

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(South)
Parish: Harwood Dale

Application No. NYM/2016/0697/FL

Proposal: Creation of fishing pond

Location: Thirley Cotes Fishery, Waite Lane, Harwood Dale

Decision Date: 15 December 2016

Consultations

Parish – No objections.

Highways – No objection as the impact on the highway will be not being significant as existing facilities will be used.

Site Notice Expiry Date – 30 November 2016

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.	PLAN01	<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>Proposed pond depths, marsh and spoil areas</td><td></td><td>24 November 2016</td></tr><tr><td>Proposed pond cross sections</td><td></td><td>24 November 2016</td></tr><tr><td>Proposed block plan</td><td></td><td>20 September 2016</td></tr><tr><td>Site location plan</td><td></td><td>20 September 2016</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	Proposed pond depths, marsh and spoil areas		24 November 2016	Proposed pond cross sections		24 November 2016	Proposed block plan		20 September 2016	Site location plan		20 September 2016
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3.	LNDS02B	All hard and soft landscape works comprised in the approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.															

Informative(s)

1.	The applicant is advised to follow the guidance contained in the Pond Creation Toolkit Sheet 4 by the Freshwater Habitats Trust, a copy of which is enclosed with this decision notice.
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14/12/16

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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.
3.	RSNLNDS01	In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.



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Background

Throxenby Mere Angling Club owns a series of fishing ponds located at Thirley Cotes to the south east of Harwood Dale. The existing fishery is situated in a low lying area of land and owing to the local topography and surrounding vegetation is not widely visible in the surrounding area. The fishery is accessed from Waite Lane via a private single width track leading to a small parking area.

Planning permission is sought for the creation of an additional fishing pond on land immediately to the northwest of the existing ponds and within the curtilage of the fishery. The site of the proposed pond is surrounded by an extensive hedgerow to three boundaries and is accessed via the existing car park and footpaths within the site. The proposed pond would measure 70 metres by 42 metres maximum.

The applicant has also provide details of the proposed native tree planting to the boundaries, the location of the areas of spoil from the excavation works and the low lying marshy areas as requested by the Authority's ecologist.

Main Issues

The relevant policies of the Core Strategy and Development Policies Document are Core Policy A and C.

Core Policy A seeks to further the National Park purposes and duty by conserving and enhancing the Park's special qualities. In particular relevance to this application it seeks to ensure development does not have an unacceptable impact on the wider landscape, quiet enjoyment of the Park or quality of life of residents or visitors, and seeks to conserve and enhance the landscape, settlement, building features and historic assets of landscape character areas.

Core Policy C seeks to conserve and enhance quality and diversity of the natural environment and mitigate against the impacts of development through habitat creation, restoration or enhancement.

The proposed fishing pond has been designed to reflect the form and scale of the existing ponds with low lying marshy areas and reed beds so as to appear as natural as possible within the surrounding landscape. It will not be widely visible in the surrounding landscape as the site is well screened by the local topography and vegetation surrounding the site however views will be afforded from some footpaths in the locality.

The applicant has provided additional information as requested by the Authority's ecologist who has previously visited the site and commented that the existing ponds and surrounding area provides good habitat for water voles and this should be encouraged. The proposal includes low-lying marshy areas that will stay wet for much of the year; spoil to be located to the north side of the proposed pond and trees to be planted in this area; and coppicing of some of the willows along the north west boundary, which should enhance the area for water voles and other wetland wildlife.

As such it is considered that the proposal accords with Core Policies A and C of the Core Strategy and Development Policies Document and approval is recommended.



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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.

