

Design, Conservation & Sustainable Development

Re: North Selby Mine, New Road, Deighton

Ref: AOD/23/00105 (19/00078/OUTM)

Date: 17.04.2023

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To: William Elliot, Development Management

From: Eleanor Sorfleet, Countryside and Ecology Officer

Ext: 1662

Main reference documents:

Brindle & Green (13.03.2023) SINC Management Plan at North Selby Mine, North Yorkshire. Document ref: BG22.148.13.

Brindle & Green (March 2023) York Holiday Lodges, New Road – Recreational Strategy. Document ref: BG22.148.10.

Brindle & Green (March 2023) York Holiday Lodges, New Road – Landscape Management Plan. Document ref: BG22.148.12.

Brindle & Green (March 2023) North Selby Mine, New Road – Construction Environmental Management Plan (Biodiversity).

Brindle & Green (10.03.2023) York Holiday Park, New Road – Lighting Strategy (Sheets 1 to 3). Drawing no: BG22.148.13-BRGR-ZZ-ZZ-DR-L-00001, 2 & 3 Rev. P03.

Condition 6:

No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To secure practical measures to avoid or reduce impacts to biodiversity features and the Site of Importance to Nature Conservation (SINC) during construction, as appropriate to the scale of development. The details are required prior to commencement in order to ensure that they are in force at an appropriate point in the development procedure and during the whole of the construction phase of the development.

Recommendations:

Based on the information within the Construction Environmental Management Plan (Biodiversity), it is considered that condition 6 can be discharged.

Condition 7:

Prior to or concurrently with the first Reserved Matters application, updated ecology surveys along with updates to the relevant mitigation plans shall be submitted to the Local Planning Authority for approval. The plans shall include details of a timetable for delivery of any mitigation measures.

This is with particular reference to Bats (roosting within building), Barn Owl, Water Vole and Grass Snake. The scheme shall be fully implemented in accordance with the approved mitigation plans.

Reason: To ensure that species and their habitats are adequately protected. The details are required prior to commencement in order to prevent irreversible harm to a biodiversity.

Recommendations:

Please can the applicant confirm whether update surveys have been undertaken and provide evidence of survey findings. It is noted that the covering letter refers to ecological surveys (Ecological Survey Summary produced by Brindle & Green (Reference: BG22.148)), however, this document does not appear to have been provided with the supporting information.

Condition 7 cannot be discharged until survey information has been provided.

Condition 10:

Prior to or concurrently with the first Reserved Matters application, detailed long term management and monitoring of the Site of Importance to Nature Conservation (SINC) shall be submitted to and approved in writing by the Local Planning Authority. These shall be in line with the already submitted SINC Management Proposals, FPCR Environment and Design Ltd, July 2019. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that there is adequate long-term management of the SINC.

Recommendations:

Although the methodologies set-out in the SINC Management Plan are considered appropriate, it is unclear who will be responsible for the works and how the works will be funded. Please can the applicant provide further information regarding responsible parties and funding mechanism to support the required works.

Condition 10 cannot be discharged until further information is provided.

Condition 11:

Prior to or concurrently with the first Reserved Matters application, a detailed Site Wide Recreation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include a timetable for its delivery. The strategy shall be in line with the already submitted Harworth Estates Investments Ltd, North Selby Leisure Proposal, Recreation Strategy, 5th August 2019 and drawing 2356.08 Recreation Strategy Plan. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that there is proper mitigation given to the impact of the development on ecology with the site.

Recommendations:

Further information is required regarding the fencing of the existing SINC site. From a review of the figure provided within the Recreation Strategy, a post and wire fence is shown along the northern boundary of the SINC, but it is unclear where stock proof fencing will be installed to stop access into the SINC. Although fencing is discussed in detail within the text of the report, to maintain the notable habitats and species within the SINC a continuous fence line is required. Please can the applicant provide an amended drawing, showing proposed, and if applicable, existing fence lines around the SINC.

Further information is also required regarding the timeline of works. All works will need to be completed before the first use of the park, to ensure recreational facilities are available reducing impacts on notable habitats. Can the applicant provide a programme of works, detailing start times, durations of works, and anticipated completion.

Condition 11 cannot be discharged until further information is provided.

Condition 31:

Prior to or concurrently with the first reserved matters application, a plan shall be submitted to and approved in writing by the Local Planning Authority showing a sensitive lighting design strategy for the development. The scheme shall ensure that there is no lighting within woodland areas or sensitive habitats or dispersed on to New Road. The plan shall include a timetable for the delivery of the strategy. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of visual amenity, to achieve a safe environment and to protect biodiversity and residential amenity.

Recommendations:

From the information provided it is not clear how the proposed lighting will impact sensitive habitats. It is therefore recommended that a lighting contour plan is provided. The plan should demonstrate light spill and lux levels that will result from the proposed lighting. Further guidance on lighting is available from the Bat Conservation Trust (2018) - Bats and artificial lighting in the UK. The works shall be in accordance with the approved details. <https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?mtime=20181113114229&focal=none>.

Condition 31 cannot be discharged until further information is provided.

Please do not hesitate to contact me if you have any questions or require any further information.

Kind regards,
Eleanor