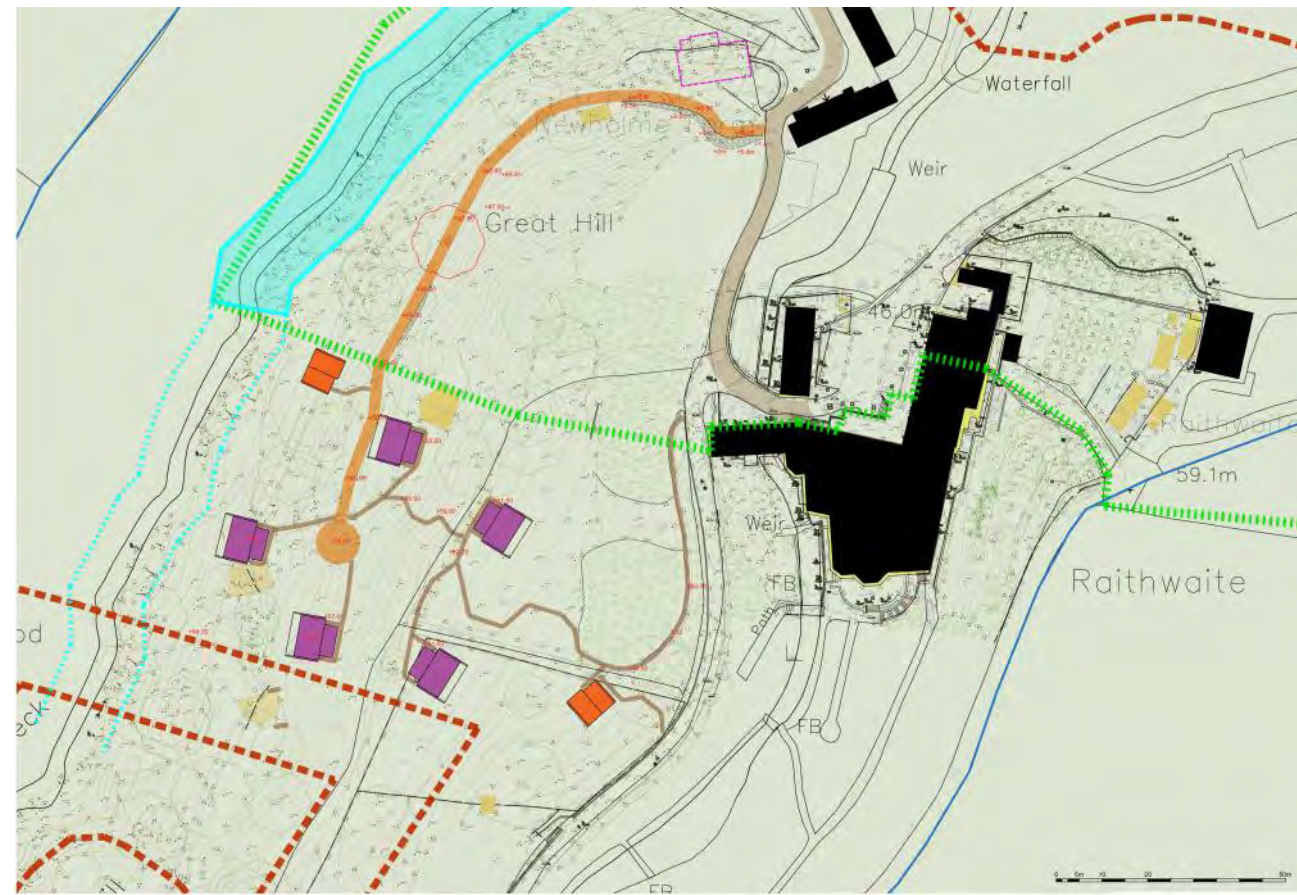
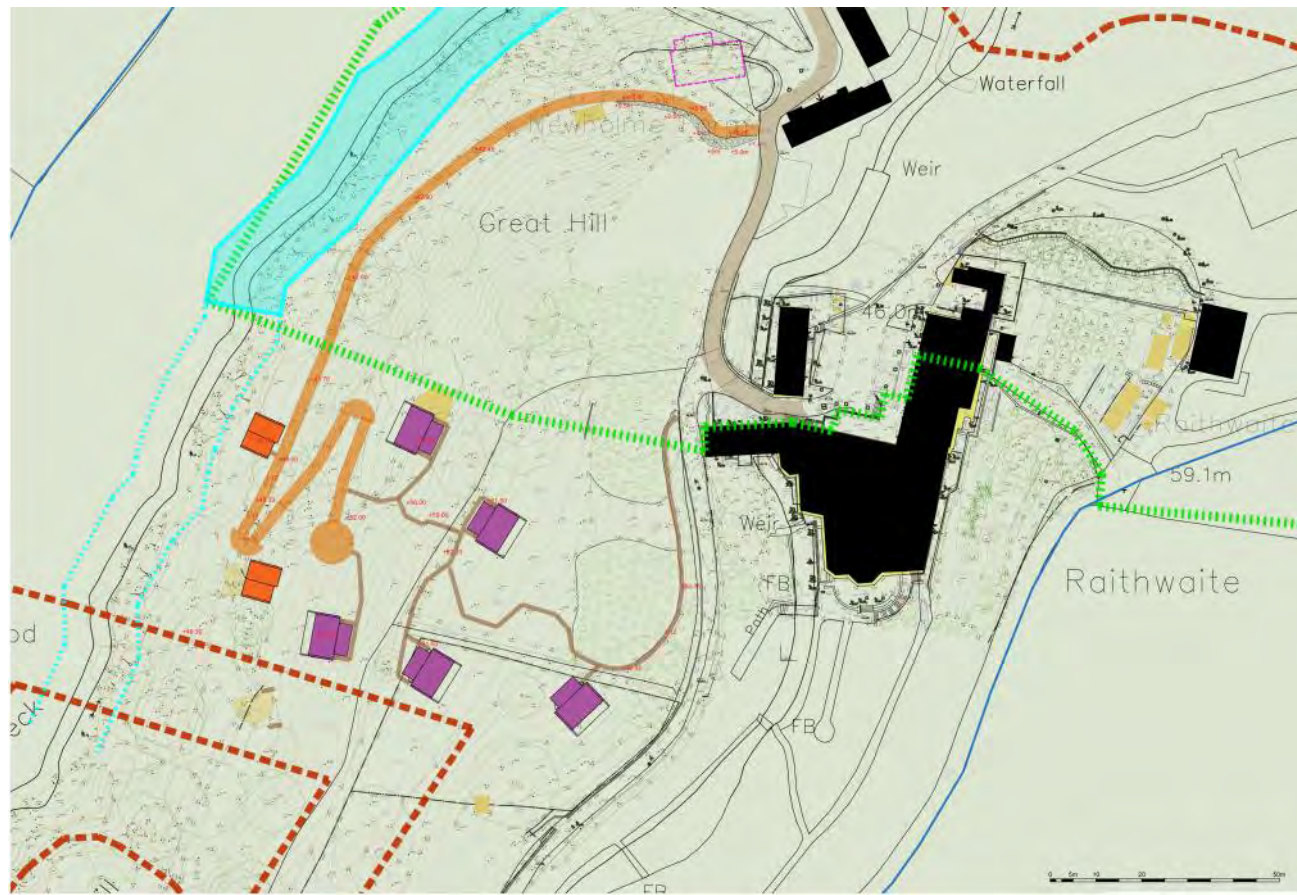
The preferred scheme opted to build on the theme of 'retreat' and minimise vehicular access to the woodland in favour of footpath access, using buggies to ferry guests to and from their rooms at the beginning and end of their stay using electric buggies only.

It was proposed to do so around the outline of the existing track through the woodland to ensure that the impact on the existing trees is minimised. Woodland Rooms themselves have subsequently been laid out so that they can be easily accessed by footpath.



Sketch scheme presented at pre-application stage





Sketch layouts considered, with preferred 'minimal impact' scheme highlighted for further development

## Use, Scale and Amount

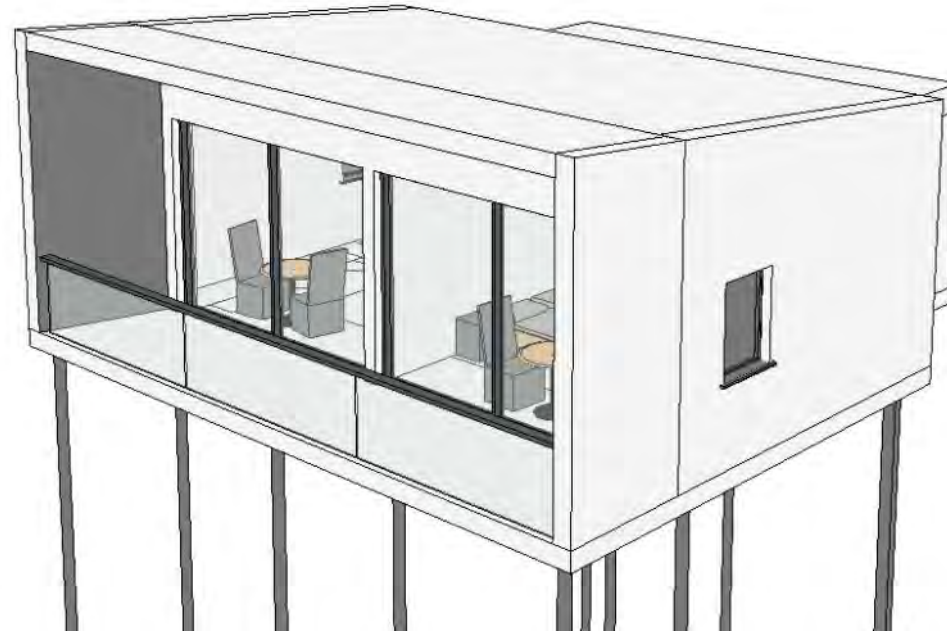
The proposal is for a total of 12 self-contained 'Woodland Rooms'. With a footprint of around 30m<sup>2</sup>, each unit provides the following accommodation:

- a small entry vestibule with room for coat and boot storage and a small kitchenette to provide basic meals and beverages from hotel-delivered meal kits;
- a compact main bedroom space big enough for a king-sized bed and space for lounging and eating or working;
- a spacious bathroom with WC, shower and bathing facilities; and
- an external terraced seating area

In order to minimise the impact of the rooms on the character of the existing woodland, the design ensures that the rooms are kept as small in plan and volume as possible.

Architecturally, the design has been developed to reduce the overall visual impact of the rooms. Key design moves to achieve this are shown in the adjacent design development schemes

1. 'back-to-back' rooms were considered in the first instance ease construction. The massing of this was felt to be too harsh in the woodland however.



2. To address this concern, steps were introduced into the façade and a roof profile was considered. A first sense of materiality was introduced to soften the appearance. Rooms were however still considered as 'pairs' within a single built unit



3. Rooms were separated and treated as individual units. With smaller footprints, these could better address the topography and the constraints presented by the trees: they could be positioned more freely either in pairs or individually to respond to these conditions. In addition, variety of fenestration was introduced to maximise privacy

4. Design and detailing was simplified, removing overhanging eaves to reduce the visual impact, and materiality was explored further to introduce a different material to further break down the compositions visually.

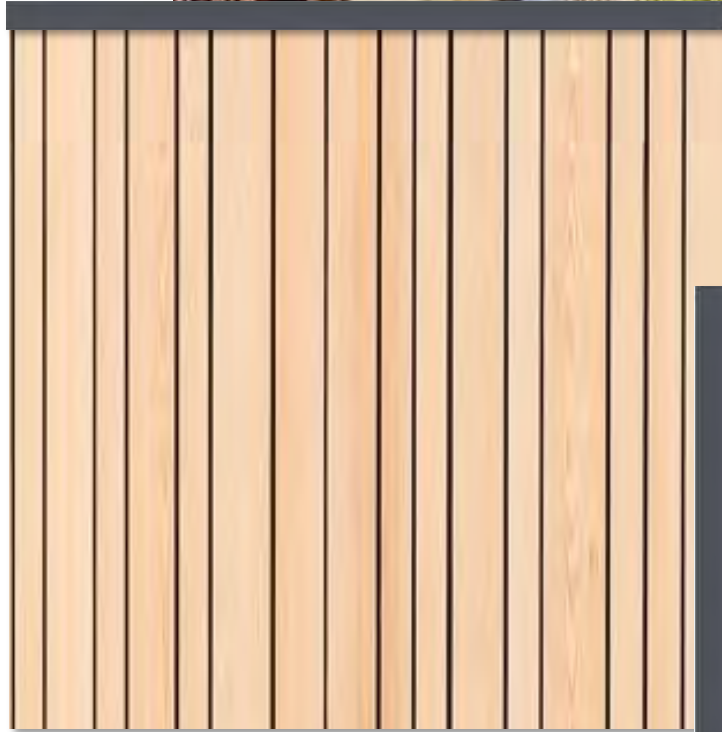


Character, Materiality and Detailing

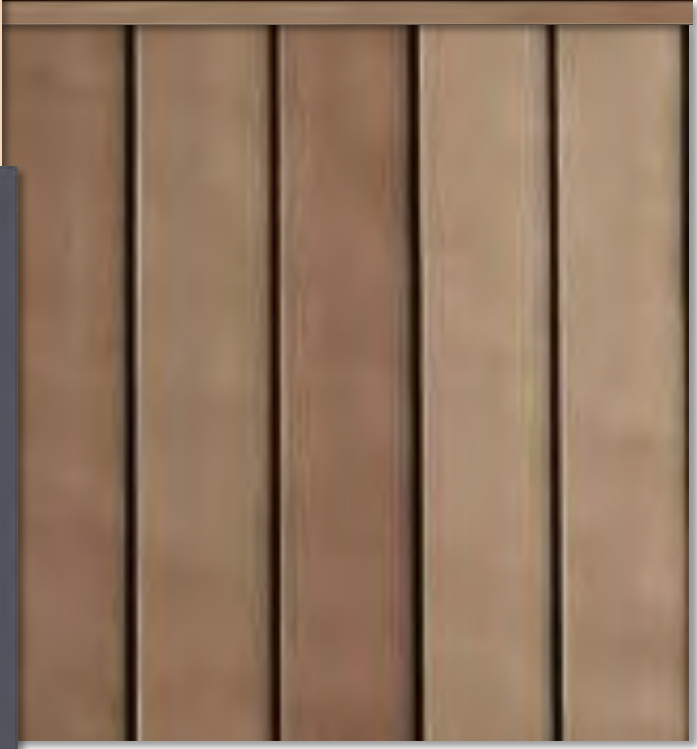


**Metal trims**  
to match window frames to timber buildings, to match standing seam to metal elevations

**Sedum Roof**



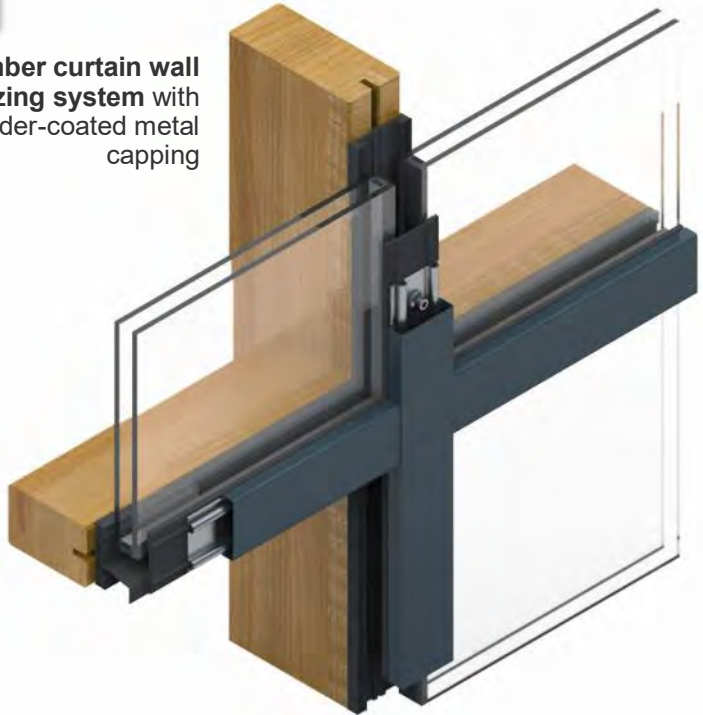
**Siberian Larch cladding**  
Mixed width timber  
Cladding in vertical open rainscreen arrangement.



**VMZ Standing Seam**  
400mm profile in Pigmento Autumn Red finish



**Timber curtain wall glazing system** with powder-coated metal capping



Raithwaite Bay Whitby

# Proposed Woodland Room Layout

The proposed site layout takes into account the site constraints and the woodland room unit designs to achieve the following:

- Woodland Rooms have been nestled into the valley amongst the trees to create an intimate relationship with the woodland environment and in the process reduce their visual impact
- Rooms have been positioned to avoid the main specimen trees identified in the arboricultural survey
- Staggering Rooms in plan to respond to the site's topography. This in turn enables a variety in height between each unit and so contributes to a decrease visual impact
- The Replanted Ancient Woodland buffer zone has been avoided
- The existing tracks have been used where possible, with additional footpaths laid out to follow existing features and avoid trees and dense scrubland Construction methodology for tracks and paths is included later in this document
- Buggy turning, Disabled access parking bay and emergency vehicle turning have been accommodated in the layout.



Proposed Woodland Room Design



Dunsley Beck - Lower Rooms



Typical View from Decking



# Construction Methodology

Woodland Rooms are a unique proposition that aims to create an experience of living immersed in the woodland environment, away from everyday city life. It is imperative that the rooms are constructed in such a way that the environment we are looking to benefit from is not inadvertently damaged, or its character altered by the construction of the structures.

To achieve this requires a bespoke and sensitive approach to design and particularly construction in way that will not damage the woodland. To this end, a specific construction technique has been developed which prevents or minimises any damage to trees, undergrowth or seedbank.

The layout has been created using up-to-date topographic and tree location information. This is information however is in practice too coarse to sensitively position and construct each lodge and the supporting infrastructure due to the very localised lay of the land as well as the ever-changing nature of tree conditions and quality of the local undergrowth. It is therefore to be noted that the position of roads and lodges in the drawings may be subject to minor alterations and each element will be set out on site exactly to better take into account the local conditions in accordance with the Woodland Management Plan.

In order to aid this process, a detailed tree condition survey will be undertaken prior to works being undertaken on site.

In order to illustrate the approach in more detail, reference has been drawn from similar woodland lodge projects that have been completed across the country, including in ancient woodland in the Forest of Dean.

## 1 Access Routes

Access routes are the primary means both for construction and upon completion for visitors to get to the lodges. The layout on the drawing is based on topographic and tree location data, as well as through walking the site. To ensure that in construction the roads have the least impact on the woodland, the following escalating approach has been taken to creation of appropriate access routes:

1. Re-use of appropriately sized existing tracks and paths where possible
2. Upgrading and widening of existing tracks and pathways where necessary
3. Creation of new tracks, picking the route on-site considering local topography, impact on trees and in particular their condition to determine an appropriate route. This should be undertaken in accordance with the tree condition survey and in consideration of the woodland management plan so that healthy specimens are favoured for retention over diseased or unstably rooted ones.
4. Ensuring that tracks are used both as the means of reaching each unit during the construction phase as well as when the scheme is in use, and excluding all construction access outside of these areas.



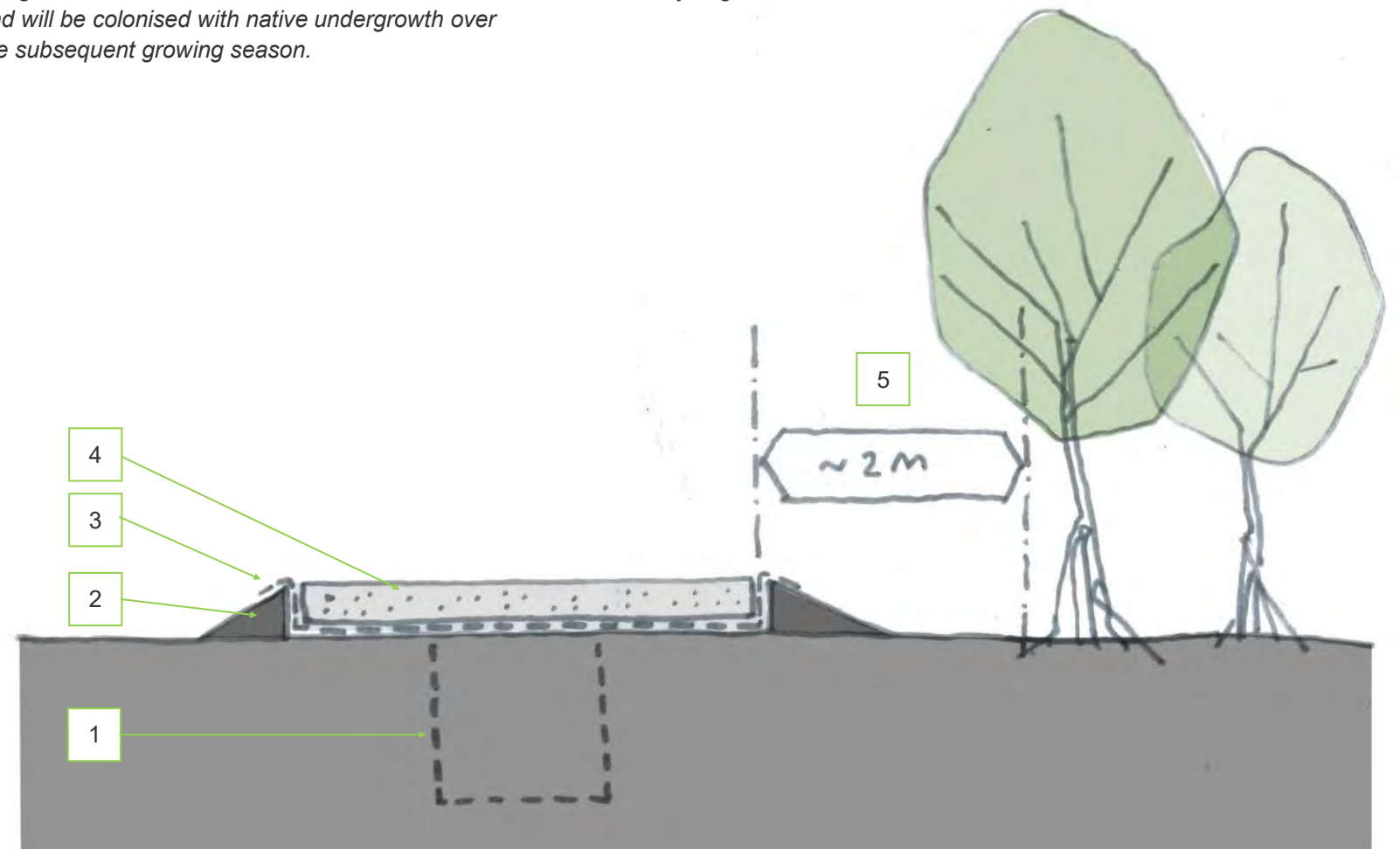
Typical new track construction. The photos show examples of how typical tracks will look immediately upon completion. Note that the areas alongside the track is constructed of banked earth and will be colonised with native undergrowth over the subsequent growing season.



Where required, roads will be edged using pinned felled logs or boulders to ensure vehicles stay within the confines of the track to allow understorey vegetation to be remain undisturbed.

### Typical new track construction

1. Below-ground service trench where conditions allow (see services section for alternative approaches)
2. Ground raised (or lowered) locally to pin 150mm cellweb used to protect the ground below during construction, left in place to form base of track
3. Permeable geotextile with high puncture resistance
4. Clean angular stone fill to allow percolation of water and provide final surface.
5. Typically 2m zone clear to enable





## 2 Services

Services, due to their tendency to be buried below ground have the potential to be more disruptive to the woodland than access routes. Of concern is not only the disturbance of the ground, but also the interaction with tree roots, which cannot be practically surveyed prior to installation. Like the access therefore, careful consideration needs to be taken on site and an escalating approach to the choice and installation of service routes is proposed:

1. Avoid burying services. This is particularly relevant to the last leg to each individual Woodland Room where boardwalk access is often provided for access over uneven ground. Services can in these instances be slung underneath the walkway in order to avoid digging.
2. Follow major access routes for distribution. As these routes will already be disturbed by nature of their use, burying services underneath will prevent other routes being affected.
3. Where burying under access routes leads to excessive interaction with major tree roots, a suitable separate route should be sought through the forest.

In all cases, where digging is proposed in the woodland areas, this should be done by hand in short stretches, ensuring that major tree roots are not affected or left exposed for extended periods of time.

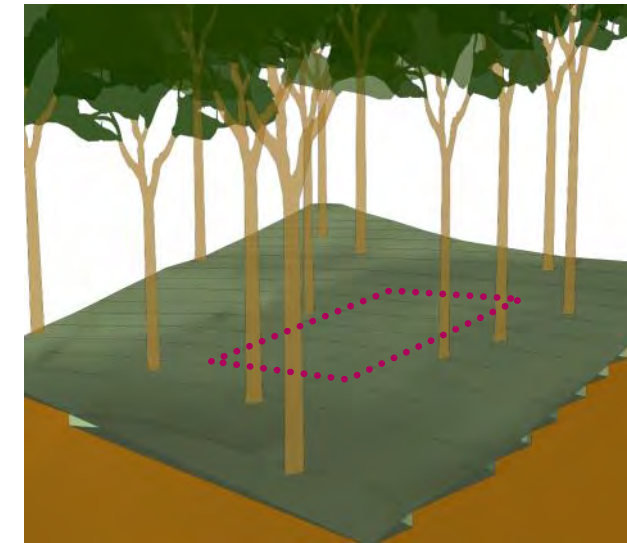


*The above photo shows how narrow, hand-dug trenches can be used to route services through sensitive parts of woodland without affecting existing trees. When determining the route of a trench, care is taken to understand the local environmental conditions as this can have a bearing on the way that roots grow underground which anchor the tree against prevailing winds. Service routes as those above will ensure that the disturbance of local soil will not weaken the structural integrity of the tree in its surrounding soil*

## 3 Lodges

Placing and construction of Woodland Rooms is equally crucial in minimising the impact on the woodland. In order to achieve this, the following sequence of construction is proposed:

1. Appropriate siting of lodges. Preferably in existing clearances and gaps between trees, if that is not possible, by local thinning of diseased, unstable or non-native species in accordance with the woodland management plan. Lodges should also be close to the access route to enable construction from the route itself, without vehicles damaging the woodland undergrowth.
2. Using a mini-piling rig to install a grid of small piles which will support the building above the undergrowth. The machine used to do this is small enough to fit through a standard door and operated by remote control to minimise the disruption of the woodland undergrowth.
3. A slab is built, supported on the piles, keeping the ground free from further construction activities
4. The lodge is constructed using an off-site constructed flat-pack. Flat elements can be manoeuvred between the trees by a single piece of lifting gear, whilst pre-fabrication reduces the number of operatives required on site to complete each lodge.



### Step 1: Selecting the sites

*Carefully picking locations so that as few trees as possible will be affected*

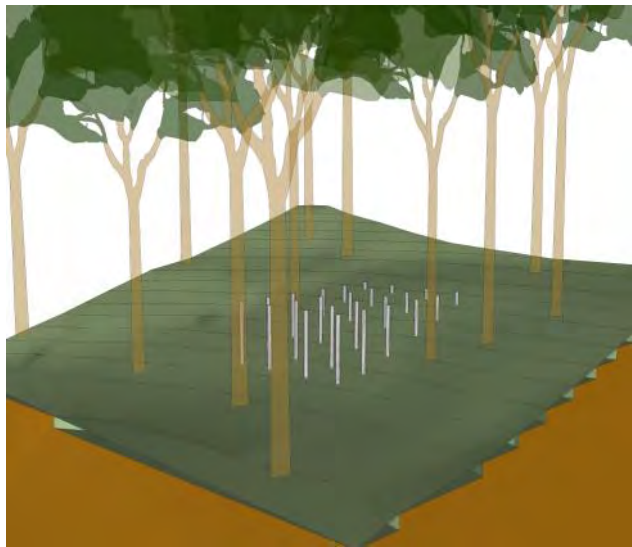
Though tree loss will be primarily avoided by picking natural clearings, the plan shows the likely extent of tree loss due to construction of forest lodges in purple where this may be difficult to achieve.

In accordance with the overall methodology, though lodges are shown in certain locations, it is intended that judgment will be made on site as to the condition and species of tree that might be affected, and that the location of the buildings may be adjusted to ensure the optimum solution for the woodland.

Note that the size of the markers are to denote the size of trunks and their surveyed location. They are not intended to show the size of the canopy - data for this is not currently available.

Furthermore, the plan only shows tree loss, and does not take into account replanting and enhancements of the woodland as described in the submitted woodland management plan.

Note that even with the layout as proposed, the loss of trees is small when compared to the wider body of the woodland.

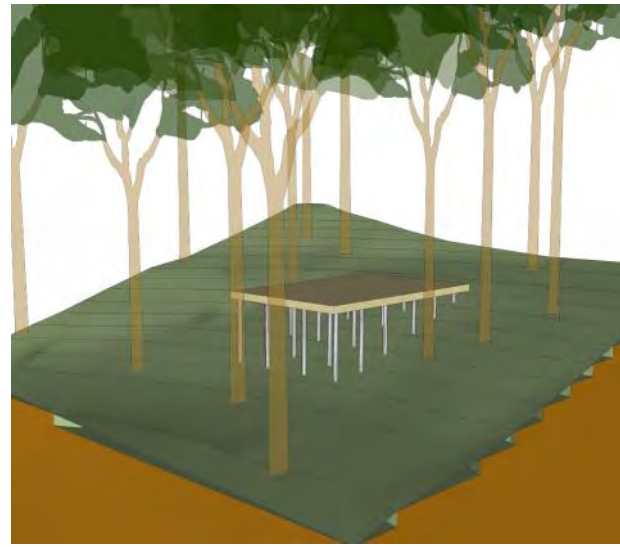


### Step 2: Building foundations

A mini piling rig is used to create the foundations, with minimal damage to trees or the forest floor.

Photos adjacent show a typical remote-controlled mini-piling rig used, shown with an operator for scale. Its small size and tracked propulsion ensures easy access between trees and to sloped areas, without unduly disturbing underlying soils allowing undergrowth vegetation to recover quickly.

The photo below shows an installed series of mini-piles.



### Step 3: Building the floor slab

A slab is constructed on the piles above the ground so that the undergrowth on the forest floor can re-populate the space underneath the building

A metal frame, insulation and concrete slab sit on top of the mini piles to form the basis of each lodge. The standardised off-site production of the elements mean a clean dust-free site throughout the construction period. Small construction elements ensure that lodges can be built in between existing trees.



# FOREST LODGES



## Step 4: Constructing the lodge

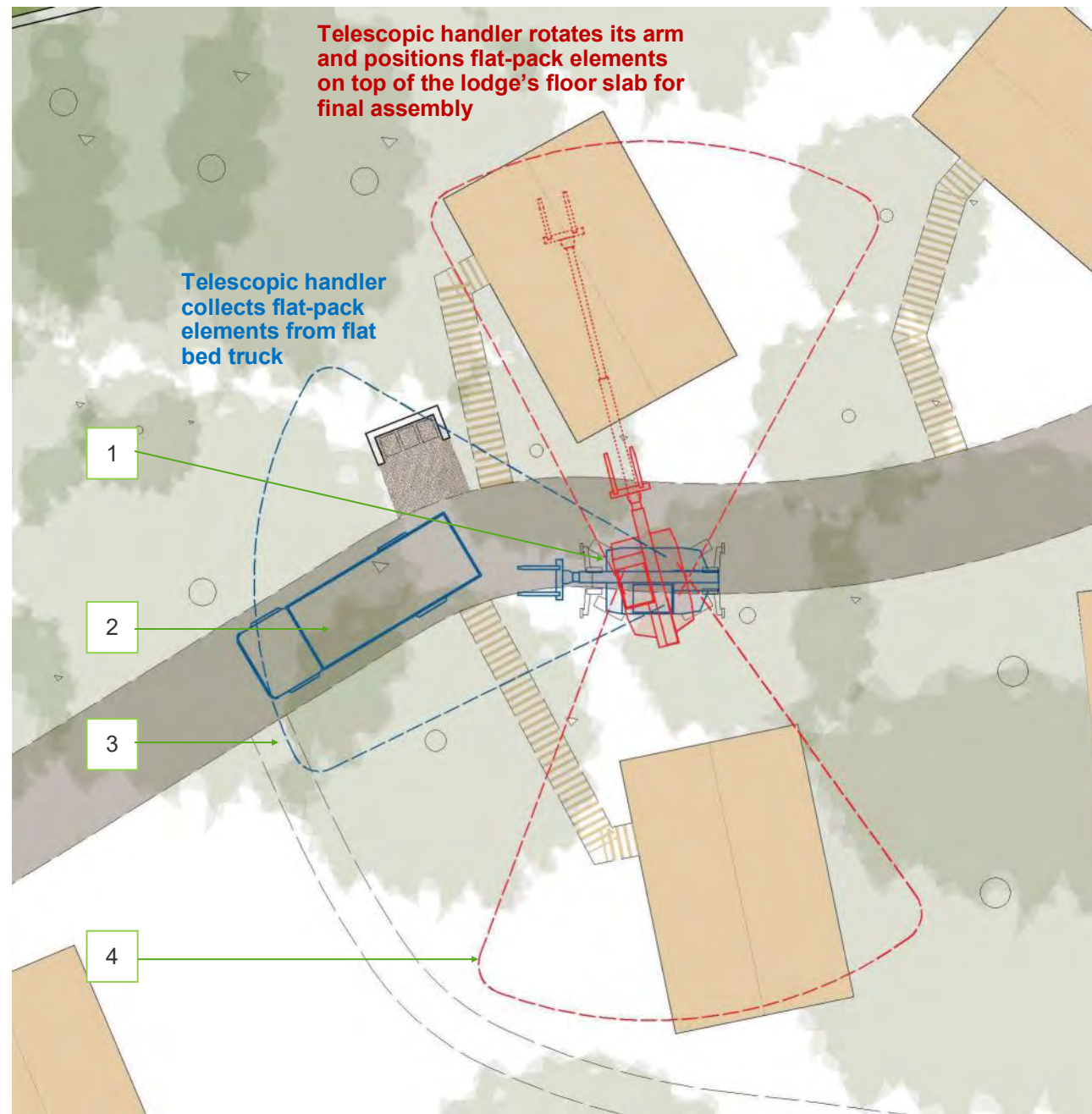
Each lodge will be delivered to site as a factory built flat-pack so that it can be assembled quickly without damaging the woodland, and ensuring an exceptional quality finish

Using a rotating telescopic handler, each section of the flat pack can be manoeuvred into the required position between the trees, in most cases from a single stationary position from the main track that will provide the future access route to the unit. This ensures that the forest floor is protected from heavy plant movements, preventing the soil being churned up unnecessarily. A typical example of the machinery used is shown in the top far right photograph. A typical working arrangement is shown on the adjacent plan

The use of flat pack pre-finished elements ensures that dust generation on site is kept to a minimum, thereby not affecting the surrounding flora.

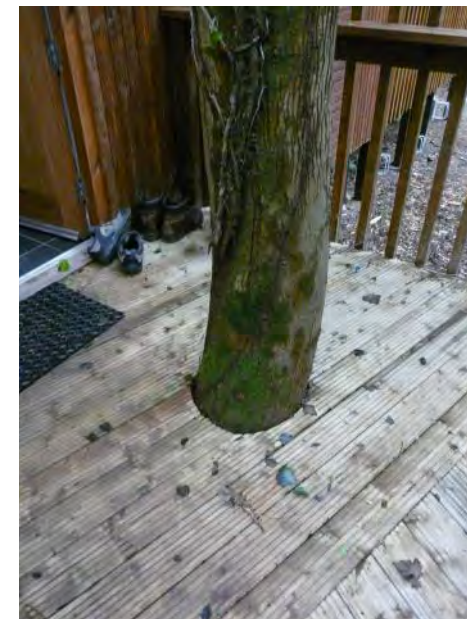
The construction of each lodge along the track will be done sequentially. This removes the need for construction machinery to move back and forth through the forest, and in this way, typically, each lodge can be water-tight within ten days from the first piece being installed on the slab. Additional benefits arise from reduced emissions and dust generated by construction vehicle movements.

The overall approach from start to finish is focussed around keeping vehicle and construction plant movements to a minimum, thereby reducing the potential for damage to the woodland.

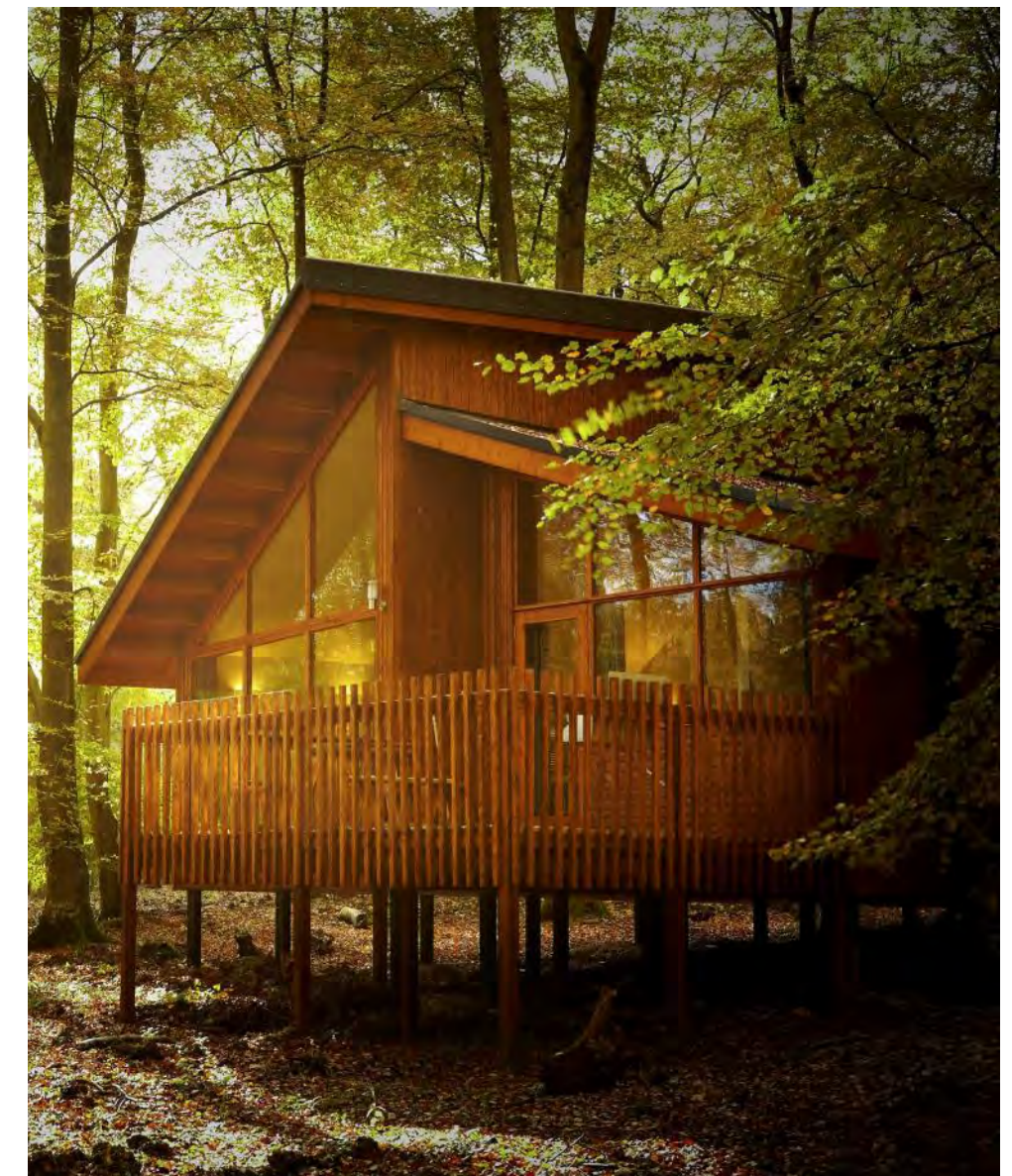


### Typical lodge construction set-up

1. Rotating telescopic handler, positioned to remain stationary during the construction of the lodge
2. Flat pack panels on flat-bed truck. Panels are stacked in the order that they are required for the build to ensure a sequential build without having to handle materials and put on the ground.
3. Notional operating reach of telescopic handler to hoist panels
4. Notional operating reach of telescopic handler to place panels from stationary position. Flat panels can be manoeuvred



Telescopic handler



Raithwaite Bay Whitby

# Movement To, From and Within the Development

## Site Access

Access to the development is proposed using the existing forest track from the North at Newholme Farm, where it splits off from the main vehicle route through the estate.

Key to the character of the development this route is that it is designed as a modest upgrade as described in the construction methodology, rather than a piece of hard-landscaped infrastructure. To ensure that this can be maintained, the management of the new rooms is set out below

## Arrival Sequence

Part of the appeal of the Woodland Rooms over the existing hotel experience is their added sense of retreat, to be away from the city surrounded by the woodland countryside. In order to retain this unique quality that Dunsley Beck offers, personal motor vehicles will not be permitted regular access to the woodland.

In order to manage this as part of the existing Raithwaite Hotel room inventory, guests will arrive at the hotel main reception to check in much as they would for any other part of the regular 'hotel experience'.

Upon check-in, guests and their luggage will be transported to their Woodland Room either on foot, or more commonly accompanied by staff using an electric buggy. It is the weight and manoeuvrability of these vehicles that enables the tracks to retain their low-key nature.

A series of new foot tracks will be provided. Where required by the topography, steps will be provided to ensure safe routes.

Once in their room, guests are free to explore the estate and the surrounding countryside on foot, or perhaps using rental bikes, and if assistance is required to use hotel services, transport using the same electric buggies can be arranged by contacting reception.

## Room Service Access

Room service access to the woodland rooms will use the same electric buggy approach, with only the final section of servicing done on foot.

## Access for Emergency Services

It is essential that emergency services can gain access to the woodland rooms in the event of an emergency. The key consideration is access for fire-fighting services in the event of an incident.

In order to enable the fighting of a fire within the woodland rooms, a dry fire-fighting main is proposed with an inlet from the edge of the lakeside road. Two accompanying outlet units will be positioned off the main track so that all rooms lie within 45m of the outlet as shown in the adjacent diagram.

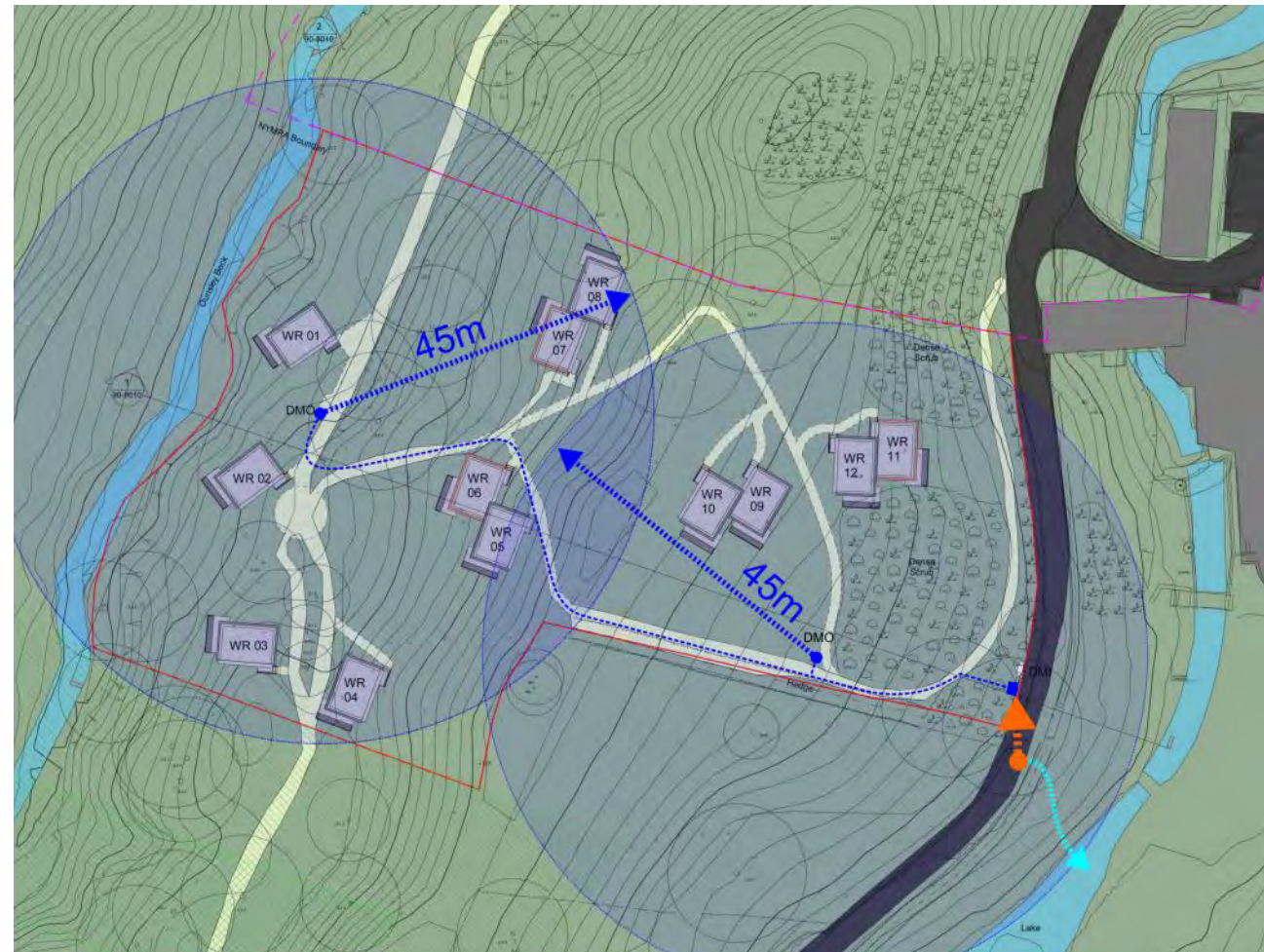
## Universal Access

The physical and mental health benefits of contact with the natural environment, and especially where it concerns natural woodland environments has been widely reported. At the same time however, these natural environments by their nature can provide significant barriers of access due to their often physical remoteness, wild plant growth or challenging topographies.

These elements are indeed also factors around the proposed development site, however there is a unique opportunity here through the site layout and the design of the Woodland Rooms themselves to provide an experience that is accessible to all, regardless of any impairments a guest might have.

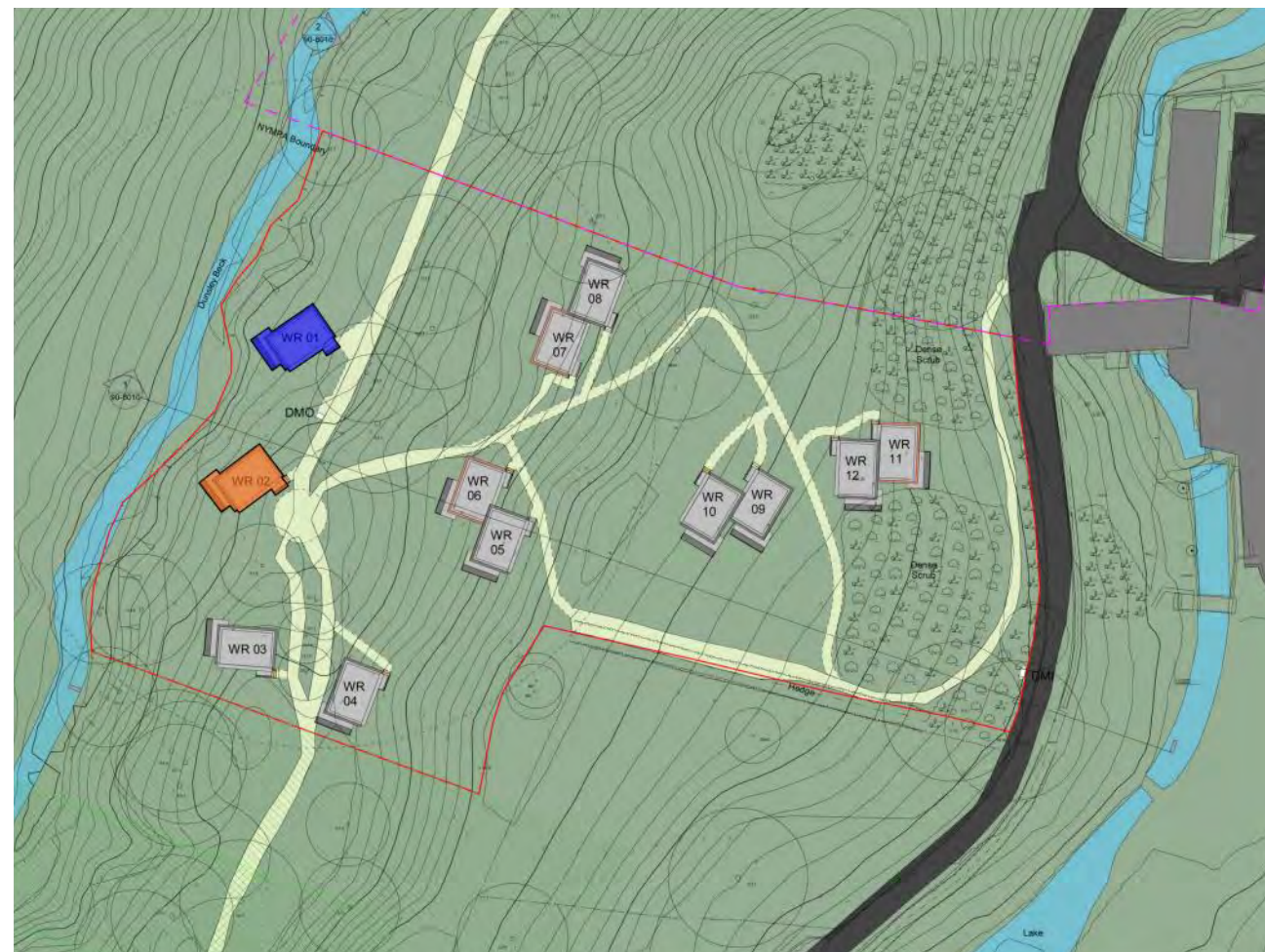
To ensure that this can be offered practically, the following provision has been made:

- One Woodland Room (8%) will be fully wheelchair accessible. It will feature step-free access from the drop-off point. Internally, the layout will be designed in accordance with the guidance given in British Standard BS 8300 to ensure that all facilities are fully accessible.
- One Woodland Room (8%) will be suitable for people with impairments who are not wheelchair-bound ('ambulant disabled'). It directly accessible from the main track and shares the same design as the other units in the scheme, including a step-free shower access, but will in addition be fitted with grab rails, and fold-down seat within the shower cubicle.
- The overall layout of the remaining units is identical to the ambulant disabled unit, and so could easily be converted to provide further ambulant disabled accessible units, though the limitations of access to these units due to topography should be borne in mind.



### Emergency Access

- Fire fighting main - Inlet
- Fire fighting main - outlet
- Pump appliance access
- Access to watercourse



### Universal Access

- Wheelchair accessible
- Ambulant disabled access

## Community Safety

There are several wider aspects to consider in order to more fully understand the impact of the design to create a safer environment.

Firstly, by the nature of its use as a holiday destination, the general everyday users of the site will likely be totally unfamiliar to their temporary surroundings. On top of this, they are visiting in order to relax and unwind. To ensure these two seemingly opposing factors are reconciled, the proposed development will need to be designed to create an exceptional sense of safety.

Secondly, the site is relatively remote and secluded, on top of which large parts of it are covered with dense woodland. These factors are at once the draw to the site as a suitable location and setting for a retreat, but at the same time if designed incorrectly, these factors could quickly combine to give a sense of being exposed, cut-off and vulnerable.

Thirdly, there is a requirement for accommodation to have high degrees of privacy, which by its nature means that it is undesirable to be overlooked. It is therefore not possible to wholly rely on passive surveillance.

It is in this context that design for community safety is to be considered at a level above one that might be the case for a development in an urban setting, and a number of steps have been taken to ensure that a safe environment is created as outlined in the schedule

In trying to design the right environment for the site it is important to consider that the way the site is designed requires that it is actively managed.

Activities will range from woodland and landscape management, routine maintenance to properties and rubbish collection, to the shuttle services that may operate the site to get people from their accommodation to the newly provided facilities and room-service like activities to Woodland Rooms. All these will require human presence at varying intervals throughout the day, which between them will provide a network of passive surveillance to the site.

### Community Safety - Design Measures

#### Layout

1. Creation of a site layout that is legible and easy to understand for first-time visitors. The way that roads and spaces are laid out forms a major part in this to give an immediate understanding of how the site operates. This legibility will aid in the creation of the impression of a well-managed and therefore safe environment. At the same time, it will deter people with malicious intent from entering the site – this may be particularly effective as there is only a single vehicular entrance in and out of the site that requires surveillance.
2. Clustering of accommodation that means no unit sits in complete isolation
3. Layout of units to give focused views to give a sense of privacy without creating pockets of unobservable space

#### Specification

1. Enhancing an obvious layout with a carefully designed signage system that is comprehensive and without gaps so that visitors do not suddenly find themselves not knowing where to go next.
2. Provision of an external lighting scheme that is appropriate to the setting, taking into consideration the fact that the topography and woodland will by their nature create shaded places, and particularly in winter may extend the hours of darkness even further. Lighting schemes will need to balance the factors of personal safety through avoiding sharp contrasts, long shadows and bad colour rendering, with the needs of the ecological sensitivity of the site.
3. Specification of all windows and doors will be such that they will deter break-ins, particularly in areas such as private terraces that are not easily overlooked by others

#### Management

1. Sensitive and targeted use of CCTV in areas that might otherwise be especially prone to theft, vandalism or anti-social behaviour such as car parks, cash handling areas, access points to amenity buildings
2. Publication of central contact numbers to areas that are staffed 24 hours a day to enable visitors to speak to someone to talk through security and safety concerns

# Sustainability

Sustainability has been embedded in the design approach to ensure that the impact of the construction and operation of the new buildings on the environment is reduced as far as possible.

In addition to considering the environment, it is essential that a scheme of this scale is financially sustainable, contributes positively to the local economy and offers wider community benefits

This approach covers everything from reducing pollution and energy use, to increasing

biodiversity and creating environments that are healthy for people. This will be done through a range of methods outlined in this section.

## Socio-economics

It is essential that a development of this kind contributes in the long term to the economic wellbeing of the area and to communities that it affects. Some of the direct benefits of the scheme will include:

- Job creation for local people, both during construction and in the longer term in the operation of the new facilities;
- Increased spending by visitors to the local area;
- Extension of the tourism season throughout the year, creating a more balanced income pattern to the area
- Opportunities for local companies and organisations to supply the construction site

In operation, it may also be possible to:

- Source food, drink and operational services from local companies and suppliers
- Improve the local skills base through staff training programmes and apprenticeships

## Transport

A number of provisions will be made to ensure that sustainable forms of transport are encouraged, for example:

- a site layout that is designed around pedestrians and cyclists so people can get to the amenity facilities without having to use their car;

## Water Use

- Specification of low water-use appliances wherever possible
- Design of buildings and landscaping to ensure flow of rainwater is attenuated so that sewers are not over-burdened, that rainwater run-off does not contribute to land erosion or contribute to localised flooding.

## Pollution

- Design of energy efficient building systems that reduce noxious emissions and noise

## Health and Wellbeing

Ensure that the environment created within the development is the best possible quality by:

- ensuring that access to the ample countryside is maximised – both directly through pathways, but also indirectly by framing views and ensuring that the development doesn't adversely impact the experience for people passing through;
- making sure that the materials used to construct the buildings aren't harmful to the occupants, either directly through contact or indirectly through giving off harmful substances over time.

## Management

A lot of waste and negative environmental, social and economic impact can often be designed out at the early stages, or controlled through appropriate management procedures. These could include:

- Procurement to ensure a competent contractor with a track record of delivering high quality and sustainable design;
- Registering the scheme for the Considerate Constructor's Scheme (or similar) to ensure surrounding residents and communities are not adversely affected by construction works;
- Mitigation of construction site impacts such as noise, dust, contamination etc; and

## Land use and ecology

The biodiversity of the site, and its rural feel are key attractors to the site as a holiday destination. As such, it is key that the design maintains and where possible improves these factors by:

- Designing newly planted areas to feature native species that complement the surrounding countryside, avoiding invasive species and where possible non-native species.
- Use of green roofs to reduce visual impact and replace some of the ecological losses by the creation of the buildings

In operation, it may also be possible to:

- Provide education resources for staff and visitors to the site to raise awareness of the ecology of the site, for example through events or educationally informative signage boards around the site

## Energy

The scheme will be fully compliant with the current Building Regulation Part L, though specifically, this will be achieved by:

- ensuring that buildings are designed in the first instance to reduce their energy need, for example by use of high levels of insulation and correct orientation to maximise solar gains but preventing overheating;
- supplementing with technologies which further reduce energy demand, such as high-efficiency heating systems, natural ventilation of building cooling where possible and use of energy efficient lighting systems such as LED technology; and then

## Materials

The choice of materials can have a significant impact on the environment. The scheme aims to minimise the impact by:

- Use of off-site manufacture for the Woodland Rooms to ensure that processes are optimised and construction waste minimised
- Specifying BRE Green Guide to Specification A or A+ rated materials where possible
- Use of recycled construction materials where feasible, or materials with a high-recycled content
- Design and detailing to ensure robust and durable construction

## Waste

Reducing waste in construction is the first tenet in the philosophy of 'reduce-re-use-recycle'. As such, it is key that the design is efficient to optimise the use of materials so that waste is minimised. It is proposed to:

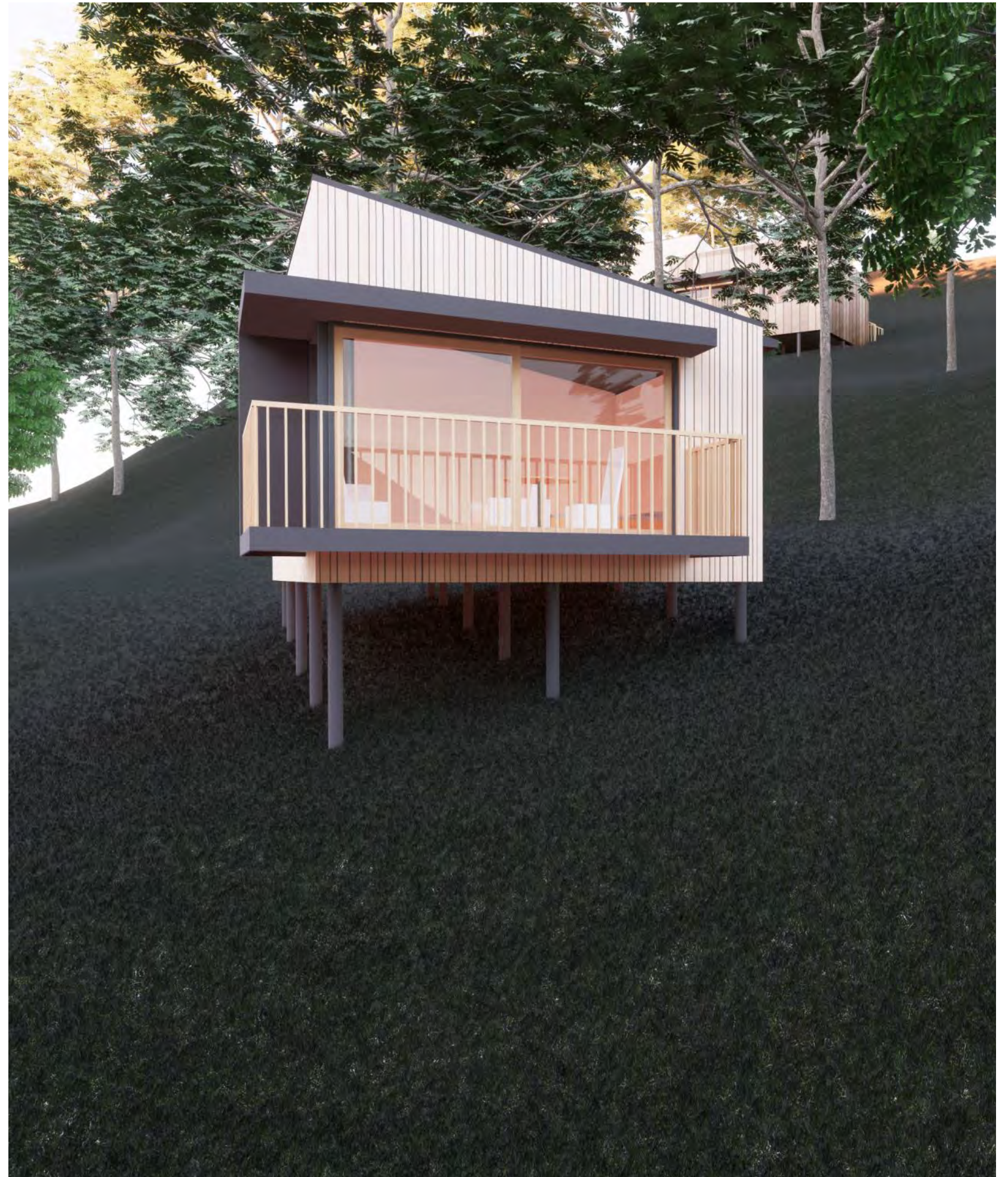
- Design for off-site construction in a factory to further reduce wasted construction material through efficient design and fewer mistakes
- Use design to minimise to optimise the use of materials and minimise construction waste

In operation, it may also be possible to:

- Establish policies to enable zero waste to landfill through operation of the estate
- Educate visitors and staff on ways to reduce waste production

# Drawings

Number	Title	Scale	Revision
RTWT-HMA-ZZ-XX-DR-A-90-8001	Site Location Plan	1:2500	P2
RTWT-HMA-08-XX-DR-A-90-8002	Dunsley Beck - Existing Site Plan	1:500	P2
RTWT-HMA-08-XX-DR-A-90-8003	Dunsley Beck - Proposed Site Plan	1:500	P3
RTWT-HMA-08-XX-DR-A-90-8010	Proposed Site Sections	1:500	P2
RTWT-HMA-08-00-DR-A-00-8002	Woodland Room Type A	1:50	P2
RTWT-HMA-08-00-DR-A-00-8003	Woodland Room Type B (DDA)	1:50	P2
RTWT-HMA-08-00-DR-A-00-8004	Woodland Room Type C	1:50	P2



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Rev.	Status	Date	Check	Description
P1	S1	26/05/2020	WS	FIRST ISSUE
P2	S1	23/07/2020	WS	Rooms 09/10 moved, site photographs updated



NYMNP

14/09/2020

SF3014 RATHWAITE ESTATE – WOODLAND ROOMS

ECOLOGICAL APPRAISAL

May 2020 | For Planning

CONFIDENTIAL – NOT TO BE MADE AVAILABLE IN THE PUBLIC DOMAIN

**SMEEDEN FOREMAN**  
Landscape Architecture • Ecology • Arboriculture

Quality Assurance

Job Title: Raithwaite Estate – Woodland Rooms			Job Number: SF3014	
Document title: Ecological Appraisal				
Issue	Date	Prepared by	Checked by	Approved by
Original	May 2020	KL/MG	CW	CW

Name:	Initials:	Status:	Licence number(s): <i>(if required)</i>
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Catherine White <i>Associate Ecologist</i>	CW	BSc (Hons) MA (LD) CMLI MCIEEM	Bats: 2016-24337 (Class 2) GCN: 2015-19280 (Class 1)

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Appendix 02: Designated Site Map

Appendix 03: Protected Species Legislation

## EXECUTIVE SUMMARY

Smeeden Foreman Limited has been commissioned by Raithwaite Trading Company to undertake an ecological appraisal of their site within the Raithwaite Estate (grid reference NZ 86691158). The proposals include the construction of twelve woodland rooms for holiday use, which will be directly serviced by Raithwaite Hotel.

A desk study of relevant information has been undertaken including designated nature conservation sites and existing records of protected species; and initial site survey (extended phase 1 habitat survey) with additional surveys undertaken and currently ongoing including breeding bird surveys, reptile surveys and bat transect surveys.

The site comprises mature broadleaf woodland habitat considered to be of local to county value. Where the woodland rooms are proposed within woodland habitat, the canopy largely comprises pine trees and the ground layer is relatively sparse in comparison to the surrounding woodland habitat, where broadleaf trees dominate the canopy. Grassland habitat is present within the site including an area of pasture to the south and a clearing within an area of introduced shrubs, both of which comprise semi-improved neutral grassland habitat; other habitats include dense introduced shrubs and a beech hedge.

### *Designated sites*

No statutory designated nature conservation sites lie within a 2km radius of the proposals site. The site is located within the outer limits of the Impact Risk Zone of the North York Moors Special Area of Conservation (SAC) and North York Moors Site of Special Scientific Interest (SSSI). The relevant Natural England (NE) Geographic Information System (GIS) dataset indicates that the nature and scale of the proposed works are unlikely to impact upon this site.

Five non-statutorily designated sites are located within 2km of the site. No adverse impact is anticipated upon four of the sites. Raithwaite Gill/Dunsley Beck SINC is located within close proximity to the north of the site. No direct impact upon the SINC is anticipated as a result of the proposals and measures to protect the SINC will be adopted in relation to the development of the Raithwaite Estate which has received full planning permission from Scarborough Borough Council (planning ref: 18/00241/FL). Such measures are considered to reduce any cumulative indirect impact upon the SINC as a result of any increased visitor pressure from the proposed woodland homes.

Ancient replanted woodland habitat occurs approximately 20m to the south of the southern site boundary. Measures are recommended for adoption within the development site to ensure the protection of the ancient woodland area.

### *Habitats*

To mitigate any impact upon the woodland habitat within the site it is recommended that a woodland management and monitoring plan is produced which would include sympathetic management recommendations. Monitoring surveys would then be undertaken once the site becomes operational and management of the woodland has commenced to assess the effects of the management and allow for adjustment of management recommendations, if necessary.

Other habitats on site such as introduced shrub, the beech hedgerow and semi-improved neutral grassland are considered to be of lower value, though are still likely to be utilised by a range of wildlife such as foraging and commuting bats, nesting birds and invertebrates. It is

recommended that these habitats are retained, where possible, in order to provide habitats for a range of species. Where losses have occurred, these could be mitigated through habitat creation and appropriate management, such as hedgerow planting, wildflower grassland over-seeding, translocation of grassland turfs from affected areas to unaffected areas and appropriate management of grassland habitat.

In order to protect habitats of ecological value present and ensure that the proposed development provides enhancement to wildlife, recommendations for a protective fencing, sympathetic lighting and the provision of nest boxes, bat boxes and a reptile hibernacula have been made.

### *Species*

The potential for the following protected and notable species to be affected by the development has been assessed with potential mitigation and further survey work as follows:

- **Great crested newt** – No impact upon this species is anticipated as a result of the proposed development.
- **Otter** – No sign of this species was identified along the Dunsley Beck adjacent to the west of the site but due to the suitability of the habitat for commuting purposes, precautionary working methods have been recommended.
- **Bats** – Transect surveys are being undertaken to assess the use of the site by foraging and commuting bats. Surveys undertaken to date have recorded frequent bat activity, with the most regularly recorded species being common pipistrelle. At this stage recommendations to avoid adverse impacts upon bat activity on site include a sympathetic lighting scheme, appropriate management of the woodland habitat and habitat creation, such as hedgerow planting and wildflower seeding. Three trees within the woodland proposed for removal have been identified as having potential to support roosting bats. These trees will be subject to further survey (climb and inspect/emergence and re-entry surveys) to assess the presence/absence of roosting bats prior to removal and potential mitigation requirements. Further recommendations for bats on site include the provision of a range of bat boxes to enhance roosting opportunities.
- **Reptiles** – Reptile surveys undertaken on site identified slow worm using the grassland habitats. Mitigation recommendations include the trapping and translocation of slow worm from the grassland habitats and hand searching of woodland areas prior to construction, the adoption of precautionary working methods in relation to any vegetation clearance works and habitat creation, such as wildflower grassland seeding, hedgerow planting and the provision of a reptile hibernacula.
- **Breeding birds** – a breeding bird survey was undertaken in May and June 2020. 32 bird species were recorded during the surveys, with nine species recorded being of high to medium conservation concern. No schedule 1 protected species were recorded. Recommendations for breeding birds to be adopted within the proposals include the sympathetic management of the woodland habitat, creation of new suitable habitat and the installation of a range of suitable nest boxes. Precautionary working methods recommended include for any vegetation clearance to be undertaken outside of the nesting bird period (March – August inclusive) unless checks by an appropriately qualified ecologist finds no active nests immediately prior to clearance works commencing.

- **Badger** –
  
- **Hedgehog** – Precautionary working methods will be adopted to avoid adverse impact upon this species and gaps will be provided in any new fencing/walls to allow this species continued access within the site.

## 1.0 INTRODUCTION

- 1.1.1 Smeeden Foreman Limited has been commissioned by Raithwaite Trading Company Limited to undertake an ecological appraisal of their site within the Raithwaite Estate in Sandsend, North Yorkshire (central grid reference NZ 86691158), hereafter referred to as the 'site'.
- 1.1.2 This report will include the following information gathered by an ecological walkover survey, reptile survey, breeding bird survey, bat transect survey (currently ongoing) and desk study:
- Proximity to statutory and non-statutory designated sites;
  - Proximity to existing records of protected species; and,
  - Site habitat appraisal and potential to support protected species.
- 1.1.3 A review of the above information will be made to identify any features or sites of ecological interest which may be affected by the development proposals. Where potential impacts or protected species are identified the need for mitigation measures and requirements for further surveys will be discussed.
- 1.1.4 The results of the surveys carried out so far are included within this report. An updated version of the report will be provided at a later stage detailing the full survey results once complete, along with any relevant recommendations for mitigation, etc.
- 1.1.5 The report has been commissioned to inform a planning application for the construction of twelve woodland rooms for holiday use, which will be directly serviced by Raithwaite Hotel.
- 1.1.6 The methodologies used to survey and assess the ecological value and potential impacts on the site are based upon guidelines produced by the Chartered Institute of Ecology and Environmental Management (CIEEM) (Guidelines for Preliminary Ecological Appraisal, 2017).



## 2.0 SITE DESCRIPTION

- 2.1.1 The proposals site is located to the south of the Raithwaite Estate, within proximity to the hotel and lake. Habitats comprise broadleaf woodland, areas of dense introduced shrubs and grassland. The Dunsley Beck is located adjacent to the western boundary and an area of ancient replanted woodland is located approximately 20m to the south. Habitats within the wider area largely comprises pasture grassland habitat, with further areas of woodland habitat. Refer to *Figure 01* below.



Figure 01: Aerial view of site location

## 3.0 PRINCIPLE LEGISLATION AND POLICIES

3.1.1 The national nature conservation legislation and policies that may be relevant to the proposed development are listed below. A brief explanation of the principle legislation and policies relating to nature conservation, biodiversity and ecology is provided in *Appendix 01*.

### *Principle Legislation and Policies*

- Wildlife and Countryside Act 1981 (*as amended*)
- EC Habitats Directive (92/43/EEC)
- EC Birds Directive (79/409/EEC)
- Conservation of Habitats and Species Regulations 2017
- Countryside and Rights of Way Act 2000
- Protection of Badgers Act 1992
- United Kingdom Biodiversity Action Plan (UKBAP)
- Natural Environment and Rural Communities Act (NERC), 2006 – Biodiversity Duty
- Hedgerow Regulations 1997
- National Planning Policy Framework (NPPF)

## 4.0 BASELINE INFORMATION

### 4.1 METHODOLOGY

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4.1.1 The ecological interest of the site and its surroundings has been investigated by a combination of the following:

- Field survey of the site and immediate surroundings including a phase 1 habitat survey and a National Vegetation Classification (NVC) survey of woodland habitat;
- Species specific surveys for: breeding birds, reptiles and commuting and foraging bats;
- Consultation with relevant bodies to obtain existing protected species records and non-statutory designated sites information within local area within 2km: North & East Yorkshire Ecological Data Centre (NEYEDC) and North Yorkshire Bat Group (NYBG);
- The UK Biodiversity Action Plan (UKBAP);
- The Scarborough Biodiversity Action plan (LBAP);
- Magic map, a government website for nature conservation information; and,
- Aerial photographs.

## 4.2 NATURE CONSERVATION DESIGNATED SITES

### *Statutory Designations*

- 4.2.1 There are no statutorily designated nature conservation sites within 2km of the proposals site boundary.
- 4.2.2 The proposals site lies within the outer limits of the Impact Risk Zone of the North York Moors Special Area of Conservation (SAC) and North York Moors Site of Special Scientific Interest (SSSI), located approximately 5.8km to the south. The relevant Natural England (NE) Geographic Information System (GIS) dataset indicates that the nature and scale of the proposed works are unlikely to impact upon this site.

### *Non-statutory Designations*

- 4.2.3 NEYEDC provided information on five non-statutorily designated sites within 2km of the proposals site. These sites are detailed in Table 01 below with additional descriptions of their corresponding designations.

**Table 01: Non-statutorily designated sites within 2km**

Site Name	Designation	Grid reference	Location from site	Notes
Raithwaite Gill/Dunsley Beck	SINC <sup>1</sup>	NZ 868120	Approx. 0.1km to the north	Woodland habitat, with scrub and grassland
Uppang beck to Sandsend Cliff	SINC	NZ 868121	Approx. 0.5km to the north	Coastal habitat including grassland and scrub
Uppang Beck	SINC	NZ 880116	Approx. 1.3km to the east	Watercourse adjoining the coast, with associated habitats including grassland and scrub
Sandsend, Hardcliff	SINC	NZ 859130	Approx. 1.5km to the north-west	Coastal habitat including scrub and woodland
East Row Beck and Woodlands, Sandsend	SINC	NZ 861124	Approx. 0.7km to the north-west.	Ancient woodland habitat

<sup>1</sup>Sites of Importance for Nature Conservation (SINCs) form part of a wider national network of non-statutory locally valued wildlife sites. SINCs were initially identified through the Phase 1 Habitat Survey of the District undertaken in the 1990s. Most of these sites have been resurveyed in greater detail by the North Yorkshire SINC Panel.

- 4.2.4 Refer to *Appendix 02* which shows the locations of the designated sites in relation to the application site.

## 4.3 EXISTING SPECIES RECORDS

- 4.3.1 Existing biological records were provided following consultation with NEYEDC and NYBG. The records detailed in the following tables are those in closest proximity to the proposed development site within the 2km search area. The raw data provided by the records centre was extensive and is therefore not appended to the report but a copy

can be provided on request. NEYEDC and NYBG provided a number of duplicate records for bat species recorded within 2km of the site. Any additional records NYBG provided are detailed in Table 03.

**Table 02: Protected species records within 2km**

Species	Grid reference	Notes
Great crested newt	NZ 879118	One record. 2007. Approx. 1.1km to the north-east.
Barn owl	NZ 871120	One record. 2016. Approx. 0.5km to the north-east.
White-beaked dolphin	NZ 8613	One record. 1990. 1km grid square to the north of the site.
Slow worm	NZ 8703512003	One record. 2016. Approx. 0.4km to the north. 5 count.
Common lizard	NZ 8513	Two records. 2005. 1km grid square to the north-west.
Water vole	NZ 861128	Two records. 1999. Approx. 1.3km to the north-west.
Serotine	NZ 871120	One record. 2016. Approx. 0.5km to the north-east.
Otter	NZ 81V	One record. 2001. 2km Tetrad. River Esk, Whitby.
Unknown bat species	NZ 871120	Five records. 2016. Approx. 0.5km to the north-east.
Daubenton's bat	NZ 871120	Three records. 2016. Approx. 0.5km to the north-east.
Noctule	NZ 8668111434	Eight records. 2016. Approx. 0.1km to the south.
Common pipistrelle	NZ 8668111434	Eleven records. 2016. Approx. 0.1km to the south.
Brown long-eared bat	NZ 871120	Three records. 2016. Approx. 0.5km to the north-east.

**Table 03: Bat species records within 2km**

Species	Grid reference	Notes
Pipistrelle species	NZ 858127	Two records. 2002. Approx. 1.4km to the north-west. Roost.
<i>Myotis</i> bat species.	NZ 8668111434	Seven records. 2016. Approx. 0.1km to the south.
Unknown bat species	NZ 863124	Two records. 2008. Approx. 0.8km to the north-west. In flight.

4.3.2 No European Protected Species Mitigation Licences were identified within the 2km search area. The locations of the nearest EPSM licences are approximately 5.5km to the south-west of the proposals site (reference *EPSM2011 – 3230* for common pipistrelle and brown long-eared bat, 2011-13).

4.3.3 Badger

4.3.4 Non-native invasive species included on Schedule 9 of the Wildlife and Countryside Act 1981 which have been recorded within 2km of the proposals site include Japanese knotweed *Fallopia japonica*, Himalayan balsam *Impatiens glandulifera*, *Rhododendron ponticum* and Japanese rose *Rosa rugosa*.

4.3.5 Records of priority UK Biodiversity Action Plan species within 2km of the study area were provided for the following species:

*Amphibians:* common toad.

*Birds:* yellow hammer, herring gull, linnet, house sparrow, grey partridge, dunnock and song thrush.

*Insects:* cinnabar.

*Fish:* European eel, brown/sea trout

*Mammals:* hedgehog.

#### 4.4 BIODIVERSITY ACTION PLANS

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##### *National Biodiversity Action Plan*

4.4.1 The UK Biodiversity Action Plan (UK BAP) identifies priority species and habitats which are those considered to be the most threatened and therefore most in need of conservation action. The lists were updated in 2007 to include 1150 species and 65 habitats. The UK Post-2010 Biodiversity Framework (July 2012) has succeeded the UKBAP, however priority species and habitats listed under the UKBAP remain a valuable reference source and have been used to inform statutory lists at a national level including Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 (England).

4.4.2 Priority habitats known to occur within 2km of the site include deciduous woodland, maritime cliff and slopes and wood pasture and parkland.

##### *Local Biodiversity Action Plan*

4.4.3 Habitat types for which action plans have been prepared for North York Moors Biodiversity Action Plan include:

- Coast
- Farmland
- Species-rich grassland
- Moorland
- Rivers and Streams
- Species-rich road verges
- Trees and woodland

4.4.4 The proposals site is predominantly located within an area of mature deciduous woodland, with the Dunsley Beck within close proximity to the west.

4.4.5 Species for which action plans have been prepared for the North York Moors Biodiversity Action Plan include:

- Bats
- Freshwater pearl mussels
- Juniper
- Rare butterflies
- Water voles
- White clawed crayfish
- Wild daffodils

4.4.6 The woodland habitat on site is considered suitable habitat to support foraging and commuting bats, with a number of mature trees within the woodland site having potential to support roosting bats.

#### 4.5 SITE SURVEY – PHASE 1 HABITAT SURVEY

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##### *Methodology*

4.5.1 A walk over survey was undertaken on 2<sup>nd</sup> April and the 28<sup>th</sup> May 2020. Habitat types and key species were noted and are presented in the Phase 1 Habitat format proposed by the Joint Nature Conservation Committee (2010), refer to Figure 02 for corresponding target notes.

4.5.2 The proposals site predominantly comprises mature broadleaf woodland habitat, with lodges also proposed within a clearing surrounded by established introduced shrubs and an area of pasture grassland.

##### *Results*

##### Broadleaf woodland

4.5.3 The majority of the lodges are proposed within woodland habitat located to the south of the Raithwaite Estate within proximity to the Dunsley Beck. An existing track which adjoins onto the access road within the estate is located within the wood and will be improved to provide access to the proposed lodges. The woodland surrounding the proposed lodges and track generally comprises a canopy dominated by sycamore *Acer pseudoplatanus*, with other species including ash *Fraxinus excelsior*, pine species *Pinus sp.*, larch *Larix sp.*, and alder *Alnus glutinosa*, the latter of which is largely associated with small flushes and along the Dunsley Beck. The understorey within the woodland is fairly sparse with species recorded including rhododendron *Rhododendron sp.*, holly *Ilex aquifolium*, gooseberry *Ribes uva-crispa* hazel *Corylus avellana* and elder *Sambucus nigra*. The ground flora is largely dominated by dog's-mercury *Mercurialis perennis*, with other species including lesser celandine *Ranunculus ficaria*, wild garlic *Allium ursinum*, planted daffodil *Narcissus sp.*, red campion *Silene dioica*, primrose *Primula vulgaris*, cleavers *Galium aparine*, common nettle *Urtica dioica*, male fern *Dryopteris felix-mas*, bramble *Rubus fruticosus*, wood sorrel *Oxalis acetosella*, wood avens *Geum urbanum*, herb robert *Geranium robertianum*, opposite-leaved golden saxifrage *Chrysoselphenium oppositifolium* (in small flushes) lords and ladies *Arum maculatum*, bluebell *Hyacinthoides non-scripta*, wood speedwell *Veronica montana*, dog violet *Viola riviniana*, enchanter's nightshade *Circaea lutetiana*, bracken *Pteridium aquilinum*,

broad-buckler fern *Dryopteris dilatata* and hart's-tongue fern *Asplenium scolopendrium*.

- 4.5.4 The woodland habitat in which the proposed lodges and the existing track are located is predominantly considered to be representative of the NVC type W9 *Fraxinus excelsior* – *Sorbus aucuparia* – *Mercurialis perennis* woodland, with the canopy comprising ash and sycamore. Although the W8 community is known for having dog's mercury as the most distinctive ground flora species, which is apparent with the woodland on site, it is still considered that this habitat is more relatable to the W9 community, with species such as primrose, broad buckler-fern and male fern being prominent. The woodland is considered to represent the W9a Typical sub-community, with male fern and broad-buckler fern being frequent.
- 4.5.5 A small area located off the existing track where opposite-leaved golden saxifrage was noted with alder forming the canopy is considered to represent the NVC community W7 *Alnus glutinosa* – *Fraxinus excelsior* – *Lysimachia nemorum* woodland.
- 4.5.6 Where the lodges are proposed within the woodland (**Target note 1**), the canopy largely comprises larch, with small amounts of sycamore and ash and a limited understorey of young sycamore, holly, gooseberry and hazel. Here the ground flora is relatively sparse, possibly due to the dense mat of pine needles and/or constant shade from coniferous trees. Forb species recorded include frequent broad-leaved buckler fern, wood sorrel and cleavers, occasional herb robert and male fern and rarely occurring bluebell and red campion.
- 4.5.7 An area where dog's mercury becomes dominant is located to the north of the proposed woodland lodges (**Target note 2**) and would be affected by proposed pathways connecting the lodges to the existing track. Associated species include frequent male fern, occasional red campion, broad-leaved buckler fern and wood sorrel and rare wild garlic, bluebell and wood speedwell.
- Semi-improved neutral grassland
- 4.5.8 Lodges are also proposed within areas of grassland habitat to the east. These include a clearing within an area of dense introduced shrub habitat and an area of pasture grassland. The grassland habitats are detailed below:
- 4.5.9 **Target note 3** – a clearing surrounded by dense introduced shrub to the north and south and woodland to the west. The clearing comprises a herb-rich grassland habitat, with a number of species present being indicative of the adjacent woodland and forb species appearing more dominant than grasses. Species recorded include abundant field forget-me-not *Myosotis arvensis* and primrose, frequent pignut *Conopodium majus*, dog's mercury, lesser celandine, male fern, hogweed *Heracleum sphondylium*, common sorrel *Rumex acetosa* and red campion, occasional marsh thistle *Cirsium palustre*, common nettle *Urtica dioica*, rosebay willowherb *Chamerion angustifolium*, barren strawberry *Potentilla sterilis*, common knapweed *Centaurea nigra*, meadow vetchling *Lathyrus pratensis*, planted daffodil, lords and ladies, rough meadow-grass *Poa trivialis*, false oat-grass *Arrhenatherum elatius* and rarely occurring meadow foxtail *Alopecurus pratensis* and herb robert *Geranium robertianum*.
- 4.5.10 **Target note 4** – pasture grassland occurring to the south-east of the site, either managed through occasional grazing or mowing. Grass species are dominant within the sward, however a number of species recorded are indicative of unimproved grassland habitat, with a number of species also indicative of the adjacent woodland habitat. Grass species recorded include abundant Yorkshire fog *Holcus lanatus*, frequent cock's-foot *Dactylis glomerata*, occasional rough meadow-grass, false oat-grass, sweet

vernal-grass *Anthoxanthum odoratum*, meadow foxtail and red fescue *Festuca rubra*. Forb species recorded include abundant crosswort *Cruciata laevipes* and pignut, frequent hogweed, occasional bush vetch *Vicia sepium*, meadow vetchling, creeping thistle, germander speedwell *V. chamaedrys*, common sorrel and common mouse-ear *Cerastium fontanum*, with rarely occurring lesser stitchwort *Stellaria graminea*, dog's mercury, dandelion *Taraxacum agg.*, greater stitchwort *S. holostea*, broadleaved dock *R. obtusifolius*, common nettle, cuckooflower *Cardamine pratensis*, ground ivy *Glechoma hederacea* and field forget-me-not. Bracken was recorded as locally abundant.

#### Introduced shrub

- 4.5.11 Areas of dense introduced shrubs (**Target note 5**) occur in association with the clearing as described above and along an existing pathway which occurs to the east of the clearing which will provide access to lodges proposed here and within the pasture grassland. Species recorded largely include rhododendron species and cherry laurel *Prunus laurocerasus*, with associated trees and shrubs including holly, elder, a *Ribes sp.* and an ornamental maple *Acer sp.*, with ground flora species being mainly located to the edges of the shrubs, due to their density; species include dog's mercury, common nettle, angelica *Angelica sylvestris*, spear thistle *C. vulgare*, pendulous sedge *Carex pendula*, dog violet, cleavers, creeping buttercup *R. repens*, field forget-me-not and red campion.

#### Hedgerow

- 4.5.12 Bordering the northern boundary of the pasture grassland habitat is a hedgerow (**Target note 6**). The hedge comprises beech *Fagus sylvatica*.

#### Scattered trees

- 4.5.13 Within the area of pasture grassland and dense introduced shrubs are a number of scattered trees including beech *Fagus sylvatica*, a mature hawthorn *Crataegus monogyna* and a pine *Pinus sp.*

#### Fauna

- 4.5.14 During the survey the following species were recorded: butterflies including orange-tip *Anthocharis cardamines* and small copper *Lycaena phlaeas* were recorded within the pasture grassland habitat and roe deer were observed within the woodland.

- 4.5.15 Photographs



Image 01: Target note 1 – Broadleaf woodland where lodges proposed (April survey)



Image 02: Target note 1 - Broadleaf woodland where lodges proposed (May survey)





Image 03: Existing track through woodland to provide access to lodges



Image 04: Target note 3 – Clearing (April survey)



Image 05: Target note 3 – Clearing (May survey)



Image 06: Target note 4 – Pasture grassland (April survey)



Image 07: Target note 5 – introduced shrubs either side of existing track



Image 08: Target note 6 – Beech hedge

### *Conclusion*

- 4.5.16 Broadleaf woodland habitat on site is considered to be of local - county value. The woodland is not included within the Raithwaite Gill/Dunsley Beck SINC or as ancient woodland, but the ground flora recorded is indicative of mature woodland habitat, with species such as dog's mercury, bluebell, primrose and wild garlic recorded. Woodland habitat is also included within the North York Moors BAP. Other habitats on site such as introduced shrub, the beech hedgerow and semi-improved neutral grassland are considered to be of lower value, though are still likely to be utilised by a range of wildlife such as foraging and commuting bats, nesting birds and invertebrates.

## **4.6 SITE SURVEY – HABITAT SUITABILITY INDEX SURVEY**

### *Methodology – Habitat Suitability Index*

- 4.6.1 From consulting an OS map of the local area there is one waterbody located within 500m of the site, see *Figure 03* below for pond location and Table 04 for brief pond descriptions.

Figure 03: Waterbody locations on site and within 500m (highlighted in blue)



Table 04: Watercourse/body descriptions on site and within 500m

<p>Lake to the south of the Raithwaite Estate approx. 45m from southern boundary, with a small amount of floating and emergent vegetation to the pond edges. Used by a small number of wildfowl and considered likely to support fish being connected to the Newholm Beck.</p>	
<p>Image 09: Lake to south of proposals site</p>	

4.6.2 The lake was assessed using the Habitat Suitability Index (HSI) survey methodology to consider its suitability for great crested newts and the requirement for further assessment and appropriate mitigation in regards to the proposed development.

4.6.3 The HSI survey is a method produced by Oldham *et al.* (2000) to assess the suitability of ponds for great crested newts by quantifying ten factors (suitability indices) which can affect great crested newt occurrence, such as the presence of fish and wildfowl, shading, coverage of aquatic vegetation, etc. and provides a score which can indicate the suitability of a pond to support breeding great crested newts. The HSI is calculated as a geometric mean of the ten suitability indices using the formula below:

4.6.4  $HSI = (SI_1 \times SI_2 \times SI_3 \times SI_4 \times SI_5 \times SI_6 \times SI_7 \times SI_8 \times SI_9 \times SI_{10})^{1/10}$

4.6.5 The score can range from 0 to 1, 0 indicating low suitability and 1 indicating a high suitability. The HSI has been adapted by the National Amphibian and Reptile Recording Scheme (NARRS) who have categorised the suitability of a pond to support great crested newts by the HSI obtained, which is as follows:

Table 05: HSI scoring system

<i>HSI Score</i>	<i>Pond Suitability</i>
<0.5	Poor
0.5-0.59	Below average
0.6-0.69	Average
0.7-0.79	Good
>0.8	Excellent

*Results*

- 4.6.6 The lake within 500m of the proposals site was assessed using the Habitat Suitability Index (HSI) survey methodology as described above.
- 4.6.7 The results of the HSI survey are detailed in the table below:

**Table 06: Habitat Suitability Index Survey**

	Pond 1	
Sl <sub>1</sub> Location	A	1
Sl <sub>2</sub> Pond area	4530m <sup>2</sup>	Omit
Sl <sub>3</sub> Pond drying	Never dries	0.9
Sl <sub>4</sub> Water quality	Moderate	0.67
Sl <sub>5</sub> Perimeter Shade	30%	1
Sl <sub>6</sub> Fowl	Minor	0.67
Sl <sub>7</sub> Fish	Minor <sup>#</sup>	0.33
Sl <sub>8</sub> Ponds within 1km	3	0.65
Sl <sub>9</sub> Terrestrial habitat (within 250m)	Moderate	0.67
Sl <sub>10</sub> Macrophytes*	10%	0.4
<b>HSI Score</b>	<b>0.69 = Average</b>	

<sup>#</sup> Estimate

*Conclusions*

- 4.6.8 The lake within proximity to the proposals site obtained a HSI score of 0.69 indicating that it is of average suitability for great crested newts.

**4.7 SITE SURVEY – TREE ASSESSMENT FOR BAT ROOST POTENTIAL**

*Methodology*

- 4.7.1 Trees on site were surveyed during the walkover survey in order to identify if they had features present with the potential to support roosting bats. All aspects of the trees were surveyed using close focusing binoculars and high powered torch light. The surveyor looked for features which are commonly used by bats for roosting or shelter, such as natural holes, woodpecker holes, cracks and splits, cavities, epicormic growth and bat boxes; and, for signs of bats utilising a tree for roosting purposes such as scratches on the bark at entry points, staining, droppings, audible noise, distinctive smells and the smoothing of surfaces near to cavities. The trees potential to support roosting bats was categorised to relate to the value of identified features. These categories are provided by the Bat Conservation Trust (BCT) *Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd edition* (2016) and are summarised in the Table 07 below.

**Table 07: Summary of BCT structure (tree/building) categories**

BCT Category	Description
High	One or more highly suitable features capable of supporting larger roosts on a regular basis and for long periods of time.

Moderate	One or more suitable features but unlikely to support a roost of high conservation status.
Low	One or more suitable features suitable for low numbers of bats e.g. individual bats opportunistically.
Negligible	Negligible features likely to be used by roosting bats.

*Results*

4.7.2 During the walkover survey a total of three trees were considered to have bat potential which are to be affected by the proposals, refer to *Figure 02* for approximate locations. Refer to Table 08 below for details of potential roost features (PRFs) identified. Refer to the arboriculture document compiled by Smeeden Foreman (*SF3014 Arboricultural Survey Report*) for further arboriculture details on the trees concerned.

**Table 08: Trees identified with bat roost potential**

Tree Ref.	Species	Comments	Bat Potential
T24	Ash	Die-back in crown, major dead wood in crown. Overhanging existing track	Moderate
T26	Sycamore	Decay present on stem. Cavity on stem, though low down.	Moderate
T28	Beech	Decay present on stem. Cavity on stem.	Moderate

**4.8 SITE SURVEY – BAT ACTIVITY SURVEY**

*Methodology*

4.8.1 Following the initial site survey, the suitability of habitats for commuting and foraging bats was noted and transect activity surveys were recommended. A total of seven survey visits are proposed to be undertaken at dusk and dawn from May – October (two visits undertaken in May), with three visits having been undertaken to date.

4.8.2 A total of two surveyors undertake the transect surveys using Batbox Duet detectors set on heterodyne mode. In addition, an Anabat Express static detector is to be left out in various locations of the site for a minimum of five nights per month that the transect surveys are undertaken to record bat activity on site. The surveys were carried out under the supervision of licenced bat workers Jessica Eyre (bat licence ref. 2015-13434-CLS\_CLS) and Maria Gill (bat licence ref. 2018-34259-CLS-CLS).

4.8.3 Table 09 below includes information on the timing and conditions of the surveys:

**Table 09: Survey specifics**

Date	Start time	Finish time	Sunset/Sunrise	Temp.	Cloud cover	Wind speed	Rain	Humidity
02.05.20	20:39	22:39	20:39	11°C	10-90%	7-5mph	0	74-84%
26.05.20	21:20	23:20	21:20	15-13°C	20-0%	7mph	0	74-83%
18.06.20	21:42	23:42	21:42	12°C	100%	10mph	0	83%-89%

*Results*

- 4.8.4 During the three transect activity surveys already undertaken the majority of activity recorded has been that of common pipistrelle, with less frequently recorded species including noctule, brown long-eared bat and a *Myotis* species. It is considered that the *Myotis* species recorded is likely to be Daubenton's bat due to the proximity of running and standing water habitat in proximity to the site.
- 4.8.5 Bats have been frequently recorded commuting and foraging within the site during the surveys undertaken, utilising the woodland and shrub habitats and water bodies, such as the Dunsley Beck adjacent to the west and the Newholm Beck and lake outwith the site boundary to the east and south respectively.
- 4.8.6 The static detector confirmed the species recorded during the transect surveys as mentioned above, with the addition of Leisler's bat also being recorded.
- 4.8.7 As discussed, transect surveys will continue to be undertaken until October to assess the use of the site by bats during the active season.

**4.9 SITE SURVEY – BADGER SURVEY**

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#### 4.10 SITE SURVEY – REPTILE SURVEY

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##### *Methodology*

- 4.10.1 Reptile surveys were recommended following the initial walkover survey and consultation undertaken with the local record centre providing slow worm and common lizard records within the vicinity of the site. The survey was carried out to methods advised within the Herpetofauna Worker Manual (2003), Froglife Advice Sheet 10 (Reptile Survey) and the NARRS Reptile Survey Pack. Seven survey visits were undertaken to assess the presence/absence of reptile species, with methods adopted during each visit including checking refuges (squares of roofing felt) put out on site two weeks prior to commencing the survey visits, direct observation and detecting any reptile sloughs. Twenty refuges were placed out on site within the clearing and pasture grassland habitat, with ten refuges set out in each area.
- 4.10.2 The surveys were undertaken during May and June during optimal weather conditions for detecting basking reptiles. Surveys were therefore carried out when the air temperature was between 9 and 18°C, during sunny intervals from 7:00am to 7:00pm. Wet and windy days were avoided. Refer to **Table 11** below for weather conditions.

**Table 11: Survey specifics**

Date	Temp. (°C)	Cloud cover (%)	Wind speed (beaufort scale)	Rain
21.05.20	17	80%	1	Dry
26.05.20	17	40%	0	Dry
28.05.20	15	5%	0	Dry
29.05.20	16	0%	1	Dry
02.06.20	13	80%	1	Dry
09.06.20	10	50%	1	Dry
15.06.20	10	100%	0	Dry

*Results*

4.10.3 During all of the seven survey visits carried out, slow worm were recorded using the artificial refuges, with a maximum of 23 individuals recorded during the seventh visit. Slow worm were recorded in both the clearing and the area of pasture grassland to the south.

**4.11 SITE SURVEY – BREEDING BIRD SURVEY**

*Methodology*

4.11.1 The breeding bird survey consisted of two visits during the early and late breeding season based on the Common Birds’ Census (CBC) and Breeding Bird Survey methodologies devised by the British Trust for Ornithology (BTO). The techniques involved allow for the recording of locations and movements of individual birds over the defined survey area to within a distance of 50m (20m within woodland).

4.11.2 A pre-determined transect route was walked across the study site, taking into account field boundaries and adjoining hedgerows. Areas of woodland on site were observed from a static position at frequent points along a set route to within 20m of all accessible woodland. All bird activity was noted with particular attention to breeding behaviour of individual birds such as singing and/or displaying, adults carrying food or nesting material, juveniles or family groups, repeated territorial calls and territorial aggression.

4.11.3 Two survey visits were undertaken during suitable weather conditions on 6th May and 15<sup>th</sup> June 2020 between the hours of 6.00am after the peak activity period at dawn and 09.00am. Refer to Table 12 below for survey conditions.

**Table 12: Survey specifics**

Date	Time	Weather conditions
06.05.2020	06:45 – 08:45	Light southerly breeze, 3/8 cloud, sunny spells, dry, 6-8°C.
15.06.2020	06:15 – 08:15	Light northerly breeze, overcast with slight mist, 12-14°C.

4.11.4 Surveys were undertaken by experienced Senior Ecologist Maria Gill BSc (Hons) ACIEEM. Maria has over 12 years ornithological experience including several years as a

bird ringer. Maria holds survey licences for barn owl and other protected species, and has worked as a consultant ecologist for six years.

### *Results*

4.11.5 A total of thirty-two species were recorded during the breeding bird survey including one species identified during a bat transect survey undertaken in late May. Refer to Table 13 below for details of all bird species recorded. Locations of birds were mapped using a series of codes as recognised by the BTO. Findings were combined following completion of both visits to produce a plan showing territories, or potential territories, within the survey area and an additional figure showing non-breeding species observed foraging over or passing through site. Refer to *Figure 04* (appended) for breeding territories including reference to those species known to be of conservation concern (UK BAP/Red List or Schedule 1). Refer to *Figure 05* (appended) for locations of non-breeding species (four in total).

4.11.6 The breeding status of birds encountered within the site is classified in three categories: “confirmed”, “probable” and “possible” breeders, as detailed within Table 13. This categorisation has also been mapped (refer to *Figures 04* and *05* appended). The behaviour related to breeding bird evidence to which these categories are assigned is explained below:

- Confirmed breeding:      Distraction display or injury feigning  
Used nests or eggshells found (occupied or laid within the survey period)  
Recently fledged young or downy young  
Adults entering or leaving a nest site in circumstances indicating occupied nest or an adult sitting on nest  
Adults carrying food for young or faecal sacs  
Nest containing eggs  
Nest with young seen or heard
- Probable breeding:      Pairs observed in suitable nesting habitat in breeding season  
Permanent territory presumed through registration or territorial behaviour (song etc.) on at least two different days, a week apart, at the same place  
Display and courtship  
Visiting probable nest site  
Agitated behaviour or anxiety calls from adults  
Building nest or excavating nest hole
- Possible breeding:      Species observed in breeding season in possible nesting habitat  
Singing male(s) present or breeding calls heard in breeding season

4.11.7 Species in the UK which have been assigned red or amber status on the Birds of Conservation Concern (BOCC) List are considered to have experienced varying levels of breeding or non-breeding population declines, including historically. The failure to



recover from such declines for many species is considered to be largely due to the change in agricultural practices over recent years.

Table 13: Bird species recorded during two visits. Breeding status codes correspond to descriptions above, “N” denotes no breeding evidence observed.

BTO CODES		Breeding Status			Protection / Conservation status
		Confirmed	Probable	Possible	
B.	Blackbird <i>Turdus merula</i>		✓		
BC	Blackcap <i>Sylvia atricapilla</i>	✓			
BT	Blue tit <i>Cyanistes caeruleus</i>		✓		
BF	Bullfinch <i>Pyrrhula pyrrhula</i>		✓		Amber List; UKBAP; Scarborough BAP
C.	Carrion crow <i>Corvus corone</i>	✓			
CH	Chaffinch <i>Fringilla coelebs</i>		✓		
CC	Chiffchaff <i>Phylloscopus collybita</i>	✓			
CT	Coal tit <i>Periparus ater</i>	✓			
D.	Dunnock <i>Prunella modularis</i>			✓	Amber List; UKBAP
GC	Goldcrest <i>Regulus regulus</i>		✓		
GO	Goldfinch <i>Carduelis carduelis</i>		✓		
GT	Great tit <i>Parus major</i>	✓			
GL	Grey wagtail <i>Motacilla cinerea</i>	✓			Red List; Scarborough BAP
GR	Greenfinch <i>Carduelis chloris</i>			✓	
LI	Linnet <i>Linaria cannabina</i>	✓			Red List; UKBAP; Scarborough BAP
LT	Long-tailed tit <i>Aegithalos caudatus</i>	✓			
M.	Mistle thrush <i>Turdus viscivorus</i>		✓		Red List
MA	Mallard <i>Anas platyrhynchos</i>		✓		Amber List
MH	Moorhen <i>Gallinula chloropus</i>	✓			
NH	Nuthatch <i>Sitta europaea</i>		✓		
R.	Robin <i>Erithacus rubecula</i>	✓			
RO	Rook <i>Corvus frugilegus</i>			✓	
ST	Song thrush <i>Turdus philomelos</i>	✓			Red List; UKBAP; Scarborough BAP
SG	Starling <i>Sturnus vulgaris</i>			✓	Red List; UKBAP
TC	Treecreeper <i>Certhia familiaris</i>			✓	
TO	Tawny owl <i>Strix aluco</i>		✓		Amber List
WP	Woodpigeon <i>Columba palumbus</i>	✓			
WR	Wren <i>Troglodytes troglodytes</i>	✓			

4.11.8 With reference to *Figure 04: Breeding bird survey results*, breeding territory descriptions of the above species, if recorded breeding, are listed below in terms of numbers, behaviour and associated habitat:

**Red List/UKBAP/LBAP species (high conservation concern)**

- **Grey wagtail** – Single adults were noted during the late visit, in the vicinity of Dunsley Beck and Newholme Beck to the northwest of site, including an adult with food.
- **Linnet** – A single adult with food was perched on a gorse bush in the field to the south of site during the early visit.

- **Mistle thrush** – A single adult and a pair were observed within woodland to the north of site during the early visit, with the pair of birds agitated and alarm calling in response to the surveyor.
- **Song thrush** – Up to six territories identified with males singing across site during both visits. Fledged young noted within woodland during the late visit.
- **Starling** – A flock of fifteen birds recorded passing over site only in a south-westerly direction during the late visit.

**Amber List** (medium conservation concern)

- **Bullfinch** – a single pair were observed in undergrowth opposite Raithwaite Hotel during the early visit with both individuals calling.
- **Dunnock** – a single adult was observed within the hedgerow south of the Lake House during the early visit.
- **Mallard** – A peak count of five birds were recorded on the lake to the south of site during both visits, including calling males.
- **Tawny owl** – up to three adults noted calling (male and females heard) within woodland to the north of site and in the vicinity of the hotel, detected during the late May bat transect.

4.11.9 A further four species were noted passing through or foraging over site: herring gull *Larus argentatus*, raven *Corvus corax*, swift *Apus apus* and swallow *Hirundo rustica*. These species are identified as non-breeding due to showing no breeding behaviour or the lack of suitable nesting habitat within the proposed site boundary for the specific breeding requirements of these species. The site was noted to be used by swift and swallow for foraging purposes and suitable nesting habitat may be available in proximity to the survey area. Refer to *Figure 05: Non-breeding species* for sighting locations.

4.11.10 Mammals identified during breeding bird survey visits include roe deer *Capreolus capreolus* and grey squirrel *Sciurus carolinensis*.

*Survey limitations*

4.11.11 No limitations were encountered during the surveys, with all habitats accessible to within a distance of 50m (20m for woodland).

*Conclusions*

4.11.12 Thirty-two species were recorded during the surveys, summarised as follows:

- Thirteen species confirmed as breeding on or immediately adjacent to site, three of which are considered to be of high conservation concern (grey wagtail, linnets and song thrush);
- Ten species identified as probable breeders, one of which is considered to be of high conservation concern (mistle thrush) and three of medium conservation concern (bullfinch, mallard and tawny owl);
- Five species identified as possible breeders, one of which is considered to be of high conservation concern (starling) and one of medium conservation concern (dunnock).

- Of those species confirmed or likely to breed on site, five are listed as UKBAP Priority Species (bullfinch, dunnock, linnets, song thrush and starling). Bullfinch, grey wagtail, linnets and song thrush are afforded priority within the Scarborough LBAP.
- A further four species were recorded in flight above site, with two species observed foraging: swift and swallow. One species is of high conservation concern (herring gull) and one of medium conservation concern (swift). Swift and swallow are also both afforded priority within the Scarborough Local Biodiversity Action Plan.

4.11.13 No Schedule 1 protected species were identified during the survey.

## 5.0 IMPLICATIONS/RECOMMENDATIONS

### 5.1 NATURE CONSERVATION DESIGNATED SITES

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- 5.1.1 No statutory designated nature conservation sites lie within a 2km radius of the proposals site. The site is located within the outer limits of the Impact Risk Zone of the North York Moors Special Area of Conservation (SAC) and North York Moors Site of Special Scientific Interest (SSSI), located approximately 5.8km to the south. The relevant Natural England (NE) Geographic Information System (GIS) dataset indicates that the nature and scale of the proposed works are unlikely to impact upon this site. It is considered that there will be no adverse impact upon these designated sites as a result of the development due to a combination of distance from the proposals site and intervening land uses (roads and built up areas) and the nature and scale of the proposals.
- 5.1.2 Five non-statutorily designated sites are located within 2km of the site. For four of the sites it is considered that there will be no adverse impact as a result of the development due to a combination of distance from the proposals site, intervening land uses (roads and built up areas) and the nature and scale of the proposals. Raithwaite Gill/Dunsley Beck SINC is located within close proximity to the north of the site, within proximity to the beginning of the existing track, which will be improved to provide access to the woodland rooms. In relation to the woodland rooms the SINC is approximately 100m to the north. No direct impact upon the SINC is therefore anticipated as a result of the proposals. Measures to protect the SINC will be adopted in relation to the development of the Raithwaite Estate which has received full planning permission from Scarborough Borough Council (planning ref: 18/00241/FL), including restricting access to existing footpaths and proposed access tracks only, keeping dogs on a lead and interpretation boards with information regarding woodland wildlife. Such measures would also assist in reducing any cumulative indirect impact upon the SINC as a result of any increased visitor pressure from the proposed woodland homes.
- 5.1.3 Ancient replanted woodland habitat occurs approximately 20m to the south of the southern site boundary. It is recommended that brash fencing is installed along the southern boundary, extending from the Dunsley Beck to existing post and rail fencing marking the western boundary of the pasture field; appropriate signage can be installed in association with the brash fence indicating that it marks an ancient woodland protection area.

### 5.2 HABITATS

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- 5.2.1 Broadleaf woodland habitat on site is considered to be of local - county value, with the ground flora recorded being indicative of mature woodland habitat including species such as dog's mercury, bluebell, primrose and wild garlic. Woodland habitat is also included within the North York Moors BAP. To mitigate any impact of the proposed development, it is recommended that a woodland management and monitoring plan is produced which would include sympathetic management recommendations for the surrounding woodland habitat, such as:
- Sympathetic selective felling of trees, such as sycamore and larch and subsequent promotion of structural and species diversity within the woodland through tree and shrub planting. Tree and shrub species to be planted would be appropriate to the NVC communities identified;
  - Retention of standing dead wood, where it is safe to do so;

- Creation of log piles with felled material, creating fallen dead wood habitat;
  - Sympathetic removal of non-native shrubs identified within the understorey of the woodland habitat, such as rhododendron, where considered necessary, to allow the re-establishment of native ground flora and planting of appropriate native shrubs; and,
  - Monitoring of areas of dense introduced shrub habitats to the east of the site to assess whether these are encroaching into the woodland habitat and whether sympathetic management is required.
- 5.2.2 Monitoring surveys would be undertaken once the site becomes operational and management of the woodland has commenced to assess the effects of the management and allow for adjustment of management recommendations, if necessary.
- 5.2.3 Other habitats on site such as introduced shrub, the beech hedgerow and semi-improved neutral grassland are considered to be of lower value, though are still likely to be utilised by a range of wildlife such as foraging and commuting bats, nesting birds and invertebrates. It is recommended that these habitats are retained, where possible, in order to provide habitats for a range of species. Where losses have occurred, these could be mitigated through habitat creation and appropriate management, such as:
- Native hedgerow planting along the western and southern boundaries of the pasture field, which is currently bordered by post and rail fencing;
  - Translocation of turfs from the clearing, where areas are to be affected by works (i.e. proposed pathways, underneath woodland room platform, etc.) to unaffected areas of the pasture grassland habitat to the south;
  - Over-seeding of unaffected areas of pasture grassland in order to enhance species diversity; and,
  - Appropriate management of unaffected grassland habitats within the clearing area and the current pasture grassland, including a cut taken in late-summer with arisings removed from site.
- 5.2.4 In order to protect habitats of ecological value present and ensure that the proposed development provides enhancement to wildlife, the following is recommended:
- Use of temporary protective demarcation fencing to protect retained areas/features. The fencing must be in accordance with BS5837:2012 'Trees in Relation to Design, Demolition and Construction', extend outside the canopy of the retained trees, and remain in position until construction is complete;
  - Use of sediment fencing to the western boundary of the site during construction works to protect the Dunsley Beck adjacent to the west from pollution. The adoption of pollution prevention methods in regards to construction machinery;
  - Use of directional lighting during construction, which will not shine upon the site boundaries, hedgerows or trees within the site;
  - Implementation of a sympathetic lighting scheme within the proposals that minimises illumination of the woodland habitat and the adjacent Dunsley Beck. Lighting to be used will be sympathetic to the habitats and light sensitive species such as bats; this would include light bollards along walkways, with lighting directed down towards the path to avoid illumination of the

surrounding woodland habitat and low level floor lights and wall mounted down lights to be used in association with the buildings, with lighting directed towards, rather than away from the buildings. Refer to paragraph 5.3.8 for further detail. Reference should be made to the document published by the Bat Conservation Trust and the Institute of Lighting Professionals 'Bats and artificial lighting in the UK' (2018);

- The creation of a reptile hibernacula within unaffected areas of grassland to the south. This should be constructed in order to provide suitable hibernation habitat for slow worm and include a slope which can be used as a basking bank; and,
- The installation of appropriate bird nesting boxes and bat boxes for the species identified on site during species specific surveys undertaken.

### 5.3 PROTECTED SPECIES

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5.3.1 Existing records data and site survey have noted the potential for various protected species to occur within the search area or on site, upon which the potential effects of the proposed development are discussed in the following sections (refer to *Appendix 03* for relevant species legislation).

#### *Great Crested Newts*

5.3.2 No areas of standing water occur though habitats present are considered to provide potential opportunities for amphibians/great crested newts during their terrestrial phase, such as refuge, foraging and hibernation habitat. From consulting an OS base of the site there is one area of standing water within 500m of the site, this being the lake approximately 45m to the south. The lake was assessed using the HSI survey method and obtained a score which indicates that it is of average suitability to support great crested newts.

5.3.3 From consultation with the local records centre one record of great crested newt was provided within 2km of the proposals site, located over 1km to the north-east. Due to there being only one pond being located within 500m of the site, which is considered as largely unsuitable for newts (likely presence of fish, through flow from stream, etc.), the lack of ponds within proximity to the lake and the lack of records within 500m, no adverse impact upon great crested newt is anticipated as a result of the proposed development. No further survey for this species is necessary.

#### *Bats – commuting/foraging habitat*

5.3.4 Bat species recorded within 2km of the proposals site include field and roost records relating to serotine, Daubenton's, noctule, common pipistrelle, brown long-eared bat, pipistrelle species, *Myotis* species and unknown bat species, with the closest of these records being common pipistrelle, noctule and a *Myotis* species, located approximately 0.1km to the south of the site in 2016. The record relating to common pipistrelle represents a roost recorded within the building adjacent to the lake, outwith the site to the south.

5.3.5 The woodland, grassland, shrubs and hedgerow on site provide suitable habitat for foraging and commuting bats, acting as potential flight corridors and connecting the site to suitable adjacent habitats beyond the site boundary. Due to the suitability of the habitats within the site for bat foraging and commuting and bats being recorded within proximity to the site, transect surveys were recommended to assess the use of the site by bats. Transect surveys are currently underway and will be carried out until October,

with one survey visit undertaken each month from May. Three survey visits have been undertaken so far as detailed within section 4.8 of the report which indicate that the habitats within the site are frequently utilised by bats with species recorded to date including common pipistrelle, noctule, Leisler's, brown long-eared and a *Myotis* species, considered likely to be Daubenton's.

- 5.3.6 Although survey work has yet to be completed, at this stage it is recommended that habitats within the site are retained as much as is feasible and that any losses are mitigated through habitat creation, such as hedgerow planting, over-seeding unaffected grassland with a diverse species mix, translocation of affected grassland habitat within the clearing and native tree and shrub planting.
- 5.3.7 To further this any new lighting will be appropriately designed including directional and low wattage luminaires to avoid illuminating the areas of planting. Proposals will include the installation of light bollards along walkways, with lighting directed down towards the path to avoid illumination of the surrounding woodland habitat and low level floor lights and wall mounted down lights to be used in association with the buildings, with lighting directed towards, rather than away from the buildings. Reference should be made to the Bat Conservation Trust publications '*Artificial Lighting and Wildlife*' (2014) and '*Bats and Artificial Lighting in the UK*' (2018) which includes the following guidelines:
- Using warm white, narrow spectrum lights with little or no UV;
  - Low wattage (eg 20W);
  - Directional lighting with near full horizontal cut off, mounted at a low height;
  - Minimum height columns at maximum spacing.

*Bats – potential tree roosts*

- 5.3.8 Three trees (T24, T26 & T28, refer to figure 02) within and adjacent to the site were assessed as having the potential to support roosting bats, with potential roost features identified including areas of dead wood and cavities. These trees are proposed for removal and will be subject to further survey work to establish the presence/absence of roost sites prior to removal.
- 5.3.9 Further assessment of these trees for bats would consist of either a climb and inspect survey looking for signs of bat use prior to works (no timing restrictions are applicable to this type of survey), or where a climb and inspect survey is not possible due to health and safety reasons, or cavity too large for thorough inspection, a bat emergence/re-entry survey carried out at the trees during the appropriate survey season (May to September).
- 5.3.10 If roosting bats are identified within any of these trees, a European Protected Species Mitigation (EPSM) Licence obtained from Natural England would be required prior to their proposed removal.

*Breeding Birds*

- 5.3.11 Of the thirty-two species recorded during surveys undertaken in May and June 2020, a total of thirteen confirmed breeding bird species were found to be utilising the site with a further fifteen species considered likely to breed on site. Nine species are of high or medium conservation concern due to population declines and five species are listed as Priority Species within the UK Biodiversity Action Plan. Of the four non-breeding species observed passing through or foraging over site, one is of high conservation

concern, and one of medium conservation concern. No Schedule 1 protected species were recorded during the breeding bird survey.

- 5.3.12 Habitat across the proposed site is considered to be of importance to breeding birds, with the majority of the site comprising broadleaf woodland which provides a wildlife corridor in association with running water habitat (Dunsley Beck and Raithwaite Gill) and the adjacent lake to the south of site which flows into Newholme Beck. Areas of grassland, scrub and ornamental vegetation also provide nesting habitat.
- 5.3.13 The proposed construction of woodland lodges aims to retain as many trees within affected areas as possible, with lodges being slotted in between existing trees. The existing canopy will therefore be largely retained for use by resident and migrant bird populations. A sympathetic woodland management plan will aim to create more attractive habitat for woodland bird species.
- 5.3.14 Recommendations for habitat management include sympathetic felling of trees within the woodland and removal of non-native shrubs. All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended) during breeding. It is therefore recommended that any vegetation clearance takes place outside the core bird nesting period (March – August inclusive) unless checks by an appropriately qualified ecologist find active nests to be absent immediately prior to clearance works. If nesting birds are identified advice will be sought. The advising ecologist will issue guidance in relation to the protection of the nesting birds in conjunction with the scheduled works. Measures such as applying a set boundary around the nest may be necessary until the young birds have fledged.
- 5.3.15 Recommendations for the creation and enhancement of existing habitat include the over-seeding of existing grassland to promote species diversity, planting of new native hedgerows, creation of log piles and standing deadwood. These recommendations will provide new nesting opportunities and provide a source of food for a range of invertebrate prey which will benefit local bird populations. New native boundary hedgerows will aim to maintain connectivity across the site. Planting of berry bearing tree/shrub species will provide foraging and breeding habitat for thrushes as well as overwintering birds. Particular consideration should be given to the incorporation of native berry-bearing species such as rowan, guelder-rose, holly, hawthorn, blackthorn with ivy and honeysuckle climbers.
- 5.3.16 The installation of species-specific boxes upon suitable trees within the woodland would aim to provide roosting/breeding for bird species known to be of conservation concern and local bird populations in general. Nest boxes for key species recorded during site survey include tawny owl and starling, with boxes installed within the woodland to provide breeding opportunities for kestrel, flycatchers, willow tits and redstarts. Opportunities for the incorporation of nest boxes within the proposed build design itself may be limited due to the nature of the structures proposed however, where possible, permanent nest boxes factored into the build design should be given consideration.
- 5.3.17 Sympathetic management of existing and newly planted hedgerows should be considered to avoid disturbance to breeding birds. This involves the avoidance of management during the core active season March – August and preferably only to be carried out during January and February when the berry crop is mostly finished to benefit species during winter.



## *Badger*

### *Reptiles*

- 5.3.21 Records of slow worm and common lizard were provided within 2km of the site, with slow worm records dated 2016, within the Raithwaite estate. Habitats on site were considered to offer suitable opportunities for reptile species, slow worm especially, with areas of grassland available for basking and foraging and areas of dense shrubs and woodland offering suitable habitat for refuge and hibernation. Reptile surveys were recommended on this basis and were undertaken in May and June 2020. Refer to section 4.10 detailing the methodology and results obtained.
- 5.3.22 During the surveys undertaken, slow worm were recorded as present, with this species being recorded during each of the seven visits and a peak count of 23 individuals recorded during the seventh visit.
- 5.3.23 To ensure the legislation afforded to reptiles is not contravened, it is recommended that prior to construction works commencing, reptile exclusion fencing is installed at the construction boundaries within the clearing and the pasture grassland to the south and that trapping and translocation of reptiles within these areas is carried out. The objective of the trapping and translocation exercise will be to remove all reptiles from the site and exclude them from the working area whilst construction works are taking place to avoid killing/harming reptile species. Any reptiles caught during the trapping period will be translocated to unaffected areas of the pasture grassland to the south, which is adjoined to areas of woodland habitat to the west. Once major construction works are complete, the reptile fencing can be removed to allow reptiles to re-access the site.
- 5.3.24 Reference has been made to *Herpetofauna Groups of Britain and Ireland (HGBI) Evaluating Local Mitigation/Translocation Programmes: Maintaining Best Practice and Lawful Standards* in regards to the effort recommended during the trapping and translocation for the site. The population of slow worm on site could represent a high population, with a peak count of 23 individuals recorded in areas which equate to 0.07ha in size and a high population of slow worm being over 100 individuals per

hectare. The suggested minimum capture effort for slow worm where there is a high population is 90 suitable days, with trapping to stop when no individuals are found for five consecutive suitable trapping days. Due to the small sizes of the areas where slow worm were recorded it is considered that a 30 day trapping period will be sufficient to capture slow worm. The number of refuges required for the trapping and translocation works will be 100/hectare. Trapping and translocation will be undertaken as per the recommendations within the HGBI guidance, during April and late June and in late August and late September, depending on success of trapping undertaken during the spring/early summer period. During the trapping period, habitat manipulation will be undertaken in order to enhance capture. This will involve reducing the amount of suitable vegetation cover, thus rendering the reptiles easier to catch. Strimming or brush cutting the areas of rough grass and scrub and leaving 'islands' of rank vegetation so that the remaining reptiles will concentrate to those areas.

- 5.3.25 Within the woodland habitat, hand searches will be undertaken within areas proposed to be affected by works, such as the pathways and where pile driving is proposed. Hand searching will be undertaken immediately prior to works commencing and will be undertaken within the reptile active period (generally March – October) to avoid harm to potentially hibernating reptiles.
- 5.3.26 In addition to the trapping and translocation works and hand searching, precautionary working methods will be adopted during any vegetation clearance undertaken including directional clearance methods, clearing the vegetation in the direction of unaffected adjacent habitats and cutting vegetation above ground level within the reptile hibernation period (generally November – February) to avoid harming potentially hibernating reptiles. If necessary root systems can be removed once reptiles are active.
- 5.3.27 To mitigate for the loss of suitable reptile habitat it is recommended that the proposals incorporate habitat creation measures, such as hedgerow planting, seeding of the pasture grassland with a diverse seed mix and the creation of a reptile hibernacula within the pasture grassland habitat to be unaffected by works.

#### *Otter*

- 5.3.28 Records of otter were provided within consultation with NEYEDC, being recorded along the River Esk, Whitby in 2001.
- 5.3.29 The Dunsley Beck occurring adjacent to the western boundary of the site is considered to offer opportunities for otter, as well as the lake outwith the site, approximately 45m to the south of the site. Due to the small size of Dunsley Beck, it is considered unlikely that otter would establish holts along the watercourse; however, this species may utilise it for commuting purposes.
- 5.3.30 A checking survey of the beck was undertaken in June 2020, following a period of dry weather to identify any otter signs that may be present, such as spraints, footprints and tracks. No signs of otter were identified; however, due to the suitability of the habitat precautionary measures are recommended to avoid adverse impact upon this species. This would include the adoption of pollution prevention measures during construction works, such as the installation of sediment fencing along the western extent of the proposals boundary and the covering, or providing a means of escape from, any trenches and capping any open pipework at the end of each working day, to prevent accidental harm to otters which may access the site.

*Other protected species*

- 5.3.31 The Dunsley Beck is considered unsuitable for use by water vole, due to being overshadowed by surrounding woodland habitat and lacking aquatic vegetation. Records of water vole provided by the NEYEDC are relatively distant from the proposals site (> 1km). No adverse impact upon water vole is therefore anticipated.
- 5.3.32 No records of white-clawed crayfish were provided within the consultation held with the NEYEDC. No direct impact upon the adjacent Dunsley Beck is proposed and precautionary working methods are recommended to be adopted during construction works in relation to the beck. No adverse impact upon this species is therefore anticipated.

#### **5.4 NOTABLE SPECIES**

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*Hedgehog*

- 5.4.1 Records of hedgehog have been provided within the Raithwaite Estate and habitats on site are considered to be suitable for this species. Precautionary working methods will therefore be adopted to ensure hedgehogs are not harmed/killed during works. Such works would include the removal of any tree/shrub cuttings from site, once vegetation is cut so as to avoid the creation of brash piles; these may be attractive to hedgehogs, which could subsequently be harmed if the brash pile is burnt or removed with machinery. If brash piles are to be kept on site to create valuable dead wood habitat, these should be situated in their permanent location to avoid adverse impact upon hedgehog. In addition, any trenches created on site will be covered or a means of escape shall be provided and any open pipe work will be capped at the end of each working day.
- 5.4.2 It is recommended that small gaps (0.15m) are left under any sections of new fencing/walls within the development to allow passage of hedgehog and maintain connectivity across the site.

#### **5.5 OTHER SPECIES**

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- 5.5.1 Roe deer have been recorded within the site during surveys undertaken. Precautionary working methods as recommended for otter, badger and hedgehog should be adopted to avoid the harm of this species during construction works.

## 6.0 CONCLUSIONS

- 6.1.1 Broadleaf woodland on site is considered to be of local to county value, representing mature woodland, with a diverse ground flora layer comprising species typical of mature woodland habitats. Where the woodland rooms are proposed within this habitat, the canopy largely comprises pine trees and the ground layer in this area is relatively sparse in comparison to the surrounding woodland habitat, where broadleaf trees dominate the canopy. Other habitats on site, including dense introduced shrubs, a beech hedgerow and semi-improved neutral grassland are considered to be of lower value, but are still likely to be of value to a range of wildlife such as foraging and commuting bats, nesting birds, etc.
- 6.1.2 No impacts upon designated sites are anticipated as a result of the proposed development. The site is located within close proximity to the Raithwaite Gill/Dunsley Beck SINC. No direct impact upon the SINC is anticipated as a result of the proposals and measures to protect the SINC will be adopted in relation to the development of the Raithwaite Estate which has received full planning permission from Scarborough Borough Council (planning ref: 18/00241/FL); such measures would also assist in reducing any cumulative indirect impact upon the SINC as a result of increased visitor pressure from the proposed woodland homes. Ancient replanted woodland habitat occurs approximately 20m to the south of the southern site boundary. Measures to ensure the protection of the ancient woodland have also been recommended.
- 6.1.3 Recommendations for general site enhancements and mitigation include sympathetic management of the woodland habitat, appropriate native species planting, sympathetic lighting, provision of gaps within any walls/fencing to allow passage of hedgehogs across the site and incorporation of bird/bat nesting/roosting features.
- 6.1.4 Slow worm have been identified using grassland habitat on site. Appropriate mitigation recommendations include the trapping and translocation and hand searching for this species within areas where construction is proposed and habitat creation measures including the provision of a reptile hibernacula.
- 6.1.5 Bat transect surveys are currently underway to assess the use of the site by foraging and commuting bats and to consider appropriate mitigation to be adopted on site. Further surveys recommended include the assessment of trees for the presence/absence of roosting bats and the requirement for mitigation, where necessary. Updated badger surveys are recommended prior to works commencing to re-assess the presence/absence of badger setts within or in proximity to the site and the requirement for appropriate mitigation, where necessary.
- 6.1.6 Precautionary working methods have been recommended for species such as badger, otter, reptiles, hedgehog and breeding birds.

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## FIGURES

Figure 01: Aerial Photograph (included within body of report)

Figure 02: Phase 1 Habitat Plan

Figure 03: Water Body Locations (included within body of report)

Figure 04: Breeding Bird Survey Results

Figure 05: Breeding Bird Survey Results – Non-breeding birds & mammals

FIGURE 02: PHASE 1 HABITAT PLAN

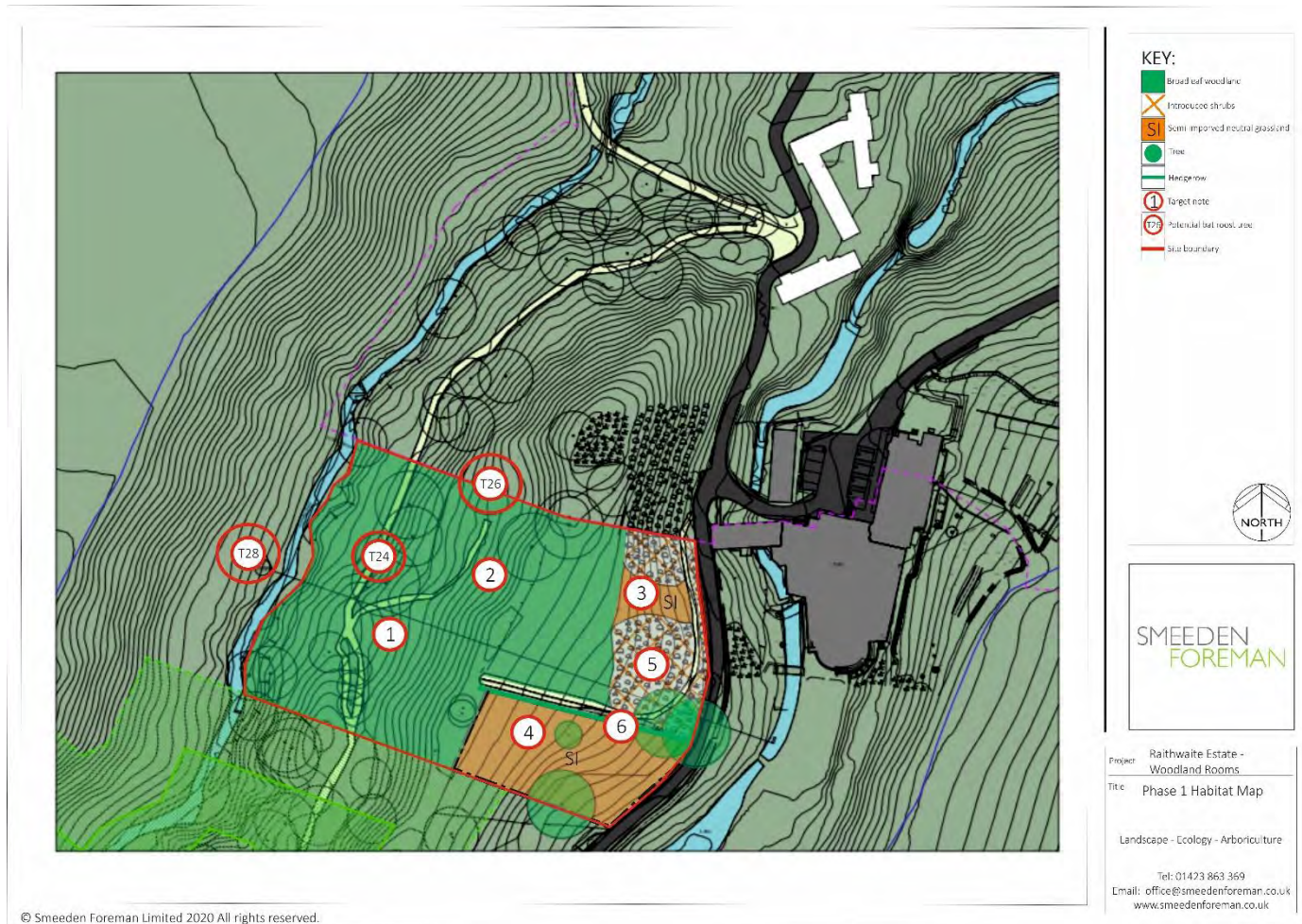


FIGURE 04: BREEDING BIRD SURVEY RESULTS

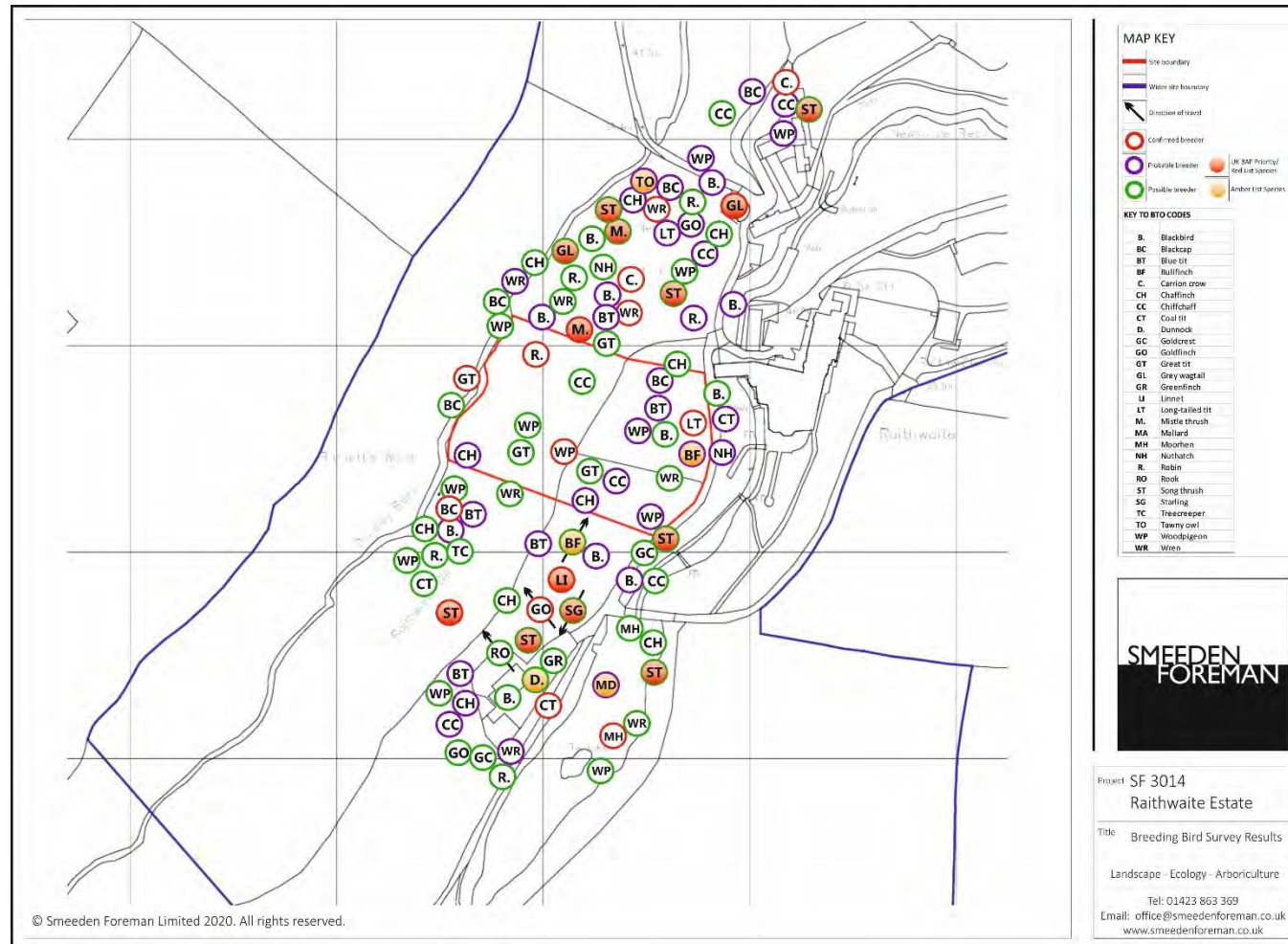
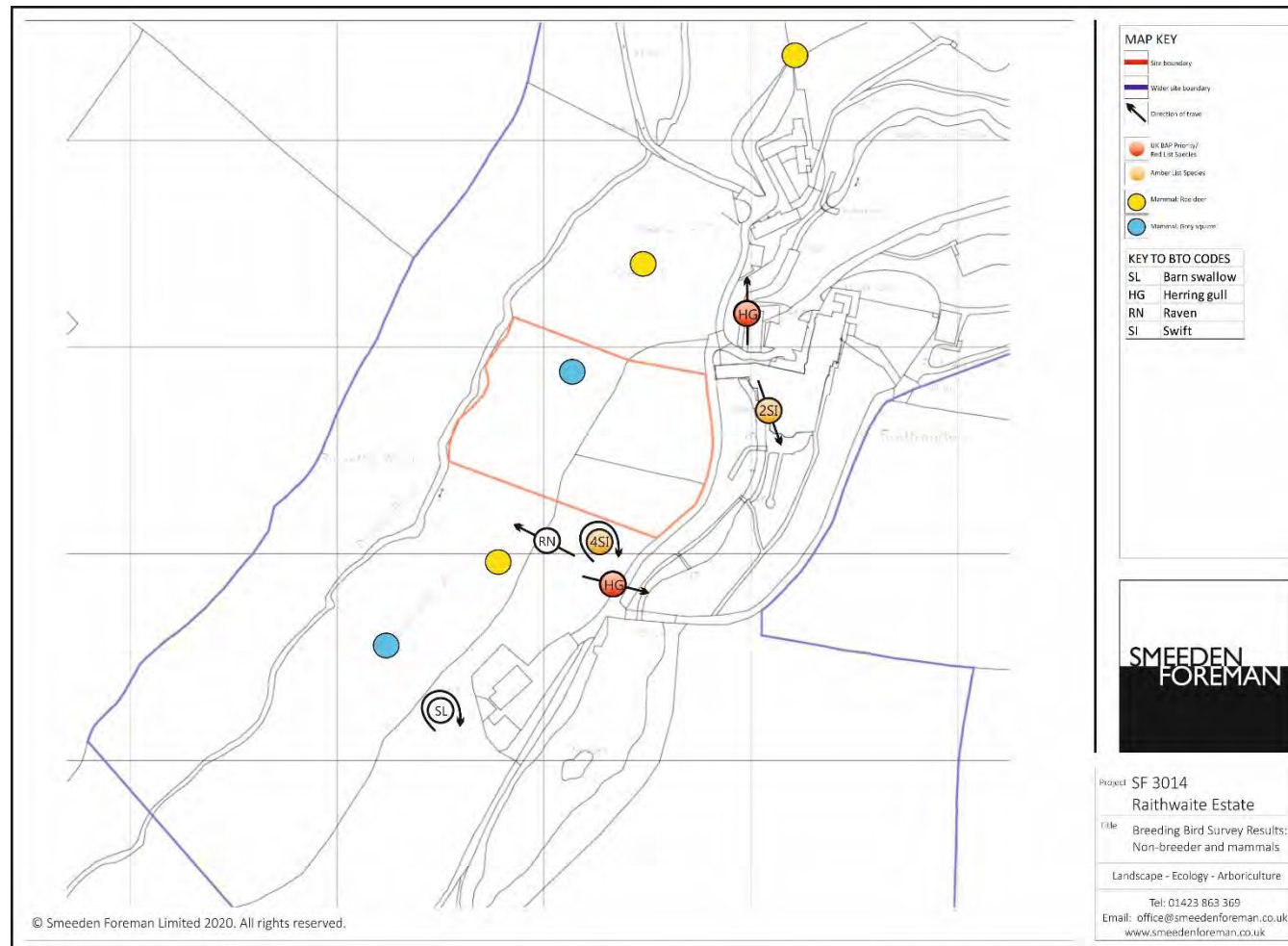




FIGURE 05: BREEDING BIRD SURVEY RESULTS – NON-BREEDING BIRDS & MAMMALS



## APPENDICES

Appendix 01: Principle Legislation and Policies

Appendix 02: Designated Site Map

Appendix 03: Protected Species Legislation

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## APPENDIX 01: PRINCIPLE LEGISLATION AND POLICIES

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### Principle Legislation

#### ***Wildlife and Countryside Act 1981 (as amended)***

This is the primary legislation for nature conservation in England and Wales. It confers varying degrees of protection on selected species according to their conservation status, ranging from making it an offence to take a species from the wild for profit, to full protection of a species and its habitat. The Act also gives guidance and instruction on statutory sites, such as sites of Special Scientific Interest (SSSI). License exempting specific works can be granted by Natural England. Such licenses are only granted once a full assessment has been made and an appropriate, sustainable mitigation package devised.

#### ***Protection of Badgers Act 1992***

Allied to the Wildlife and Countryside Act, 1981 are subsidiary Acts such as the Protection of Badgers Act, 1992 which consolidated and added to previous legislation. According to the PBA it is an offence to wilfully kill, injure or maim a badger. Badger setts are also protected from interference unless such activities are licensed through Natural England. Any mitigation packages devised for badgers found on development sites must be agreed by Natural England and all mitigation activities must be fully licensed.

#### ***Countryside and Rights of Way Act 2000***

As well as providing measures to improve countryside access for walkers, ramblers and horse riders, this Act also strengthens the protection of species and designated sites made in the Wildlife and Countryside Act 1981. This Act also gives the importance of biodiversity conservation statutory basis requiring government departments to have regard for biodiversity in carrying out their functions, and to take positive steps to further the conservation of listed species and habitats.

#### ***Natural Environment and Rural Communities Act (NERC), 2006 – Biodiversity Duty***

NERC received royal assent in March 2006. Section 40 of the Act replaces and extends a duty, from Section 74 of the Countryside and Rights Of Way Act 2000, on Ministers and Government which already requires them to have regard to the purpose of conserving biodiversity. Section 40(1) states that, "*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.*"

#### ***EC Habitats Directive (92/43/EEC)***

This Directive aims to give Europe-wide protection to certain rare and threatened habitats on land and at sea. It builds on legislation already established under the Birds Directive of 1979, and aims to establish a series of protected sites known as Natura 2000 series. These sites are intended to protect the unique and special wildlife of Europe and to preserve it for future generations. In Britain these Natura 2000 sites include those areas designated as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). The Habitats Directive is implemented in the UK through the Conservation of Habitats and Species Regulations 2017.

#### ***EC Birds Directive (79/409/EEC)***

The Directive provides a framework for the conservation and management of, and human interactions with, wild birds in Europe. It sets broad objectives for a wide range of activities, although the precise legal mechanisms for their achievements are at the discretion of each Member State (in the UK delivery is via several different statutes). The Directive applies to the UK and to its overseas territory of Gibraltar.

The main provisions of the Directive include:

The maintenance of the favourable conservation status of all wild bird species across their distributional range with the encouragement of various activities to that end;

The identification and classification of Special Protection Areas (SPAs) for the rare and vulnerable species listed in Annex I of the Directive, as well as for all regularly occurring migratory species, paying particular attention to the protection of wetlands of international importance;

The establishment of a general scheme of protection for all wild birds; Restrictions on the sale and keeping of wild birds.

### ***The Hedgerow Regulations 1997***

The Hedgerow Regulations 1997 were made under Section 97 of the Environment Act 1995 and came into force in 1997. They introduced new arrangements for local planning authorities in England and Wales to protect important hedgerows in the countryside, by controlling their removal through a system of notification. Important hedgerows are defined by complex assessment criteria, which draw on biodiversity features, historical context and the landscape value of the hedgerow.

For species-specific legislation, please refer to *Appendix 03* for further information.

## **Policy**

### ***National Planning Policy Framework (2018)***

The National Planning Policy Framework replaces Planning Policy Statement 9 (PPS 9) Biodiversity and Geological Conservation but the accompanying guidance document (ODPM 06/2005: Biodiversity and Geological Conservation-Statutory Obligations and their impact within the Planning System) has not been withdrawn.

The NPPF sets out the Government's policies on the protection of biodiversity and sites of geological interest through the planning system. It required local planning authorities, when taking decisions, to ensure that appropriate weight is attached to designated sites of international, national and local importance, protected species and to biodiversity and sites of recognised geological interest within the wider environment. It states:

"The planning system should contribute to and enhance the natural and local environment by:

Protecting and enhancing values landscapes, geological conservation interests and soils;

Recognising the wider benefits of ecosystem services;

Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."

"When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

If significant harm resulting from a development cannot be abided (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."

### ***Biodiversity Action Plan (BAP)***

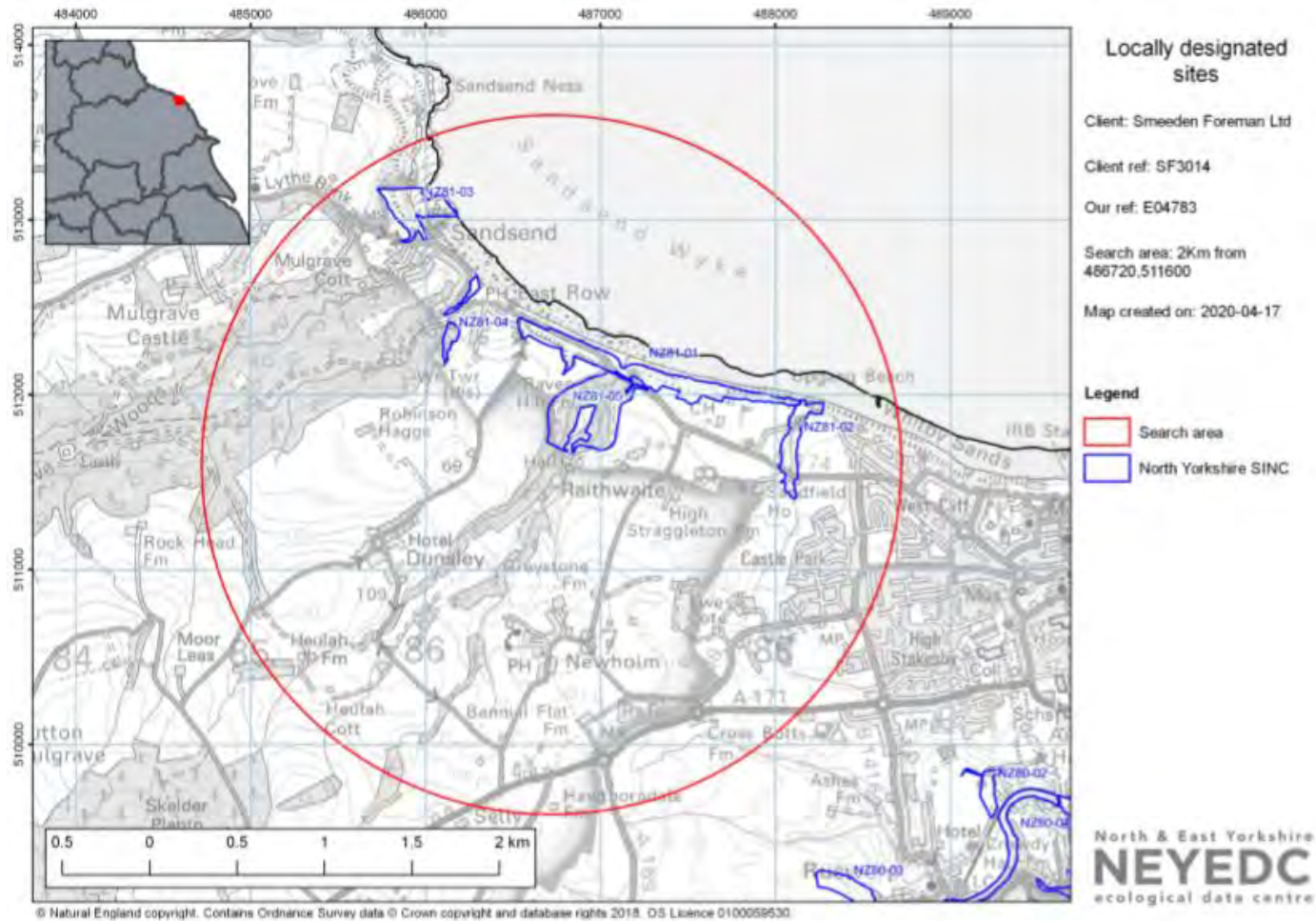
In 1993, the UK government consulted over three hundred organisations throughout the UK and held a two day seminar to debate the key issues raised at the Convention of Biological Diversity. The product of this was the launch of Biodiversity: the UK Action Plan in 1994 which outlined the UK Biodiversity Action Plan for dealing with biodiversity conservation in response to the Rio Convention.

The UK Biodiversity Steering Group was created in 1994 and published Biodiversity: the UK Steering Group Report – meeting the Rio challenge. This established the framework and criteria for identifying species and habitat types of conservation concern.

From this list, action plans for 391 species and 45 broad habitat types were produced. As well as having national priorities and targets, action was also taken at a local level. The Steering Group drew up a set of guidelines that were discussed with the Local Authority Association and the Local Government Board.

Today there are 162 Local Biodiversity Action Plans in the UK. A review of the UK BAP was undertaken between 2003 and 2006.

APPENDIX 02: DESIGNATED SITES MAP



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## APPENDIX 03: PROTECTED SPECIES LEGISLATION

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### *Bats*

Bats and their roosts are afforded full legal protection under both UK and European legislation. Conservation of Habitats and Species Regulations 2017 transpose the Habitats Directive into UK law, making it an offence to:

- deliberately disturb a bat;
- deliberately kill, injure or capture a bat;
- damage, destroy or obstruct access to a breeding site or resting place (note this applies to both deliberate and reckless actions).

The Wildlife and Countryside Act 1981 (as amended) (Schedule 5) made it an offence to:

- intentionally kill, injure or take a bat ;
- damage, destroy or obstruct a bat roost \*;
- disturb a bat at a roost \*;
- possess or control a bat or any part thereof;
- sell, offer for sale, possess or transport for sale any bat or part thereof;
- set traps for catching, killing or injuring bats;
- possess articles for the purposes of committing offences against bats;

[\*= intentional and reckless offences covered].

Legal protection under the Habitats Directive applies to the animals and their breeding sites and resting places. This means that bat roosts are fully protected, whether they are in use at the time or not. Where roosts or resting/breeding sites are identified, any works which may contravene the protection afforded to them require derogation from the provisions of the legislation in the form of a licence from Natural England..

### *Great crested newts*

The Wildlife and Countryside Act 1981 (as amended) transposes into UK law and the Convention on the Conservation of European and Wildlife and Natural Habitats (commonly referred to as the 'Bern Convention'). The 1981 Act was amended by the Countryside and Rights of Way ['CRoW'] Act 2000.

The great crested newt is listed on Schedule 5 of the 1981 Act, and is therefore subject to the provisions of Section 9, which make it an offence to:

- Intentionally kill, injure or take a great crested newt [Section 9 (1)];
- Possess or control any live or dead specimen or anything derived from a great crested newt [Section 9 (2)];
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a great crested newt [Section 9 (4)(a)];
- Intentionally or recklessly disturb a great crested newt while it is occupying a structure or place which it uses for that purpose [Section 9(4)(b)].

The Conservation of Habitats and Species Regulations 2017 transpose into the UK law Council Directive 92/43/EEC of 21st May 1992 on the conservation of Natural Habitats and of Wild Fauna and Flora (often referred to as the 'Habitats [and Species] Directive'). The great crested newt is listed on Annex II and Annex IV of the Directive. The former Annex relates to the designation of Special Areas of Conservation (SACs) for this species; even where great crested newts occur outside SACs, the inclusion on Annex II serves to underline their conservation significance. Inclusion of the Annex IV ('European Protected Species') means that member states are required to put in place a system of strict protection as outlined

in Article 12, and this is done through inclusion on Schedule 2 of the Regulations. Regulation 43 makes it an offence to:

- Deliberately capture or kill a great crested newt [Regulation 43(1)(a)]
- Deliberately disturb a great crested newt [Regulation 43(1)(b)]
- Deliberately take or destroy the eggs of a great crested newt [Regulation 43(1)(c)]
- Damage or destroy a breeding site or resting place of a great crested newt [Regulation 43(1)(d)]

The legislation applies to all life stages of great crested newts.

#### *Breeding birds*

The Wildlife and Countryside Act 1981 (as amended) makes it an offence to:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built or,
- take or destroy an egg of any wild bird.

This protection applies from the moment the nest is being built. Additional protection against disturbance on the nest or of dependent young is provided for birds included on Schedule 1.

#### *Badger*

Badgers and their setts are protected by the Protection of Badgers Act 1992. Under the Act it is illegal to:

- Wilfully kill, injure or take a badger or attempt to do so;
- Cruelly ill-treat a badger; and,
- Interfere with a sett by doing any of the following:
  - (i) damaging a badger sett or any part of it;
  - (ii) destroying a badger sett;
  - (iii) obstructing access to a badger sett;
  - (iv) causing a dog to enter a sett; and,
  - (v) disturbing a badger while it is occupying a sett.

#### *Reptiles*

The Wildlife and Countryside Act 1981 makes it an offence to intentionally kill any of our native snakes and lizards. The sand lizard and smooth snake receive additional protection; for these species, it is unlawful to capture or possess them, or to damage/obstruct access to places they use for shelter or protection, or to disturb them whilst in such a place.

#### *Otter*

Otter are afforded full legal protection under both UK and European legislation. The Conservation of Habitats and Species Regulations 2017 transpose the Habitats Directive into UK law, making it an offence to:

- deliberately capture, injure or kill an otter;



- deliberately disturb an otter in such a way as to be likely to significantly affect the local distribution or abundance of otters or the ability of any significant group of otters to survive, breed, rear or nurture their young; or,
- damage or destroy an otter holt.

The otter is also protected under Section 9(4)(b) of the Wildlife and Countryside Act 1981

- intentionally or recklessly disturb any otter whilst it is occupying a holt; or,
- intentionally or recklessly obstruct access to a holt.