

North York Moors National Park Authority

Parish: Allerston

App No. NYM/2020/0791/FL

Proposal: proposed sculpture with associated all ability access path and road crossing with safety signage

Location: land to the south of Adderstone Field, Dalby Forest, ,

Applicant: Mr Adrian O'Vastar
14 Trafford road, Norton, Doncaster, United Kingdom

Date for Decision: 01 December 2020

Extended to:

Consultations

Parish – No objections

Highways – No objections

Site Notice/Advertisement Expiry Date – 13 November 2020

Others -

Director of Planning's Recommendation

Approval subject to the following condition(s):

- 1 Standard Three Year Commencement Date
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
- 2 Strict Accordance With the Plans/Specifications or Minor Variations
The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
- 3 Any turves present in areas likely to be highly disturbed by the development hereby approved shall be carefully cut from the verge and laid aside, vegetation uppermost, for re-planting around the finished path. Turves removed from the line of the path itself should be used elsewhere on the site to border the new path and enable the species rich vegetation to extend away from the verge into the forest on either side. No vehicles or materials should be parked or deposited on the verge during works.

Informative(s)

- 1 The applicant is advised that prior to the commencement of any works to the Rabbit Trap an application for Scheduled Monument Consent must be submitted to and approved by Historic England working on behalf of the Secretary of State for Digital, Culture, Media and Sport.

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Reason(s) for Condition(s)

- 1 To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
- 2 For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.
- 3 In order to comply with the provisions of NYM Strategic Policy E which seeks to conserve and enhance the quality and diversity of the natural environment.

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Background

This application seeks planning permission for the construction of an all ability footpath leading from Dixon's Hollow car park to the remains of a Rabbit Trap which is a Scheduled Monument. The Rabbit Trap itself is approximately 120cm deep with a rounded profile with visible fragments of stone. The proposed development will allow access to the new art installation being erected within the Rabbit Trap which will consist of individual ceramic rabbits with a height of 30cm each, being placed within the Rabbit Trap and the replacement of the fence around the Scheduled Monument. Scheduled Monument Consent will be required for the art installation and associated works.

The site is located within Dalby Forest, to the south of Adderstone Field. The proposed footpath would connect the east side of Dixon's Hollow car park to the Rabbit Trap to the north of the car park by providing a path across Dalby Forest Drive. The footpath will allow people of all abilities, including wheelchair users, to access and engage with the new art installation which is part of Forestry England's wider goal of enhancing visitors knowledge and enjoyment of the historic landscape features within the forest.

The majority of previous applications at the site relate to the provision of trekking and cycling tracks.

Main Issues

The most relevant policies contained within the NYM Local Plan to consider with this application are Policy ENV10 (Archaeological Heritage), Strategic Policy J (Tourism and Recreation) and Policy CO2 (Highways).

Policy ENV10 seeks to preserve the significance of Scheduled Monuments or other nationally important archaeological sites by requiring applicants to provide sufficient information to allow for an informed assessment of the significance of the archaeological heritage asset and its setting, and the impact of the proposed development on that significance.

Strategic Policy J supports tourism and recreation development where, among other things, 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 and will not lead to unacceptable harm to the local landscape character or ecological or archaeological asset.

Policy CO2 states that highway related developments will be permitted where, among other things the associated surfacing works take into account the needs of all users and where the development is sensitive to the character of the area, the need to conserve and enhance biodiversity and are the minimum required to achieve safe access.

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The proposed footpath will be constructed of limestone on either side of Dalby Forest Drive with a red coloured resin used across the existing tarmacadam road surface to indicate the road crossing. The development will also include road signs to warn vehicles of the approaching pedestrian crossing. The proposed red resin will match other pedestrian crossings across Dalby Forest Drive and will therefore be in-keeping with the area whilst providing safe access for all users. The Highways Authority has raised no objections to this application.

The Authority's Conservation Officer has advised that the proposed path will cross a high priority species rich road verge either side of the road and therefore any turfs that may be disrupted as a result of the works should be carefully removed and re-planted alongside the completed path.

The Authority's Archaeology Officer has been in communication with the applicant and advised that there are unlikely to be any strenuous archaeology considerations during the development but requested that care be taken when stripping back the existing vegetation as mentioned within the supporting documentation. The Archaeology Officer also advised that if consideration is given to the erection of an interpretation board in the future, the team would be happy to provide guidance on the relevant content for this.

The proposal has been designed to have minimal impact upon the Scheduled Monument whilst providing safe access for all people to increase their awareness, understanding and enjoyment of the asset. The development is therefore considered to be in accordance with the relevant NYM policies as well as the National Park's Statutory Purpose to promote opportunities for the understanding and enjoyment of the special qualities of the National Park

For the reasons outlined above, this application is recommended for approval.

Pre-commencement Conditions

N/A

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.