

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2024/0189

**Development description:** creation of a wildlife pond (retrospective)

**Site address:** land located north of 2 Loring Road, Ravenscar

**Parish:** Staintondale

**Case officer:** Miss Emily Jackson

**Applicant:** Dr Christopher Exley, 2 Loring Road, Ravenscar, Scarborough, North Yorkshire, YO13 0LY

**Agent:** Not Applicable.

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition code	Condition text
1	PL02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved.
2	MC00	The wildlife pond hereby permitted shall not be stocked with fish or used to keep ducks. No supplementary feeding (for example of gamebirds) shall be carried out within or around the edges of the pond in order to ensure that the ecological value of the pond is maximized.
3	MC00	The application site to which this development relates shall not be used for any commercial purpose, including any sporting or shooting activities.

### Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	RSN PL01	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.

2-3	RSN MISC00	In order to comply with the provisions of Strategic Policy H of the North York Moors Local Plan which seeks to maintain and enhance features of ecological value and protect species.
-----	---------------	---

## Consultation responses

Third party responses

None Received

Publicity expiry

11 April 2024

Photograph showing wildlife pond constructed on parcel of land to northwest of Loring Road, Ravenscar.



Photograph showing view into site looking south from raised walkway adjacent to Station Square.



## Background

The application site relates to a parcel of land located to the south of Station Square at Ravenscar on the opposite side of the dismantled railway, northwest of Loring Road. The parcel of land is predominantly used for horticulture and agriculture and has been under the ownership of the residents of 2 Loring Road for the past eight years.

This application seeks retrospective permission following a recent enforcement matter for the construction of a wildlife pond to the centre of the site. The wildlife pond is irregular in shape with a central island, measuring 30 metres x 15 metres at its widest points with a surface area of approximately 300 square meters and varying depths between 2cm to 2 metres.

In support of the application the applicant has stated that –

The pond has been planted with native British pond plants. The banks of the pond have been sown with seeds of native British pond plants. An area adjoining the pond has been planted with native willow. A further area close to the pond has been sown with native British wildflowers. A shaded area above the location of the pond has been sown with native British shade-tolerant plants.

## Main issues

### Local Plan

The most relevant policies contained within the North York Moors National Park Authority Local Plan 2020 to consider with this application are Strategic Policy A (Sustainable Development) and Strategic Policy H (Habitats, Wildlife, Biodiversity and Geodiversity).

Strategic Policy A states that a positive approach to new development will be taken in line with the presumption of sustainable development set out in the National Planning Policy Framework and where decisions are consistent with National Park statutory purposes which are: to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. Where there is an irreconcilable conflict between the statutory purposes the Sandford Principle will be applied, and greater weight will be attached to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.

Strategic Policy H states that the conservation, restoration and enhancement of habitats, wildlife, biodiversity and geodiversity in the North York Moors National Park will be given great weight in the decision-making process. All development will be expected to: maintain and where appropriate enhance features of ecological value and recognised geodiversity assets; maximise opportunities to strengthen integrity and

resilience of habitats and species within the national park and provide a net gain in biodiversity; and maintain and where appropriate enhance existing wildlife connections and landscape features. Development proposals that are likely to have a harmful impact on protected or valuable sites or species will only be permitted where it can be demonstrated that: there are no alternative options; there are suitable mitigation measures in place to avoid or reduce harm; any residual harmful impacts have been offset through habitat enhancement, restoration or creation on site or elsewhere; and that the wider sustainability benefits outweigh the harm.

### Material Considerations

Whilst there are no other ponds in the immediate vicinity of the site, the wildlife pond is sited in a reasonably well screened location behind the dismantled railway in Ravenscar and is not readily visible from wider views such as Station Square. The pond has been designed to maximise biodiversity on the site, with irregular edges, marginal areas and native planting to ensure the pond appears natural within the wider landscape. As such, it is not felt that the wildlife pond would have a detrimental visual impact upon the character of the area or wider landscape once left to re-wild.

The Authority's Ecologist has no objections to the proposal providing that a condition is applied to ensure the pond is not stocked with fish and that no ducks are kept on the pond to preserve water quality and ensure native plants, invertebrates and amphibians can thrive in the area.

No objections to the proposal have been received.

### Conclusion

For the reasons outlined above, the proposal meets the aims of Strategic Policy A and Strategic Policy H of the NYMNPA Local Plan 2020 and as such, approval is recommended.

### Public Sector Equality Duty imposed by section 149 of the Equality Act 2010

The proposal is not considered to unduly affect any people with protected characteristics.

### Pre-commencement conditions

Not Applicable.

### 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.