

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0903/FL

Development description: construction of access and forest road to harvest timber

Site address: Cockmoor Hall Plantation located west of Wellspring Farm, Sawdon

Parish: Snainton

Case officer: Mrs Helen Stephenson

Applicant: Forestry England

fao: Martin O'Vastar, Outgang Road, Pickering, YO18 7EL,

Agent:

Director of Planning's Recommendation

Approval subject to the following:

Conditions

Condition number	Condition code	Condition text
1.	TIME01	Standard Three Year Commencement Date The development hereby permitted shall be commenced before

Document title

		the expiration of three years from the date of this permission.
2.	PLAN02	<p>Strict Accordance With the Plans/Specifications or Minor Variations</p> <p>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.</p>
3.	HWAY00	<p>The development must not be brought into use until the access to the site at Cockmoor Hall Plantation has been 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> <p>The crossing of the highway verge must be constructed in accordance with the approved details and Standard Detail number E7 and the following requirements:</p> <ul style="list-style-type: none"> - Any gates or barriers must be erected on the site boundary must not be able to swing over the existing or proposed highway. - Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed in accordance with the approved details and maintained thereafter to prevent such discharges. - The final surfacing of any private access within 15 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway. - Measures to enable vehicles to enter and leave the site in a forward gear. <p>All works must accord with the approved details.</p>

4.	HWAY00	<p>No development on the site must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved Construction Management Plan.</p> <p>The Plan must include, but not be limited, to arrangements for the following in respect of of the works:</p> <ol style="list-style-type: none"> 1. the parking of contractors' site operatives and visitor's vehicles clear of the highway; 2. areas for storage of plant and materials used in constructing and operating the site clear of the highway; 3. details of the routes to be used by HGV construction traffic and highway condition surveys on these routes; and 4. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
5.	LNDS00	<p>The development hereby permitted shall be carried out in accordance with the mitigation measures set out in the submitted Ecological Statement dated 02 November 2021.</p>

Reasons for conditions

Reason number	Reason code	Reason text
1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN00	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.
3.	HWAY00	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.

4.	HWAY00	In accordance with Policy CO2 of the North York Moors Local Plan and in the interests of public safety and amenity.
5.	LNDS00	In order to comply with the provisions of Policy ENV1 of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.

Informatives

Informative number	Informative code	Informative text
1.	INFO0	<p>Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:</p> <p>https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification_for_housing_ind_est_roads_street_works_2nd_edition.pdf</p> <p>The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.</p>

Consultation responses

Parish

Highways

Recommend conditions.

Forestry Commission – Public Forest Estates

Environment Agency

Historic England

No comments.

Natural England

No objection.

Police - Traffic

Third party responses

None received.

Publicity expiry

Site notice expiry date – 07 January 2022.



Background

Cockmoor Hall Plantation lies immediately north of Cockmoor Hall; a relatively isolated working farm approximately 4km north of Snainton. The plantation comprises approximately 59 hectares of predominantly secondary conifer plantation and forms part of Dalby Forest.

This application seeks full planning permission for the construction of a new access and forest road in order to enable the harvesting of timber which has been issued with a Statutory Plant Health Notice following the detection of *Phytophthora ramorum*; a fungal-like organism that causes the death of a number of tree and shrub species.

The existing access to the plantation is no longer fit for purpose due to the fact it is now partially blocked by mature beech trees immediately outside the FE boundary. The proposal therefore seeks to create a new access located opposite the existing parking area approximately 25 metres to the north east together with a small section of new track within the plantation to join the existing grassy track which will also be upgraded to a forest road for use by 44ton articulated lorries.

Main issues

The relevant NYM Local Plan Policies to consider with this application are Strategic Policy A (Achieving National Park Purposes and Sustainable Development), ENV1 (Trees, Woodlands, Traditional Orchards and Hedgerows) and Policy BL6 (tracks).

SPA states that a positive approach to new development within the Park will be taken in line with the presumption in favour of sustainable development and where decisions are consistent with National Park Statutory Purposes (applying the Sandford Principle if necessary). Development will be supported where it: is a high quality of design which respects the local landscape and built heritage; supports the function and vitality of communities; protects or enhances natural capital and ecosystem services; maintains and enhances geodiversity and biodiversity through conservation; builds resilience to climate change; makes sustainable use of resources and; does not reduce the quality of soil, air and water in and around the National Park.

ENV1 seeks to retain and enhance existing trees, woodland, orchards and hedgerows but where the development would result in the unavoidable loss of such features but the wider sustainability benefits of the development outweigh the loss, proposals will be expected to minimise harm and provide a net biodiversity and amenity gain. Development will not be permitted that would lead to loss of or damage to ancient woodland and aged or veteran trees unless there are wholly exceptional reasons.

BL6 states that proposals to install, alter or extend tracks will only be supported where: the scale and alignment of the track and material will not have an adverse landscape impact; there is compelling evidence of a need for the track to directly support and established agricultural or forestry use; it can be demonstrated that no existing roads

or tracks are suitable and that alternative arrangements cannot be made to meet the need for the track; it can be demonstrated that there will not be an unacceptable impact on historic or archaeological features; works will not adversely affect ecological assets and; appropriate design, construction methods and materials are used to reduce the visual impact of the track.

The proposed development is considered to represent the least harmful approach to the required works which are considered to be essential in order to protect the health of the trees. The works will enable the harvesting of timber which has been identified as infected by harmful fungus which is a threat to the wider plantation and other trees in the vicinity. Although the proposal seeks to retain large individual broadleaf specimens, there will be some unavoidable loss of a 10m x 40m section of mixed broadleaved woodland (planted in 1951) but the proposal states that that the works will be carried out outside of the bird breeding season and upon completion of the larch felling strip, it will be allowed to naturally regenerate. The area of loss amounts to 0.04ha whereas the area for natural regeneration amounts to approximately 1.2ha resulting in a significant net gain for biodiversity.

The Authority's Woodland Officer has no objection to the proposal provided the works are carried out as proposed and the Authority's Ecologist has also registered no objection subject to the mitigation measures to secure biodiversity net gain are conditioned.

The Local Highway Authority has acknowledged that the proposed access will allow direct access from the site to an existing forest road towards Wellspring Farm and the agreed forestry extraction route via Sawdon. Consequently no objections are raised subject to recommended conditions.

The proposal would not affect any public rights of way and is considered to be acceptable in landscape terms. Consequently, for the reasons outlined above, the proposal is recommended for approval.

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.