

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: LCPs of Fylingdales and Hawsker-cum-
Stainsacre

Application No. NYM/2018/0481/FL

Proposal: Proposed boardwalk extension, staircase and steps

Location: Jugger Howe Moor, Fylingdales Moor

Decision Date: 02 November 2018

Consultations

Fylingdales Parish – No objections

Natural England – No objection; based on the plans submitted, it is considered that the proposed development will not have significant adverse impacts on designated sites North York Moors Special Area of Conservation, Special Protection Area and Site of Special Scientific Interest. Comments that the documents do not include a Habitats Regulations Assessment although acknowledges that the proposed works are very small scale and should be beneficial as they will reduce habitat erosion and decrease the number of desire lines in the area.

Site Notice Expiry Date – 10 October 2018

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2.	PLAN02	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.

Informative(s)

1.	The Authority has a significant number of reptile records for this area of the moor. As the work hereby approved is likely to be carried out in winter when reptiles are dormant, the applicant should ensure that no potential hibernacula such as piles of brash or stones are disturbed throughout the construction phase of the works, both on the work site and along the access route to it.
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Reason for Condition(s)

1.	RSNTIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	RSNPLAN01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.

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Background

Fylingdales Moor is an area of mainly heather moorland extending in excess of 6000 acres across the central and eastern part of the National Park. The moor was a former grouse moor but is now managed exclusively for wildlife conservation and upland sheep farming. The area has several conservation designations including SSSI (Site of Special Scientific Interest), SAC (Special Area of Conservation) and SPA (Special Protection Area) for its bird populations. The moor also home to a number of rare plant species, Jugger Howe beck provides a valuable habitat for water vole populations and the area is also an important archaeological site.

Since 2006 the Hawk and Owl Trust has been responsible for the conservation management of the moor under the Higher Level Environmental Stewardship Scheme (HLS) and is also responsible for the delivery of Outreach and Education aspects of the HLS.

This application seeks planning permission for the installation of a 2 metre extension to the existing boardwalk, a 10-step staircase and a further 45 steps up the bank at Jugger Howe Beck along the moor's nature trail, maintained by the Hawk and Owl Trust. The aim of the trail is to encourage greater public enjoyment, understanding and appreciation of the moorland eco-system, its archaeology and moorland management regimes. The trail has been developed in conjunction with the National Park Authority and Natural England. The stretches of boardwalk permit safe public access to the moor whilst preventing damage to flora and fauna, and the proposed works will improve and extend public access whilst protecting the moorland ecosystems. The applicant advises that at present when the banks are slippery the desire line widens before the natural steps can be recut. The proposed works would present an easier means of getting up and down the bank.

Planning permission for the boardwalks was originally granted in 2011 for a temporary period of 5 years so that the impact on the landscape could be assessed, with permission for their permanent retention being granted in 2017.

Main Issues

The relevant NYM Local Development Framework Policies are Core Policy A (Delivering National Park Purposes and Sustainable Development), Core Policy C (Natural Environment, Biodiversity and Geodiversity), Core Policy M (Accessibility and Inclusion), Core Policy I (Community Facilities) and Development Policy 14 (Tourism and Recreation).

The main issues are considered to be whether the extension to the boardwalk and the proposed staircase and steps is an appropriate form of development in this location and whether it would result in a detrimental impact upon the quality of this highly protected area.

Jugger Howe Moor is an extensive, largely unspoilt and open landscape devoid of manmade structures save for the boardwalk, and benefits from SSSI, SAC and SPA designations. Therefore being of international importance, it must be safeguarded under current UK and European legislation.

The existing boardwalks provide improved public access to this area of moor and prevent further erosion of the moorland, and the proposed extension along with the staircase and steps will improve the public access to the moor whilst protecting the moorland ecosystems.

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With regard to Natural England's comments in respect of a HRA, the Authority's Ecologist has commented that given that the proposal is not necessary for the management of the European site and that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment.

The design of the boardwalk extension, staircase and steps is simple and the natural timber will help to mitigate any visual impact in the wider landscape. Whilst the clutter of such man-made structures could be argued to detract from the landscape, the trail does promote greater understanding and appreciation of the special qualities of the National Park to visitors meeting the second purpose of the National Park. Furthermore the proposed extension to the trail would help to conserve the habitat value of the moor in accordance with the first purpose.

In conclusion the proposed extension to the boardwalk, the staircase and the steps would continue to provide improved access and facilitate opportunities for visitors to gain a better understanding and appreciation of the special qualities of this part of the National Park without having an adverse impact on the natural environment in accordance with Core Policies A, C, M, I and Development Policy 14 of the Core Strategy and Development Policies Document.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.