

# North York Moors National Park Authority

## Delegated decision report

### Application number

NYM/2021/0195/FL

### Development description

construction of access track (retrospective)

### Site address

Spikers Hill Farm, Cockrah Road, West Ayton

### Parish

West Ayton

### Case officer

Mrs J Bastow

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition text						
1	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table border="1" data-bbox="400 600 1481 719"> <thead> <tr> <th data-bbox="400 600 874 638">Document Description</th> <th data-bbox="874 600 1161 638">Document No.</th> <th data-bbox="1161 600 1481 638">Date Received</th> </tr> </thead> <tbody> <tr> <td data-bbox="400 667 874 705">Block Plan</td> <td data-bbox="874 667 1161 705"></td> <td data-bbox="1161 667 1481 705">14 June 2021</td> </tr> </tbody> </table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Document No.	Date Received	Block Plan		14 June 2021
Document Description	Document No.	Date Received					
Block Plan		14 June 2021					
2	<p>Within 6 months of the date of this decision details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for native hedge planting along the length of the access track on the north side and shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following receipt of the Authority's written approval or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.</p>						
3	<p>Within 6 months of the date of this decision the access at the junction of Cochrah Road and Spikes Hill Lane shall be set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:</p> <ol style="list-style-type: none"> <li data-bbox="448 1621 1481 1697">1. The crossing of the highway verge must be constructed in accordance with Standard Detail number E30.</li> <li data-bbox="448 1733 1481 1854">2. Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing highway.</li> <li data-bbox="448 1890 1481 2011">3. Provision to prevent surface water from the site/plot discharging onto the existing highway must be constructed in accordance and maintained thereafter to prevent such discharges.</li> </ol>						

Document title

	<p>4. The final surfacing of any private access within 6 metres of the edge to the existing carriageway must not contain any loose material that is capable of being drawn on to the existing public highway.</p> <p>All works must accord with the approved details.</p>
<b>Reason(s) for condition(s)</b>	
<b>Reason number</b>	<b>Reason text</b>
1	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to conserve and enhance the special qualities of the National Park.
2	In order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
3	In accordance with Policy CO2 of the North York Moors Local Plan and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

## Consultation responses

### Parish

No objection provided that the mitigation measures requested by the NYM Senior Planning Officer, Ecologist, Woodland Officer and the NYCC Highways Officer are conditioned as follows:

1. Native hedging should be planted on either side of the road. The agent has suggested that the applicant only wants a hedge on the north/crop side of the road, as some trees have been planted in the grass corner near the entrance on the south side. WAPC suggestion: the hedge on the north side could continue around the shelter belt and then eastwards along the field boundaries to connect with the Forge Valley woodland to provide an ecological corridor. No details have been provided by the applicant on the future use of the small grass paddock created on the south side of the road. If this paddock remains in agricultural use and is grazed or cut for silage/hay, a 3 metre wildflower/grass margin adjacent to the road could be established and only cut on an infrequent basis to provide biodiversity benefits and soften the general appearance of the road.
2. The arboricultural assessment of the trees either side of the road where it cuts through the shelter belt should be carried out as requested by the Woodland Officer. This should determine what damage has already occurred to the trees and what impacts might arise from future use by heavy farm machinery and HGVs.
3. The measures requested by the NYCC Highways Officer should be carried out to meet the legal requirements of the Local Highway Authority for the verge crossing which requires the track to be constructed to the required highway specification for a minimum of 6 metres from the edge of the carriageway. The final surfacing must not contain any loose material that is capable of being drawn on to the public highway. WAPC notes that the proposed touring caravan site and swimming pool have been withdrawn from the application and regard this as a good outcome to protect the aquifer and the Forge Valley & Raincliffe Woods SSSI.

### Highways

No objection subject to conditions

### Natural England

No objections

### Environment Agency

No objections

### Third party responses

None received

### Publicity expiry

8 July 2021



## Background

Spikers Hill Farm lies some 2.5 km to the north of West Ayton accessed via Cockrah Road which for the most part is a single track road with passing places. It comprises the main farmhouse, a number of holiday cottages created through the conversion of traditional farm buildings and a range of modern farm buildings.

Retrospective planning permission is sought for a single width access track from the junction of Cockrah Road and Spikers Hill Lane (which currently serves the farm) diagonally across the field to the main farm yard. It is understood that the access was installed under the misapprehension that it was permitted development and only became apparent to the Authority on receipt of this application which originally included a 10-pitch caravan site and swimming pool building. Those latter elements have since been removed from the application following concerns expressed by the Authority and statutory consultees as to the landscape impact and the potential impact on the local boreholes used for drinking water and Raincliffe & Forge Valley Woods Site of Special Scientific Interest.

## Main issues

The relevant policies of the Local Plan in the determination of this application are considered to be Strategic Policy E (The Natural Environment), Strategic Policy G (Landscape), Strategic Policy H (Habitats, Wildlife, Biodiversity and Geodiversity) and Policy BL6 (Tracks).

Strategic Policy E states that the quality and diversity of the natural environment of the North York Moors National Park will be conserved and enhanced, and that development which has an unacceptable impact on the natural environment, the wildlife it supports and the environmental benefits it provides will not be permitted.

Strategic Policy G states that the high quality, diverse and distinctive landscapes of the North York Moors will be conserved and enhanced and that development which would have an unacceptable impact on the natural beauty, character and special qualities of the areas of moorland, woodland, coast and foreshore will not be permitted.

Strategic Policy H seeks to conserve, restore and enhance the habitats, wildlife, biodiversity and geodiversity in the North York Moors National Park.

Policy BL6 only supports proposals to install, alter or extend tracks where the scale and alignment of the track and the proposed materials will not have an adverse impact on the landscape and special qualities of the National Park; there is compelling evidence of a need for the track to directly support an established agricultural or forestry use and the scale and nature of the development is commensurate with that need; it can be demonstrated that no existing roads or tracks are suitable and that alternative arrangements cannot be made to meet the identified need for the track; it can be demonstrated that there will not be an unacceptable impact on any known historic or archaeological features; works will not adversely affect ecological assets, including

impacts arising from habitat loss, drainage or disturbance; and appropriate design, construction methods and materials are used to reduce the visual impact of the track on the wider landscape.

The track installed at Spikers Hill Farm is required to serve the established agricultural business and it is considered that the scale and nature is commensurate with that need. The existing access to the farm is shared with the farmhouse and holiday cottages and is narrow with a sharp turn into the working farm yard which makes it difficult for large farming machinery. It has been constructed with a crushed stone surface to match other access tracks in the vicinity.

In creating the track a length of long established hedgerow was removed at the point of access from Cockrah Road. The loss of the existing hedgerow and the lack of compensatory planting at present makes the track rather unsightly in the immediate landscape. However the applicant has agreed to plant a native hedge along the length of the north side of the track to enhance the appearance and also improve wildlife connectivity. The Authority's Ecologist considers this to be adequate compensation for the loss of well-established hedgerow and it is considered once planted the hedgerow, along with the trees already planted by the applicant on the south side of the track, will improve the appearance of the track such that it will not have a long term adverse impact on the landscape of the National Park.

With regard to the impact on the tree belt, the Woodland Officer advises that it is likely that the access track is within their root protection areas but the impact is difficult to predict as it will depend on the actual root spread, prior use of the land and the method of construction used. However given that the track has reportedly been in place and in use for a few years it's unlikely that there will be any benefit to the trees from its removal. The Woodland Officer has suggested that the applicant provide an arboricultural impact assessment which should cover the likely impact of the track on the trees individually and as a group and identify if there are any measures that could be employed to mitigate for any disturbance to the rooting environment however the applicant has not been willing to provide this. It is of course regrettable that the track was installed without the necessary prior consent or discussion with the Authority, and it may well lead to long term damage to the trees immediately either side of the track. Removal of the track however would not benefit those trees and the applicant has already planted native trees in the southeast corner of the adjacent field. As such it is considered that adequate compensatory tree planting has taken place to mitigate any potential damage the track has caused to the tree belt.

In view of the above it is considered that with the compensatory hedgerow planting proposed the access track is acceptable and approval would meet with Strategic Policies E, G and H and Policy BL6 such that approval is recommended.



### Explanation of how the Authority has worked positively with the applicant/agent

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.