

**NORTH YORKSHIRE COUNTY COUNCIL**  
**BUSINESS and ENVIRONMENTAL SERVICES**  
**LEAD LOCAL FLOOD AUTHORITY**  
**CONSIDERATIONS and RECOMMENDATION**



<b>Application No:</b>	<b>FL/NYM/2022/0634</b>		
<b>Proposed Development:</b>	Application for variation of conditions 1 (material amendment), 2, 3, 4, 5, 7 and 11 of planning approval NYM/2018/0681/FL to allow the temporary use of Ladycross Caravan Park as an accommodation park for Anglo American workers for the duration of the shaft sinking stages of the Woodsmith Project (estimated to be up to five years). The proposal comprises the regularisation of the 'as-built' layout to the south west of the site, temporary siting of two person cabins on each of the 189 pitches with associated infrastructure, provision of a temporary welfare facility across six lodges, canopy to existing toilet block for use as bus drop off/pick up area, cycle store and bin store together with retention of four privately owned lodges and private house for continued use by caravan site operator		
<b>Location:</b>	Ladycross Plantation Caravan Park, Egton		
<b>Applicant:</b>	Anglo American Woodsmith Ltd		
<b>District/Borough:</b>	North York Moors National Park Authority		
<b>FRM Engineer:</b>	Heather Lagan	<b>LPA Case Officer:</b>	Rob Smith

Note to the Planning Officer:

Thank you for consulting the Lead Local Flood Authority [LLFA] on the planning application referenced above.

In assessing the submitted proposals the Authority does not have any comments, as none of the conditions relate to LLFA business. If you feel that there is a risk that needs the attention of the LLFA we are happy to discuss further on how this can be accommodated.

Kind regards,

Heather Lagan

<b>Date:</b>	14/11/2022	<b>Approved by:</b>	Emily Mellalieu Flood Risk Management Team Leader
<b>FAO:</b>	Rob Smith		
<b>Issued by:</b>	Heather Lagan		

Chris France  
Director of Planning  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York  
YO62 5BP

Yorkshire Water Services  
Developer Services  
Pre-Development Team  
PO BOX 52  
Bradford  
BD3 7AY

For telephone enquiries ring:

24th November 2022

Your Ref: NYM/2022/0634  
Our Ref: Y013935

Dear Sir/Madam,

Ladycross Plantation Caravan Park , Egton - variation of conditions 1 (material amendment), 2, 3, 4, 5, 7 and 11 of planning approval NYM/2018/0681/FL to allow the temporary use of Ladycross Caravan Park as an accommodation park for Anglo American workers for the duration of the shaft sinking stages of the Woodsmith Project (estimated to be up to five years ). The proposal comprises the regularisation of the 'as-built' layout to the south west of the site , temporary siting of two person cabins on each of the 189 pitches with associated infrastructure , provision of a temporary welfare facility across six lodges , canopy to existing toilet block for use as bus drop off /pick up area , cycle store and bin store together with retention of four privately owned lodges and private house for continued use by caravan site operator

Thank you for consulting Yorkshire Water regarding the above proposed development. We have the following comments:

#### Waste Water

**Yorkshire Water requires additional information prior to decision .**

The submitted documents do not detail any drainage information. We have tried to assess the previous decision notice (NYM/2018/0681/FL) to check the wording of the condition(s); however, it is not appearing on the planning portal.

We request that the planner sends the decision notice to us directly, as well as any necessary drainage information pertaining to the above conditions to be amended/removed.

Yours faithfully

Joe Summers  
Pre-Development Technician  
Developer Services

**From:** Zara Hanshaw  
**Sent:** 14 November 2022 14:11  
**To:** Rob Smith  
**Subject:** NYM/2022/0634 Ladycross Platation Caravan Park

Hi Rob,

I have reviewed the supporting information provided in support of this application. I note that the application will not result in a substantial loss of habitat, as very limited additional vegetation clearance is proposed.

The supporting information details that the wastewater will be dealt with via existing infrastructure and “where necessary, upgraded”. There is evidence provided to suggest that the existing infrastructure is insufficient, and therefore I would recommend that a detailed wastewater treatment strategy is provided.

The recently adopted Environment Act 2021 states that all development should result in a 10% net gain for biodiversity. Although this will not be mandatory until 2023, paragraph 174d of the NPPF 2021 also states that planning decisions should be “*providing net gains for biodiversity*”. Within the National Park, we already have policies to require that development does not cause a detrimental impact on our habitats and wildlife, in effect requiring ‘no biodiversity net loss’.

These policies include;

- Strategic Policy A - Sustainable development means development which “maintains and enhances geodiversity and biodiversity through the conservation and enhancement of habitats and species”;
- Strategic Policy E - “The quality and diversity of the natural environment will be conserved and enhanced” and;
- Strategic Policy H - All development will be expected to; “Maximise opportunities to strengthen the integrity and resilience of habitats and species within the National Park and provide a net gain in biodiversity”

I therefore recommend that a Biodiversity Enhancement and Management Strategy is secured as a condition of any consent. This should identify reasonable enhancements for biodiversity and measures to ensure their long-term monitoring and maintenance. This should be secured as a pre-commencement condition.

Finally, an external lighting strategy will be required for this development, to demonstrate how areas that are suitable for nocturnal animals will not be unduly illuminated through the development. This should be demonstrated through detailed lux plans. This can be secured as a

condition of any consent.

Best wishes,

**Zara Hanshaw ACIEEM**

**Assistant Ecologist**

[\(she/her\)](#)

North York Moors National Park Authority

The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP



[www.nyma.org.uk](http://www.nyma.org.uk)

Chairman Adrian Leaman

Executive Secretary Janet Cochrane

## **North Yorkshire Moors Association**

### **Response to the planning application NYM/2022/0634/FL**

*Application for variation of conditions 1 (material amendment), 2, 3, 4, 5, 7 and 11 of planning approval NYM/2018/0681/FL to allow the temporary use of Ladycross Caravan Park as an accommodation park for Anglo American workers for the duration of the shaft sinking stages of the Woodsmith Project (estimated to be up to five years). The proposal comprises the regularisation of the 'as-built' layout to the south west of the site, temporary siting of two person cabins on each of the 189 pitches with associated infrastructure, provision of a temporary welfare facility across six lodges, canopy to existing toilet block for use as bus drop off/pick up area, cycle store and bin store together with retention of four privately owned lodges and private house for continued use by caravan site operator at Ladycross Plantation Caravan Park, Egton*

### **Introduction**

As part of the planning application for the development of the Polyhalite mine at Doves Nest Farm which was submitted by Sirius Minerals in 2015 provision was made for an Accommodation Park close to the business park in Whitby. This was to provide temporary accommodation units for contractors working at the minehead site on shaft sinking and was planned to accommodate 416 workers along with a supporting park and ride facility. Scarborough Borough Council granted permission for this in August 2015. Two major advantages of this site were the location outside of the National Park close to the Whitby business park and the proximity of this to the minehead site, approx. 6 miles by main road.

*“This same site was subsequently allocated as a housing site (Site HA18) in the Scarborough Local Plan (July 2017), and it is understood that both the landowner and the Borough Council were keen to see the early delivery of the site for housing. As a consequence of this, the land option on the site was relinquished by Anglo American. Outline permission for housing was granted in May 2020 and*

*reserved matters approval in December 2021. It is understood that this site is currently under construction". (information provided by NYMNP)*

After relinquishing the site in Whitby it is noteworthy that Anglo American Woodsmith Ltd appear not to have looked for any other potential sites in Whitby or in areas outside of the National Park. An obvious alternative site would be at the Woodsmith minehead near Sneaton a large area of 56.5 Ha (139 acres) owned by Anglo American.

### **Alternative Accommodation Park**

In seeking an alternative site for the contractor's accommodation Anglo American Woodsmith Ltd have entered into a leasing agreement with the owner of the Ladycross Caravan Park at Egton 6.7 miles from Whitby. This will require contractors to travel a round trip of about 25 miles from Egton to the Woodsmith minehead at Sneaton using the designated main road route for minehead traffic through Whitby.

Ladycross Caravan Park is for recreational use only and permission was given to extend the park for this purpose in 2018. Anglo American Woodsmith Ltd is seeking use of the entirety of the caravan park for 5 years. It means a significant change of use and an extension of the Anglo American associated mining activities into the National Park. Anglo American is already present at Lady Cross and is in the process of developing an access shaft for the mineral transport tunnel just a short distance from the caravan park.

The permission which was granted for the caravan site in 2018 was subject to 11 conditions and Anglo American is requiring the change of 7 of these conditions linked to an additional 12<sup>th</sup> condition. These are significant changes which collectively completely alter the reasons why the permission for recreational use of the site was given in 2018.

Ladycross caravan site discharges waste water into the Egton sewer system which already has problems coping with increases in surface water after heavy rain. It is reported that the Egton Bridge Treatment works discharged waste water into the River Esk on 44 occasions in 2021 for a total of 229 hours. (Data source from The Rivers Trust)

The proposed occupancy of the contractor's accommodation for 365 days per year together with the additional facilities including a welfare centre will add considerably more waste water to the Egton sewer system. This has been raised as a matter of concern by Egton Parish Council and organisations with fishing interests in the River Esk.

### **Planning Issues**

Strategic Policy A. Achieving National park Purposes and Sustainable Development

The proposed changes to the Ladycross Caravan Park are inconsistent with National Park statutory purposes:

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

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

The development of the contractor's accommodation park lies outside of any community and is in open country and is contrary to National Park policy.

*Strategic Policy B. The Spatial Strategy.*

*Open Countryside.*

*Development will only be permitted in Open countryside in the following cases.*

*2. Where there is an essential need for development to meet the needs of farming, forestry and other rural enterprises or land management activities.*

The Increase in transport during construction and the increase in traffic associated with the function of this site as a contractor's accommodation park will create additional disturbance to the quietness of this area. It will add to the disturbance already created by the nearby Anglo American intermediate ventilation shaft activities. It is contrary to the policy ENV2 Tranquillity.

*Policy ENV2. Tranquillity*

*Tranquillity in the National Park will be maintained and enhanced. Development proposals will only be permitted where they conserve and /or enhance tranquillity.*

*All proposals will be considered in relation to;*

*1 Visual intrusion*

*2 Noise and activity levels*

*3 Traffic generation*

*4 Presence of natural and semi natural habitats*

*5 Presence of historic assets*

The change from a caravan park to a contractor's accommodation site housing 400 contractors employed in shaft sinking south of Whitby means the loss of an existing recreational facility which is a viable business. This is contrary to National Park policy UE3

*Policy UE3. Loss of Existing Tourism and Recreation Facilities.*

*Development that would lead to the loss of an existing tourism or recreational facility will not be permitted unless it can be demonstrated that the business is no longer viable or that the new use would result in a significant improvement in the immediate environment or would bring about improvements to the access and highway arrangements which outweigh the loss of the tourism use.*

## **Conclusions**

It is unacceptable that Anglo American Woodsmith Ltd have elected to take over a recreation facility in the National Park rather than seek somewhere in Whitby or closer to the minehead site near Sneaton. The most obvious location would be the Woodsmith mine site itself.

The proximity of the Lady Cross site to Egton village makes the change to a contractor's accommodation site an unwanted intrusion on a quiet village and creates problems with increased transport and a loss of business from the recreational use as a caravan site.

Additional waste water from the site as a result of changes in the occupancy (365 days per year) by 400 contractors together with other services are likely to exacerbate an existing problem with the sewer system in Egton village.

The application is inconsistent with National Park policies as outlined above.

For the reasons given above we respectfully ask that the planning application is refused.

Please note that the response outlined above is the majority view of the NYMA Council but not unanimous, except for the representations on drainage

Tom Chadwick NYMA





The countryside charity  
North and East Yorkshire

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Branch Chair  
Mrs Jan Arger

**Authority:** North York Moors National Park Authority

**Type of consultation:** Planning Consultation

**Full details of application/consultation:** NYM/2022/0634 – Variation of conditions 1 (material amendment), 2, 3, 4, 5, 7 and 11 of planning approval NYM/2018/0681/FL to allow the temporary use of Ladycross Caravan Park as an accommodation park for Anglo American workers for the duration of the shaft sinking stages of the Woodsmith Project (estimated to be up to five years). The proposal comprises the regularisation of the 'as-built' layout to the south west of the site, temporary siting of two person cabins on each of the 189 pitches with associated infrastructure, provision of a temporary welfare facility across six lodges, canopy to existing toilet block for use as bus drop off/pick up area, cycle store and bin store together with retention of four privately owned lodges and private house for continued use by caravan site operator

**At land:** Lady Cross Plantation Caravan Park, Egton, YO21 1UA

**Type of response:** Comment

**Date of Submission:** 21<sup>st</sup> October 2022

All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

All CPRE North and East Yorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

External planning consultant used in this response:



KVA Planning Consultancy  
Katie Atkinson, BA (Hons), Dip TP, MA  
MRTPI  
[www.kvaplaning.co.uk](http://www.kvaplaning.co.uk)

## Comment

CPRE North and East Yorkshire ('CPRENEY') welcomes the opportunity to comment on this s73 application to vary several conditions to allow the temporary use of Ladycross Caravan Park as an accommodation Park for Anglo American workers during the shaft sinking stages of the Woodsmith Project (circa 5 years). The proposal comprises the regularisation of the as built layout to the southwest of the site, temporary siting of two-person cabins on each of the 189 pitches with associated infrastructure, provision of a temporary welfare facility across six lodges, canopy to existing toilet block for use as a drop off/pick up area, cycle store and bin store with the retention of 4 privately owned lodges and a private house for the caravan site operator. The application was submitted to North York Moors National Park Authority ('the NPA') on behalf of Anglo-American Woodsmith Ltd ('the applicant') by Lichfields.

Having had the opportunity to consider the documents submitted on behalf of the applicant, CPRENEY neither support nor object to the proposals per se, however, do have some comments to make which they hope will be taken into account in the determination process.

The site has a relatively complex planning history with numerous applications seeking to regularise the overall site. In 2011 (NYM/2011/0111/FL) permission was granted to reconfigure the caravan park to a number of conditions including: Condition 4 - restricting the use of the permitted caravans and timber lodges for 'holiday purposes only'; Condition 5 - preventing the occupation of the permitted caravans and lodges between 15 January and 1 March; and, Condition 6 - stating that the site shall not be used for more than 10 static caravans, with the remaining numbers made up of 42 timber lodges, 124 touring/seasonal caravans, 9 motor homes and 5 camping pods.

Since then, there have been three subsequent amendments to the original planning permission (NYM/2012/0785/FL/FL; NYM2016/0297/FL and NYM/2018/0681/FL) which, alongside securing design and layout variations, also removed the seasonal occupational restriction (Condition 5), thus allowing the caravan park to operate year-round. At present this is the operational basis of the site. Most recently, an undetermined proposal (at the time of writing) has been lodged with the NPA seeking to reorganize the northern section of the caravan park and extend into an area of woodland owned by the landowner and caravan park operator (NYM/2022/0568), although it is noted that this is being dealt with by another case officer at the NPA.

The proposal seeks specifically to vary conditions 1, 2, 3, 4, 5, 7 and 11 of planning permission NYM/2018/0681/FL and proposes an additional condition 12 to be inserted into the permission.

Condition 12 sets out the temporary use of the site for a period of '*no more than five years from the date of first occupation for such purposes as notified in writing to the Local Planning Authority, or until (INSERT DATE FIVE YEARS AND SIX MONTHS FROM DATE OF CONSENT) whichever is the sooner.*' The rest of the condition sets out that the temporary workers accommodation will comply with a number of detailed drawings and then states clearly that '*at the expiration of the period authorised by this permission for occupation of the site for temporary worker accommodation, and unless otherwise formally agreed in the writing, the Caravan Park shall be fully reinstated to a condition to allow resumption of the approved tourism and recreation use in Pg 13/14 25646191v3 accordance with plan ref. SD-10.04 rev. C and a timetable to be agreed in writing with the Local Planning Authority.*'

The proposed variations of conditions 1-5 of the original application all consist of the insertion of the line '*Except as temporarily authorised under condition 12*' at the start of each condition. Condition 7 is a complete replacement setting out '*External lighting shall be installed on site in accordance with plan ref. SD-10.08 rev. C. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition for the duration of occupation of the site for the permitted temporary and permanent uses.*'

However, as indicated by the highlighted section above, CPRENEY notes that this is not in accordance with the proposed lighting plan set out in condition 12 which refers to drawing ref SD-10.08 rev D. This should be clarified by the applicant.

The background to the proposal is understood, in terms of the proposed allocation for a workers accommodation park situated adjacent to the Whitby Business Park and Park and Ride facility and understand the predicament the company must be in at present.

It is understood that the proposal seeks to utilise the existing footprint of the holiday park, insert climate friendly build options (solar panels to the roof space of each lodge) and not extend the red line boundary of the site – which is a benefit of the scheme as no further impact on the landscape would be felt, given the site mainly already exists (should the extension to the outstanding permission be approved).

The NPA has two statutory purposes: 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 National Park by the public. In addition, there is a statutory duty for the NPA to seek to foster the economic and social well-being of local communities. CPRENEY understand that at present, the company rely on numerous tourist bed providers across the National Park for workers to reside in during shift cycles. However, whilst the proposal may bring a number of these ‘beds’ back into tourist usage, will the reduction of pitches and removal of existing lodges at the Ladycross Caravan Park not simply be a like for like swap? Although, acknowledging some are yet to be built out, are these existing and permitted beds not counted by the NPA as tourist accommodation provision? A further concern is the kitchen and welfare facilities, whilst understandably required to be provided on such a site, will the economic benefits to nearby communities currently housing workers not be impacted, particularly during winter months out of traditional tourist season? As the country emerges from the global pandemic and staycations are still readily sought after, the loss of this sizeable caravan park to the communities in the National Park could be heavily felt, especially for a 5year period.

The NPA Local Plan was adopted in July 2020 and Strategic Policy J deals specifically with tourism and recreation. It seeks to encourage appropriate tourism development within the NP that is sensitively located and will not detract from the special qualities of the NP. Policy UE1 recognises that existing tourism businesses in the open countryside may wish to expand but requires any new development to be subservient in scale of the existing development. It also clearly sets out that the proposal must comply with Policy UE2 - camping, glamping, caravans, and cabins which seeks to protect the landscape character of the NP by supporting small scale development proposals which are screened by existing topography, buildings or adequate well-established vegetation within the applicant’s control. Further, the policy specifically sets out that proposals for *‘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.’* As such – the NPA is not actively seeking new or additional large caravan/lodge sites.

Furthermore, Policy UE3 states that development that would lead to the loss of an existing tourism facility will not be permitted unless it can be demonstrated that the business is no longer viable or that the new use would result in a significant improvement to the immediate environment or highway safety which outweighs the loss of tourism use. The planning application provides no evidence to demonstrate that the Caravan Park is not viable as a successful business. Ladycross Caravan Park certainly appears to be a viable business, with a number of planning applications submitted in recent years to expand the Caravan Park including the current undetermined proposal which will allow a total of 189 pitches - which is a substantial scale in the National Park that generates significant tourism expenditure within the local economy and whilst the proposed usage is for a temporary period, (there are no guarantees there will not be further delays to the mine project beyond 5 years and the time could indeed be extended) CPRENEY have concerns regarding the loss of

tourism expenditure to the local economy and whether existing businesses will manage without it.

The applicant alludes to an agreement with the landowner regarding leasing the site if the project detrimentally impacts the business. No evidence of this detrimental impact has been presented in the planning documents indeed the outstanding application (NYM/2022/0568) sets out in the Design and Access Statement at Point 9.05 (conclusions) that *'we therefore consider that the development should be supported as it meets policy and due to the unique special reasons and significant material benefits proposed not only to the holiday product but also to the rural local economy and employment'*. The outstanding application to reconfigure and extend the holiday park is all premises on the income brought into an area by such holiday parks and the contribution they make to local and national GDP. As such, there is no hint that the Park is suffering as a result of the Woodsmith Mine project. Ordinarily, the NPA seeks to achieve a minimum of 29 houses per annum across the National Park – even on a temporary basis, a worker's village of this size would be contrary to the settlement hierarchy which is presumably why the company originally proposed to utilise land for this usage in Whitby outside the designated landscape. CPRENEY are, therefore, of the opinion that this proposal should not be determined until such time that evidence of alternative options has been submitted to the NPA, including evidence that utilising brownfield sites within the Scarborough District has been considered.

Finally, CPRENEY acknowledge the need for rural businesses to adapt to current uncertainties and challenging times, however, the special qualities of the designated landscape are required to be preserved and protected, thus take precedence when necessary. Furthermore, the NPA has a duty to foster the economic and social well-being of local communities – which includes the impact of economic losses as a result of losing a significantly sized holiday park, able to open 12 months of the year, for a period of 5 years.

CPRENEY reserves the right to comment further should any additional information be submitted in support of the proposal.

At this stage we neither object nor support the proposals but consider further information necessary prior to determination in the interests of preserving the special qualities of the National Park.

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**From:** Mark Antcliff  
**Sent:** 25 October 2022 17:16  
**To:** Rob Smith >  
**Cc:** Hilary Saunders  
**Subject:** NYM/2022/0634/FL Lady Cross Plantation

Hello Rob

### **NYM/2022/0634/FL Lady Cross Plantation**

As we discussed, this application aligns with the existing consent NYM/2011/0111/FL.

My comments below only relate to the wooded parts of the site or activity in proximity to retained trees elsewhere.

The existing consent wasn't conditioned with a requirement to provide an arboricultural method statement for the construction phase although the application itself did emphasise the intention to minimize tree and woodland losses. Condition 13 required that all road surfaces be constructed using a three dimensional cellular confinement system. This is to prevent soil compaction underneath, which in turn helps protect tree roots.

A tree survey was included with the 2011 application but there is neither a tree survey or arboricultural impact assessment with the current application. I don't think we necessarily need this prior to determination but we should make the applicant aware of our expectations in this regard, which I have listed below.

1. Trees and woodland/heathland ground flora should largely be retained apart from where they are in direct conflict with access routes and built structures.
2. Root Protection Areas (RPA's) of retained trees will be respected.
3. An updated tree survey, arboricultural impact assessment and arboricultural method statement will be produced prior to commencement of works.
4. Appropriate construction methods and techniques utilised. Including but not limited to; tracks, paths, foundations and provision of services.
5. Consideration given to compensating for tree losses through new planting on or adjacent to the site.

It is important that we get these aspects of the development correct at the outset, both to maintain the amenity the woodland provides and to ensure that retained trees remain healthy and safe.

Kind regards

Mark

Mark Antcliff  
Woodland Officer

## EPC objections to NYM/2022/0634 - Anglo American an Lady Cross Caravan Park

The Parish Council wish to strongly object to this planning application for the following reasons.

### Statutory Purposes and Duty

1. The two statutory purposes of the National Park are: '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'. In addition there is a statutory duty for the National Park 'to seek to foster the economic and social well-being of local communities'. The Local Plan must assume a policy of restraint and protection. This is also reinforced in the Management Plan 2022-27. Outcome 4, objective 17 states that the National Park will work with local businesses to establish regenerative tourism as a guiding principle and encourage visitors to make a positive contribution to the National Park.

2. The Parish Council consider that this planning application will have a serious, negative impact on both the economic and social well-being of Egton Parish, and to a lesser extent neighbouring parishes and indeed across the National Park and Whitby. The Parish Council consider that this planning application represents an **existential and immediate threat** to the economic and social well being of the Parish. Below we have set out the relevant policies under which this planning application should be considered.

### Strategic Policy B - the Spatial Strategy

3. This provides a settlement hierarchy namely:

- Helmsley
- Large Villages (including Egton)
- Small Villages (including Egton Bridge)
- Botton Village
- Open Countryside

4. The hierarchy is taken into account by the Local Plan policies, placing varying restrictions on development in order to preserve the special qualities of each category in terms of the physical layout of each settlement and the communities that live within them. Egton is a large village and Policy CO7 restricts new development to no more than 5 dwellings. The Lady Cross site is within the Egton Parish but situated 1 mile from Egton in open countryside. Policy CO10 restricts housing development to only essential need for a dwelling in proposed locations in open countryside to support established farming, forestry or other essential land management activities.

5. This planning application does not fit within the hierarchy. In the context of the National Park and the Local Plan, a development of this size was clearly not envisaged. That does not mean that an application such as this cannot be submitted. However, setting aside the fact that the Lady Cross Caravan Park exists, this planning application is seeking permission to build a workers village within the National Park that is larger than most of the actual villages in the national park. The planning application states that this would be temporary accommodation for a period of 5 years. This is a long time, and given the delays with the Woodsmith mine, the Parish Council has no confidence in the assertion that the need would end after 5 years. In fact Anglo American have been unable to provide any narrative or staff deployment plans that sets out how the 400 workers would be employed over this period. We have asked Anglo American to share with the Parish Council their workforce deployment plans for the next 5 years, and how and when the workforce (employees and contractors) accommodated at Lady Cross would be employed.

6. The Parish Council consider that a development of this size should not be allowed in the National Park. It results in a reduction of tourism, dwarfs the size of allowable development in a large village and in open countryside and will have a negative impact on the economic and social well-being of Egton Parish. It would also have a significant, negative impact on the special qualities of the National Park.

#### **Strategic Policy D - Major Development**

7. This strategic policy states that major development shall be refused except in exceptional circumstances where it can be demonstrated that they are in the public interest. The approval of the planning application for Woodsmith Mine was under this policy. This was on the basis of the size of the polyhalite deposit and the potential economic benefits for the country as a whole, should the deposit be exploited. The Woodsmith mine has to be located within the National Park, as the location of the polyhalite deposit is within the underlying geology beneath the National Park and under the North Sea.

8. This policy goes on to say 'whether, in terms of cost and scope the proposal can viably and technically be located elsewhere outside the National Park in a place that would avoid conflict with the National Park's statutory purposes; or that the need for it can be met in some other way'. Clearly the actual mine has to be within the National Park as the polyhalite deposit is under the National Park. However, the location of the workforce is an entirely moveable entity. There is no operational reason whatsoever to locate 400 workers within the National Park. Indeed, Lady Cross is 10 miles by road from the Woodsmith mine site so it is also not in close proximity to the work location. Workers are currently accommodated across the Borough of Scarborough and Whitby, thus diluting the impact of this on any one location. To locate 400 workers in a camp that is larger than the village of Egton is entirely unnecessary. In order to mitigate the potential fatigue of the workforce, there is a more compelling case to locate a workers village, within the National Park, but close to the Woodsmith mine site.

9. The Parish Council asked Anglo American what other options had been considered. They confirmed that they had not considered any other options. They also confirmed that they had not carried out a cost / benefit analysis of this option, and they had not considered the impact on the immediate vicinity of Lady Cross and the community of Egton. Anglo American also confirmed that they have not had any discussions with Scarborough Borough Council or Whitby Town Council to explore potential sites. On the SBC planning website there is a list of brownfield sites in Scarborough and Whitby. The Parish Council finds it hard to believe that a global organisation such as Anglo American would want to proceed with this planning application, without undertaking a fully costed assessment of all the options available, assessing the impact of each option on their business and on the communities affected. We set out below the impact on other relevant policies. The Parish Council consider that a development of this size located in the National Park should be refused. There are other options that could be considered that could benefit the community in Whitby in the longer term, rather than negatively impacting on the National Park. Other options that should be considered include:

- Continue to accommodate workers in temporary accommodation across Scarborough and Whitby, thus diluting the impact on any one location.
- Explore options with local hotels within Whitby.
- Build a temporary workers village at the Woodsmith Mine site, thus removing the need for 36 bus journeys a day between Lady Cross through Whitby up to the Woodsmith mine.
- Work with Scarborough Borough Council to identify a brownfield site within Scarborough or Whitby that could be used.
- Site the workers cabin village on this site and then work with Scarborough Borough Council to then build affordable housing on the site for the use of Whitby residents.
- Taking this a step further, build houses on a brownfield site which could be used by the 400 workers and then handed over to SBC to allocate to local people as affordable housing.



## **Strategic Policy E - The Natural Environment**

10. This policy aims to conserve and enhance the quality of the natural environment of the National Park. Replacing a Caravan Park, which supports tourism, with a workers village will have a negative impact on the natural environment. There is already the disruption of the work to sink the mine shaft adjacent to Lady Cross Plantation. A workers village is a very different proposition to a caravan park. Given the shifts that workers will be working, there will be additional noise and light from the workers village. Within the near vicinity there are hare, deer, woodpecker, barn owls and sparrow hawk to name a few. All will be affected by unnecessary increases in noise and light. The Parish Council asked Anglo American whether they had carried out a wildlife survey in and around the Lady Cross site. They stated that a survey was carried out in approximately 2011 for the mine site. The Parish Council feel strongly that a new wildlife survey (encompassing flora and fauna) should be carried out to assess whether any particular habitats or species would be put at risk by the proposed change of use of the site. A major noise impact will be from 36 bus journeys each day. Given the shift patterns some of these journeys are during dark hours. Additionally a village of 400 workers is likely to result in an exponential increase in delivery drivers due to on line shopping. Traffic generated by a caravan park is much more low level and impacts less on the natural environment. There will also be a negative impact on the dark skies (Policy ENV4).

### **Policy ENV2 - Tranquility**

11. The Parish Council consider that the development of a workers village on the Lady Cross site would not maintain or enhance the tranquility of the National Park. There will be increase noise, activity and traffic generation with 36 bus journeys every day. There is already a significant amount of noise and activity at the Lady Cross mine site. This is already having a negative impact on the tranquility of Egton and the surrounding countryside. Several complaints about noise levels have already been lodged.

### **Policy ENV7 - Environmental Protection**

12. This policy states that development will only be permitted where it does not risk harm to water quality, including groundwater, rivers and streams. The Egton sewer system has not been upgraded since the 1950s. It regularly overflows into the River Esk in Egton Bridge. Lady Cross Caravan Park discharges waste water into the Egton sewer system. With 400 people living on the Lady Cross site, 24/7 and 365 days a year, this would increase the impact on the Egton sewer system, likely resulting in more incidents of pollution of the River Esk. The water table around Egton is quite high and fields regularly have standing water in winter. The Parish Council consider that Anglo American need to engage and address this significant issue. Increased discharge into the Egton sewer system will result in an increase in pollution into the River Esk. If Anglo American were to contain their waste on site, this would need to be carefully managed to avoid polluting the local ground water.

### **Policy UE3 - Loss of Existing Tourism and Recreation Facilities**

13. This policy states that development that would lead to the loss of an existing tourism facility will not be permitted unless it can be demonstrated that the business is no longer viable or that the new use would result in a significant improvement to the immediate environment or highway safety which outweighs the loss of tourism use. The planning application provides no evidence whatsoever to demonstrate that the Caravan Park is no longer able to operate viably as a profitable business. Indeed the Parish Council view is that the Lady Cross Caravan Park is self evidently a viable business, with a number of planning applications submitted in recent years to expand the Caravan Park. When the Caravan Park was originally approved there were approximately 60 pitches. The impact of planning approvals will increase this to 189 which is a sizeable facility, that generates significant tourism expenditure within the local economy. This

planning application seeks to replace the holiday accommodation with temporary accommodation for 400 workers for a period of 5 years. This is a long time and the Parish Council feels that this is stretching the definition of a “temporary” period. As stated above, the Parish Council have asked for sight of the Anglo American workforce deployment plan to better understand the need for workers over the 5 year period. Based on the current information available, the Parish Council has absolutely no confidence in Anglo American’s assertion that the site would only be used for 5 years. Also, there would be nothing to stop them submitting further planning applications in the future to extend the time period the site is used to house workers. An engineering project as complex and large scale as the Woodsmith mine is likely to exceed the original cost and timeline plans. The Parish Council notes that the original plan from Sirius Minerals was for poly hail to start to be extracted in 2021. The project is therefore some years away from completion. Anglo American has been unable to offer any meaningful reassurances on the overall timeline for the project and for how long the 400 workers would need to be employed.

14. The Lady Cross Caravan Park is a thriving tourism business with planning for 189 caravan pitches, with around 135 currently in use. Many of the people have been using the camp site for many years and in effect use their caravans a second home. The Caravan Park is unusual in that it has a woodland setting, rather than being close to the beach at Whitby or Sandsend. It therefore provides more choice to caravaners, who are seeking the tranquility of the National Park, rather than the hustle and bustle of Whitby. The tourists who stay there make a significant contribution to the local rural economy, through visiting the pubs in the villages, together with shops in Grosmont and other locations. They are also more likely to explore the National Park more widely than tourists staying on camp sites close to Whitby. The economic impact will be felt most keenly close to the Caravan Park site, but could also impact other tourism locations across the National Park.

### **Strategic Policy K - The Rural Economy**

15. This policy states that development that fosters the economic and social well-being of local communities within the National Park will be supported if it meets certain criteria, such as, inter alia:

- Promotes and protects existing businesses by providing flexibility for established rural businesses to diversify and expand
- Helps maintain or increase job opportunities in ...the tourism sector which help maintain the land based economy and cultural heritage of the National Park

16. The removal of the Caravan Park and replacing it with a self contained workers village represents an **existential and immediate threat** to the local rural economy. This threat cannot be ignored. In fact, this planning application has already started to have a negative impact as the Parish Council understands that a significant number of caravaners have already left the Lady Cross site. Caravaners have been told, should the planning application be approved, that they would be given only 3 months notice to remove their caravan from the site. This means that should this application be refused, there will already be fewer tourists at the caravan park in 2023. The local pubs in Egton, Egton Bridge, Aislaby and Grosmont rely on business from tourists from the Caravan Park. They regularly visit the pubs to have an evening meal and a drink. Country Cars, a taxi firm based in Egton, regularly ferries people to and from Whitby from the Caravan Park for a night out. It is difficult to quantify the exact financial impact but it is clear that it is significant and negative. The hospitality industry is on its knees at the moment given we have only recently emerged from the Covid Pandemic. We now have the looming cost of living crisis. Any reduction in turnover, particularly in the pubs, could well result in the closure of one or more of them. Egton and Egton Bridge thrive because there are 4 pubs. Tourists and visitors tend to come and visit more than one. If some pubs were to close, that could then result in a material reduction in visitors, creating a self perpetuating downward spiral of tourism spend, putting all 4 pubs at risk of closure. All 4 pubs are integral to the local community and very important for social well-being and

are at the very heart of the community. They are all friendly and welcoming environments that add to the appeal of Egton Parish as a quintessential Moorland village within the National Park.

17. Anglo American currently house a number of workers in an ex Care Home in Hawsker. The Parish Council has had a discussion with the Landlord of the The Windmill pub in Stainsacre. Workers from the ex Care Home visit the Windmill pub on a regular basis. Initially this resulted in a reduction in both turnover and profit. Anglo American workers would descend on the pub and take up tables and drink, sometimes getting loud. It is reported that this drove tourists and families away. The workers presence meant that there were less tables available for families to come into the pub for an evening meal. The Parish Council understands that a pub makes little profit from the sale of drink alone. A viable business depends on offering meals and accommodation. The situation has now improved at The Windmill, but this impact was from a relatively small number of Anglo American workers. The impact from 400 workers just a 15 minute walk from Egton (two minute taxi ride) would be catastrophic. Apart from any negative impact from Anglo American workers visiting the pubs just to drink, the damage would already have been inflicted by removing 135 pitches at the Caravan Park. The loss of the significant revenue raised from tourists staying at the Caravan Park would be devastating to the businesses in the village.

18. The Parish Council also consider that this planning application would have a negative impact on the social well-being of the community. Any threat to the viability of the pubs would have a direct negative impact on the social well-being of a currently thriving community. There are also 69 (and counting) objections to the planning application together with a petition with 66 signatures (and counting). The majority of the objections are from people who live in Egton. There is one response in favour of the application. This is a significant response that cannot be ignored and indicates that there are likely to be many more people in the village who oppose the application, but do not want to, or are unable, to engage in the planning process. These objections raise a number of issues, many of which have been covered above. Several objections raise a concern about safety, and a fear of having 400 people living close to the village. The concern is that this would impact negatively on the community spirit in the village. Some residents have said that they would feel unsafe walking around the lanes on their own, particularly women. This may appear to be an extreme reaction, but the fear is genuine. This is similar to comparing the fear of crime against actual rates of crime. There are also concerns about potential anti-social behaviour from workers descending on Egton. Anglo American has stated that they do not tolerate poor behaviour which would result in dismissal. The Parish Council has asked for more information on this to understand how this would work in practice. For example, it would be helpful to understand the Anglo American alcohol/drug testing process, sickness absence policy, conduct and discipline policy. The Parish Council understand that some workers use home alcohol test kits and if they test above the limit they take a day's sickness absence. It would be helpful if Anglo American could share data on levels of sickness absence, dismissals from failing alcohol and drug tests.

19. The planning application states that workers will work 7 days on and 4 days off. They are expected to return to their home address on their days off. Anglo American has explained that for overseas workers they typically work 15 days straight, have 1 day off, then work a further 15 days and then have 15 days off and return to their home country. In discussion with Anglo American it became clear that there is clearly the possibility that some workers would remain at the Lady Cross site, when they are not rostered on to work. This highlights a possibility that with time on their hands workers could well come into Egton. In fact, Anglo American could not legally stop their workers leaving site and coming into Egton.

20. There is also a concern that having a workers village close to Egton would change how Egton is perceived. Egton could quickly gain the reputation of being overwhelmed by a miners village. Given that the population of Egton Parish is 448, the actual village of Egton is likely to be smaller than the proposed workers village. Any negative impact on Egton's reputation, and also that of the National Park, will be very hard to reverse. Reputations take a long time to develop and need to be protected. If Egton is perceived as being next to a miners village, this could then lead to a further reduction in the number of visitors to the Parish, increasing the threat further on the viability of the local businesses in the village and surrounding area. This would then in turn lead to local

people losing their jobs within the hospitality sector. Egton is scheduled as a conservation village and has a reputation as being a quintessential Moorland village, is known for the Egton Show, the Gooseberry Show and is in fact the gateway to the moors from Whitby whether by car or bike. The Parish Council consider that the negative impacts, both economically and on social well-being, mean that this application should be refused.

### **Policy BL12 - Temporary Rural Workers' Dwellings**

21. This policy states that temporary dwellings for rural workers engaged in farming, forestry or other essential land management activities will only be permitted where the accommodation is essential to support a new enterprise or activity, demonstrating inter alia that the need cannot be met by using other existing dwelling ...or any other accommodation in the area.

22. This planning application is for temporary dwellings for 400 workers - far in excess of any reasonable expectation within the National Park. 5 years is also a very long time and should not be considered temporary. The workers are also not engaged in rural activity. In fact the workers would not be working in the local vicinity but 10 miles away (by road) at the Woodsmith mine. The accommodation need could be met in a number of different ways, not least the current arrangement of accommodating workers across the Scarborough Borough, thus diluting the impact across a large area. The Parish Council consider that this planning application is not in line with this policy.

### **Conclusion**

23. The Parish Council are broadly supportive of the mine and understand the benefits both nationally and locally in exploiting the polyhalite deposit. The development of the mine is clearly a very large engineering project that will take many years to develop before any material is mined. The original plan was for poly halite to start to be mined in 2021. There is clearly a need to house a large workforce whilst the mine is developed. As stated above the mine is situated in the National Park due to the underlying geology to access the poly halite deposit. But the workers do not have to be accommodated within the National Park. This proposal does not actually accommodate the workers close to their place of work. They would be transported to Woodsmith mine, so the Parish Council feels strongly that a range of other options should be considered. In order to minimise travel time for the workers, to manage worker fatigue, a range of options should be considered in the widest sense to understand the potential impact on the National Park and communities. If the workers village was closer to the Woodsmith site, this would then remove the need for 36 bus journeys a day, 10 miles each way. Given the extreme winter weather in the National Park it seems an unnecessary risk as the buses could well have difficulty driving down one side of the Esk valley and then up the other side.

24. With more imagination, and better engagement and consultation with key stakeholders (councils, communities etc) the Parish Council feel that there are more suitable options to be explored. For example, if a suitable site could be identified within Whitby this site could be re-purposed for affordable housing in the future. Given the strength of feeling in Whitby concerning second homes, this could be a really positive opportunity for Anglo American to work with local communities to provide a lasting benefit for the local area. This would demonstrate that Anglo American are committed to minimising the impact and disruption in the National Park, and provide a long term benefit for the residents of Whitby.

25. For all of the above reasons the Parish Council consider that this is an unnecessary planning application that contravenes many policies in the Local Plan and does not support the statutory purposes and duty of the National Park. As such it should be refused.

**Our Ref:** 465-2-2022 MR  
**Your Ref:** NYM/2022/0634

Date 22 September 2022



## Partnership Hub

Mr Rob Smith  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
North Yorkshire  
YO62 5BP

Dear Mr Smith,

**Proposal** Application for variation of conditions 1 (material amendment), 2, 3, 4, 5, 7 and 11 of planning approval NYM/2018/0681/FL to allow the temporary use of Ladycross Caravan Park as an accommodation park for Anglo American workers for the duration of the shaft sinking stages of the Woodsmith Project (estimated to be up to five years). The proposal comprises the regularisation of the 'as-built' layout to the southwest of the site, temporary siting of two person cabins on each of the 189 pitches with associated infrastructure, provision of a temporary welfare facility across six lodges, canopy to existing toilet block for use as bus drop off/pick up area, cycle store and bin store together with retention of four privately owned lodges and private house for continued use by caravan site operator

**Location** Ladycross Plantation Caravan Park, Egton

Many thanks for giving North Yorkshire Police (NYP) the opportunity to comment on this application. In August this year I responded to planning application NYM/2022/0568 for this site (405-1-2022 MR refers), in which I provided details of a crime & disorder analysis for an area within a 1Km radius of the site, which remains relevant for this application, The results of that analysis showed that the site is located within an area with low crime & disorder levels, with 1 crime and no anti-social behaviour incidents being recorded by NYP during the period between 1 August 2021 and 31 July 2022.

Having reviewed the documents and drawings that have been submitted in support of this application, I would make the following comments in relation to Designing Out Crime.

### 1 Security Staff

1.1 I note from the covering letter that the site is to be provided with 24-hour security staff and this is welcomed .



Police Station Northway, Scarborough Yorkshire | YO12 7AD

Telephone: 01609 643170

Email [Mark.Roberts@northyorkshire.police.uk](mailto:Mark.Roberts@northyorkshire.police.uk)

Non-emergency  
Number



## 2 Lighting

2.1 It is also pleasing to note that a lighting scheme is to be incorporated and whilst the use of bollard lighting is not usually recommended for crime prevention purposes, it is accepted that the site is located within an area covered by the Authority's "dark sky" policy.

## 3 Cycle Storage

3.1 It is also noted that a cycle shelter is to be provided that will enable cycles to be kept securely, and that this has been appropriately located near to the reception building, which will provide an element of natural surveillance.

## 4 Car Parking

4.1 The covering letter indicates that there will be no on-site parking other than for management and service providers, such as cleaners, but off-site parking is available. The submitted drawings show a small car park located on the approach road to the site, just outside of the proposed new security barriers.

4.2 Due to its location, it is unlikely that the car park will be capable of being overlooked from a nearby building, which is contrary to Paragraph 74 of the National Design Guide, I would therefore suggest that consideration be given to the installation of a CCTV system that is capable of being monitored remotely, to cover this facility. This may require an alternative lighting solution to ensure that there is no loss of picture quality or colour rendition,

4.3 CCTV systems can be effective in deterring a criminal, as well as providing potential evidence relating to the commission of a crime or capturing hostile reconnaissance prior to a crime being committed.

4.4 Any CCTV system installed should comply with the CCTV Code of Practice issued by the Information Commissioners Office (ICO), which can be found at <https://ico.org.uk/for-organisations/guide-to-data-protection/cctv/>

4.5 Regular checks of the car park should also be made by the security staff.

## 5 Safe

5.1 Consideration should be given to providing each accommodation unit with a safe for each occupant to enable them to store any valuables securely.

I have no other comments to make at this time, but should you require any further information, please do not hesitate to contact me.

Yours sincerely,

Mr Mark Roberts  
Police Designing out Crime Officer

Date: 12 September 2022  
Our ref: 406200  
Your ref: NYM/2022/0634



Mr R Smith  
North York Moors National Park Authority

Consultations  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**

Dear Mr Smith

**Planning consultation:** Application for variation of conditions 1 (material amendment), 2, 3, 4, 5, 7 and 11 of planning approval NYM/2018/0681/FL to allow the temporary use of Ladycross Caravan Park as an accommodation park for Anglo American workers for the duration of the shaft sinking stages of the Woodsmith Project (estimated to be up to five years). The proposal comprises the regularisation of the 'as-built' layout to the southwest of the site, temporary siting of two person cabins on each of the 189 pitches with associated infrastructure, provision of a temporary welfare facility across six lodges, canopy to existing toilet block for use as bus drop off/pick up area, cycle store and bin store together with retention of four privately owned lodges and private house for continued use by caravan site operator

**Location:** Ladycross Plantation Caravan Park, Egton

Thank you for your consultation on the above dated and received by Natural England on 09 September 2022.

Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Generic advice is provided in Annex A attached.

Yours sincerely

Leslie Farrington  
Consultations Team



## Annex A – Additional advice

Natural England offers the following additional advice:

### Landscape

Paragraph 174 of the [National Planning Policy Framework](#) (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

### Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on [Gov.uk](#) website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying [Good Practice Guide for Handling Soils in Mineral Workings](#).

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

### Protected Species

Natural England has produced [standing advice](#)<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

### Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)<sup>2</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

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<sup>1</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>2</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

## Annex A – Additional advice

### Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

### Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

Natural England's [Biodiversity Metric 3.1](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 3.1](#) and is designed for use where certain criteria are met. It is available as a beta test version.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 3.1](#) and is available as a beta test version.

### Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

## **Annex A – Additional advice**

### **Rights of Way, Access land, Coastal access and National Trails**

Paragraphs 100 and 174 of the NPPF highlight the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on any nearby National Trails. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

### **Biodiversity duty**

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).



# SCARBOROUGH BOROUGH COUNCIL

North York Moors National Park Authority (Rob Smith)

Our Ref 22/01853/OA

14 September 2022

**Proposal** Application for variation of conditions 1 (material amendment), 2, 3, 4, 5, 7 and 11 of planning approval NYM/2018/0681/FL  
**Site Address** Lady Cross Plantation Caravan Park Egton Whitby North Yorkshire YO21 1UA

I refer to the above consultation which was received at this office on 9 September 2022.

No objection.

If you require any further assistance please contact me at the above address.

Yours faithfully

*D Walker*

Mr D Walker  
Head of Planning



[planning.services@scarborough.gov.uk](mailto:planning.services@scarborough.gov.uk)

[www.scarborough.gov.uk/planning](http://www.scarborough.gov.uk/planning)

Planning Services, Town Hall, St Nicholas Street, Scarborough YO11 2HG

**From:**  
**To:** [Planning](#)  
**Subject:** RE: NYM/2022/0634  
**Date:** 09 September 2022 12:00:37  
**Attachments:** [image001.png](#)

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*Good morning*

*The next meeting is 18 October, I will be able to send comments on 19 October is that is ok. Please confirm.*

*Kind Regards*

*CA Harrison – Clerk to Egton Parish Council*