

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0093

**Development description:** construction of 420m section of cycle trail

**Site address:** land south of High Rigg Farm, Sieveldale, Dalby Forest

**Parish:** Thornton Le Dale

**Case officer:** Miss Lucy Gibson

**Applicant:** Forestry England

**fao:** Mr Stuart Startup, Outgang Road, Pickering, YO18 7EL, United Kingdom

**Agent:**

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition code	Condition text												
1	TIME01	<p>Standard Three Year Commencement Date</p> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p>												
2	PLAN01	<p>Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified</p> <p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table border="1"> <thead> <tr> <th>Document Description</th> <th>Document No.</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Design and Access statement</td> <td>N/A</td> <td>09 February 2022</td> </tr> <tr> <td>Location Plan</td> <td>02</td> <td>09 February 2022</td> </tr> <tr> <td>Site Plan</td> <td>03</td> <td>09 February 2022</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	Design and Access statement	N/A	09 February 2022	Location Plan	02	09 February 2022	Site Plan	03	09 February 2022
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### Reason(s) for condition(s)

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 NYM Strategic Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park.

### Informative(s)

Informative number	Informative code	Informative text
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1	HWAYINF12 B	<p>It is requested that attention is given to providing a safe environment for all pedestrians, horse riders and cyclists during and following the completion of the work hereby permitted.</p> <p>No works are to be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development.</p> <p>Applicants are advised to contact the County Council's Access and Public Rights of Way Manager at County Hall, Northallerton on 0845 8 727374 to obtain up-to-date information regarding the line of the route of the way.</p>
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## Consultation responses

### Parish

None received

### Ramblers Association

We do not wish to comment, other than to note that we expect the NPA will require the applicant to ensure that safe access to rights of way is maintained at all times, and that – as the trail attracts 2200 cyclists per month - proper attention is given to providing a safe environment for walkers during, and following completion of, the work.

### Third Party

None received

### Publicity expiry

Advertisement/site notice expiry date: 23 March 2022



This photograph shows the Public Right of Way from the top of Seive Dale. The proposed cycle trail would continue along the bridleway and turn to traverse through the felled area to the right of the image.

## Background

Dalby Forest lies on the southern slopes of the National Park, and is both a popular visitor attraction and an important habitat for wildlife.

This application proposes to construct an additional 420m of Red Grade cycle trail through a newly clear-felled site to the south of High Rigg Farm, Seive Dale, Dalby Forest. This section of trail would extend an established Red Grade cycle route which has remained unchanged for 10 years.

The cycle trail currently turns off a Public Right of Way 230m before the top of Seive Dale, but the new proposed cycle track would stay on the Public Right of Way for an additional 230m and turn to traverse through the felled area. The Public Right of Way runs between High Dalby House and Givendale Head Farm within the forest.

## Main issues

### Local Plan

Strategic Policy J (Tourism and Recreation) seeks to support such development where it is consistent with the principles of sustainable tourism, does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset; provides opportunities for people to increase their awareness, understanding and enjoyment of the special qualities of the National Park; is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape and it does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way.

Policy CO4 (Public Rights of Way and Linear Routes Development) should protect and where appropriate enhance existing networks of Public Rights of Way, linear routes and other access routes used by pedestrians, cyclists and horse riders. Development which would have an unacceptable harmful impact on a Public Right of Way or which would prejudice the future recreational use of linear routes such as disused railway lines indicated on the Policies Map will not be permitted.

### Material considerations

The existing cycle track is well established and attracts over 2200 cyclists per month.

It is considered that the proposed additional 420m of track would improve the quality of the existing cycle trail, contributing to the enjoyment of the tourism and recreation facilities within Dalby Forest and the National Park. The applicants have also confirmed that the extended track will be built to Forestry England & International Mountain Bike Association design specifications.

The Public Right of Way that forms part of the new cycle track is a well-established bridleway and is marked as a waymarked cycle and walking trail by Forestry England. It

is not considered that this development would compromise the Public Right of Way as it would only form an extension of an already established cycle track along the bridleway.

The Ramblers Association have not raised any objections to the proposed development however have asked that the National Park Authority ensure that safe access to the bridleway is maintained at all times during and following the works. To address these concerns an informative has been attached to the approval.

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.