

**6.102.100.FULMAJ 04/02318/FULMAJ Mr. R.N. Watson
Retention of use for land for paintballing, formation of quad bike track,
siting of portakabins & caravans, installation of fencing.**

The Parish Council strongly objects to this planning application. If the paintballing and other as yet unauthorised activities are allowed to continue in Flaxby Covert irreparable damage could be caused to a rare wet woodland habitat. We would draw your attention the comments of English Nature (as outlined in our letter to HBC Planning 21/11/03), ECUS and your own Landscape Character Assessment, copies of which are enclosed.

The PC believes that the application conflicts with the following policies of the Harrogate & District Local Plan:


NC4: The development will result in loss of or damage to semi-natural habitats which are important for nature conservation. The importance of this rare wet woodland area is shown in the attached extracts.

NC6: The development will have an adverse effect on badgers, water voles and other protected species. The application covers a large proportion of Flaxby Covert will effect badger habitat. Damage to the water table (see below) will effect the nearby water vole colony.

R11: The development will result in harm to the character and recreational amenity of the existing right of way. The bridleway (not footpath) is being polluted both by noise and unexploded paintball shell. Horse riders need more protection than netting can afford.

A4: The development is likely to prejudice the quality or quantity of surface or ground water. Damage has already been done to the water table as the dyke is now dry and a bridge has had to be dismantled. Hardcore has been put down in a wet woodland area.

When this application comes before the Planning Committee the Parish Council would like to have the opportunity to read a statement.



R. J. B. Rhodes Parish Clerk Goldsborough & Flaxby Grouped Parish Council



**AREA
76**

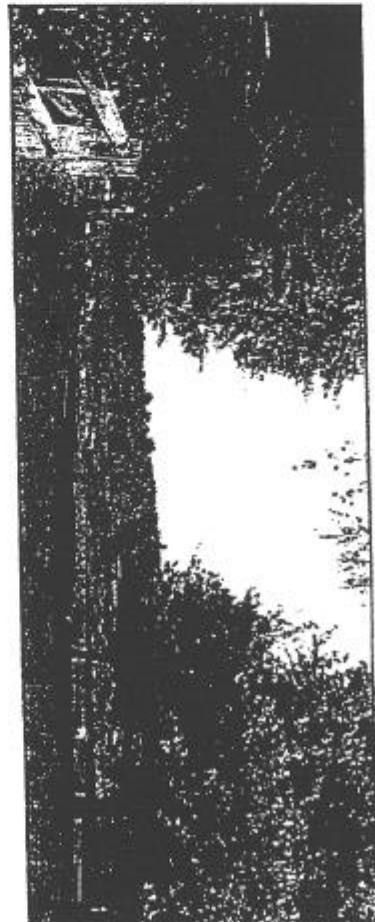


Description

This area gently undulates and slopes down towards the flat valley floor of the River Nidd that is character area 63. Land is of medium scale enclosed by hedgerows of varying conditions and intensively managed for agriculture.

Goldsborough and Ribbles Hall

However, the dominant landscape of this area is the parkland of both Goldsborough and Ribbles Hall. The parks are well wooded with several woodland blocks and individual trees are scattered randomly within fields typical of parkland.



Key Characteristics

- 1. Shallow sandstone silt geology and silt and clay, sandy silt and ill and sand and gravel drift geology.
- 2. Surface water gley soils, grade 2 agricultural land managed for arable production.
- 3. Landform gently undulates between 25 and 30 metres.
- 4. The main settlement is Goldsborough plus Ribbles Hall.

- 5. Ribbles Hall is included in the Register of Historic Parks and Gardens.
- 6. The A1 forms the boundary of this area.
- 7. The River Crimple passes through the southern part of the character area.

Issues

- 1. Impact of A1 and A58 noise and traffic on the peacefulness and views from the character area.
- 2. Disappearance of woodland reaching maturity through lack of management.

- 1. Less/ignored of parkland characteristics.
- 2. Unsympathetic development.

Guidelines

- 1. Encourage awareness of parkland and veteran trees and their value to landscape.
- 2. Strengthen existing woodland matrix to enhance character of area and increase diversity of woodland age.

- 1. Discourage further development of the A1 and encourage development/management that may be less impact on the character area.
- 2. Ensure appropriate consideration of parkland characteristics and vernacular when considering development proposals.



habitats may have some value for invertebrates and areas of wet woodland support a wet woodland flora of moderate local interest.

Woodland

- 3.17 Flaxby Covert is primarily a mixed, deciduous woodland of uneven age and structure. The field layer is species-rich in places and supports a number of ancient woodland species including, rarely, herb paris. Within the northern section of the wood, two extensive areas have been significantly disturbed by the establishment and use of unofficial go-cart race-tracks.
- 3.18 Much of the central sector of the wood supports wet woodland vegetation. More or less extensive areas of waterlogged soils occur, with an associated wet woodland flora, including such species as marsh marigold and brooklime. These areas of wet woodland may be of value to a range of invertebrates.
- 3.19 Towards the south, the wood is more typical of secondary woodland communities. The field layer vegetation is less species rich and contains few ancient woodland species. The woodland here is dry and includes stands of planted conifers.
- 3.20 Flaxby Covert is a woodland of moderate ecological value which supports habitats of potential value to a range of common birds and mammals, including rabbit, deer and other small mammals. It is not an SSSI or SINC but the wood is of local nature conservation interest. Its habitats may support invertebrate populations of moderate interest.

Fauna

Badgers

- 3.21 Badgers and their setts are fully protected under the Badgers Act 1992. No badgers or active or disused setts were recorded within the area proposed for development or adjacent to it. However, latrines and foraging scrapes have been recorded within Flaxby Covert. A well used badger path was found entering the arable field from the covert, and a single badger hair was found at this point. No signs of badger presence were detected on the application site itself. No setts were located within the application site or within Flaxby Covert.
- 3.22 In May 2002, a badger was seen entering Flaxby Covert from the application site, during night-time amphibian surveys. It is likely that the badgers range freely through Flaxby Covert and other woodlands in the area and over the arable fields of the application site and more widely. The habitats of the application site form part of a much larger area of potential foraging available to the badgers and are unlikely to form a significant part of any feeding territory.

Bats

- 3.23 All species of bats are fully protected under the Wildlife and Countryside Act 1981 (WCA 1981). No direct evidence of bats has been recorded on or adjacent to the MSA site. No suitable roosting trees or other potential roost structures occur within the application site. Mature trees in Flaxby Covert may contain potential sites for summer roosts and bats are likely to feed widely over the area of the application site and the surrounding countryside. However, despite inspections of all mature trees encountered, no bat roosts were recorded during the surveys. Nearby buildings may



also include potential roost sites, including possible nursery roosts and hibernation sites. These all lie some distance outside the MSA application site.

Water vole

- 3.24 Water vole habitats are protected under the Wildlife and Countryside Act 1981 (WCA 1981). No positive evidence of water voles was found during the surveys in May 2001. However, frequent to abundant signs of brown rat (*Rattus norvegicus*) were found along ditch D1 and earlier possible signs recorded in the Environmental Statement from the January 2001 survey have been determined as brown rat burrows. A number of smaller holes, probably of field vole (*Microtus agrestis*) were also present along the upper portion of the bank profile of D1.

Birds

- 3.25 A total of 23 bird species were recorded during the 2001 breeding bird survey within the application site itself (see Appendix 2). Many of these species were flying over the site, dropping in for feeding opportunities or emerging from the woodland edge briefly for feeding. Few species were actually using the site for breeding or were thought to be probable breeders. The assessment of breeding evidence follows recognised categories of evidence, as described in Appendix 2a.
- 3.26 Eight species of conservation concern were recorded within the application site. Two of these, skylark and linnet, are red listed (RSPB 1996) and Biodiversity Action Plan (BAP) priority species. Both were recorded as probable breeders although the habitat is not highly suitable and therefore breeding would probably only occur in low numbers. Six other species recorded within the application site are amber listed, including blackbird, dunnock, goldfinch, kestrel, lapwing and swallow. Of these swallow, kestrel, goldfinch and blackbird were not thought to be using the site for breeding purposes.
- 3.27 Neither lapwing nor skylark were confirmed as breeding and the developing crop provided a poor habitat for both species. In the southern arable field, small flocks of linnet were recorded feeding as well as occasional goldfinches and greenfinches.
- 3.28 A number of other common passerines were recorded on the margins of the site.
- 3.29 Within Flaxby Covert, 21 bird species were recorded, Three species of conservation concern were recorded – blackbird and willow tit (RSPB amber listed) and song thrush (RSPB red listed and a UK BAP species). Most of the bird species encountered were classed as probable or confirmed breeders.
- 3.30 A number of these and other common birds are likely to feed on the arable fields at various times of year, whilst sheltering or breeding within nearby hedgerows and woodlands.
- 3.31 However, the habitats of the application site are widespread in this part of North Yorkshire and the site is unlikely to be critical to the maintenance of the local populations of such species.

Amphibians

- 3.32 No suitable amphibian breeding sites (ponds or other areas of still water) occur within the application site. However, in extensive areas of the wetter woodland of Flaxby Covert, the woodland floor was under shallow standing water in both January



and in May of 2001. These shallow waters may be capable of supporting breeding amphibians, especially frogs. They are heavily shaded, however, and support little or no aquatic or marginal wetland vegetation and do not provide suitable breeding habitats for newts. The wood itself would also provide high quality foraging and shelter for amphibians. The surrounding arable fields provide very poor terrestrial habitats for amphibians.

- 3.33 The ditches and other areas of standing water within the wood are uniformly shaded and lack aquatic or emergent wetland vegetation. Whilst they may provide potential breeding for frogs, these are mostly ephemeral water features, usually drying early in the year. No amphibians were recorded in these ditches during surveys for aquatic invertebrates in May 2001 and only a single toad was recorded (in ditch D3) during amphibian surveys in 2002. They are generally unsuitable for breeding newts.
- 3.34 In the topsoil-stripped land to the north of the A59, part of the area is subject to seasonal flooding but supports little aquatic vegetation. The water margins are dominated by creeping bent with rushes and a small number of aquatic plants. Egg-searches and hand-netting revealed no amphibians in May 2001. Further surveys were undertaken in May-June 2002 - comprising 4 separate survey visits in accordance with recognised guidance on survey methods for great crested newts and other amphibians (English Nature 2001). These surveys recorded small numbers of smooth newts in the pond but no great crested newts have been recorded on or near the site.
- 3.35 This waterlogged area north of the A59 is recently developed as a wetland habitat. The flooding is likely to be ephemeral except in wet years and the area is considered to be of generally poor quality for breeding by amphibians – especially newts. Water bodies within Flaxby Covert are mostly ephemeral and heavily shaded, with little aquatic vegetation and little potential as amphibian breeding habitats. The detailed findings of the 2002 amphibian survey are included in Appendix 3.
- 3.36
- Other animals**
- 3.37 Other animals recorded during the survey include rabbits, which are numerous, particularly along the site's hedgerows and the margins of woodland and scrub habitats. Deer prints were recorded on the application site and two roe deer were sighted during June 2001 near to D1. Deer are likely to occupy areas of nearby woodland, venturing into open countryside to feed. The arable fields may be suitable for foraging by brown hare but no records for this species are known in the vicinity of the application site.
- 3.38 The wet woodland habitats of Flaxby Covert provide suitable conditions for a range of woodland invertebrates (see Appendix 4). Given the relative scarcity of wet

A1(M) Flaxby MSA
Nature Conservation



SW/DPH/A1FL
D. P. Hughes
20 December 2002

woodland resources, these may include species or groups of nature conservation interest. Surveys in 2002 suggest an invertebrate fauna of at least local importance within Flaxby Covert, including two Nationally Local¹ species and one Nationally Scarce² rove beetle *Stenus niveus*. This interest was centred primarily on wet woodland areas with additional potential interest along woodland rides and edges. A single Nationally Local cranefly *Tipula maxima* was also recorded along ditch D1, to the south of the proposed MSA.

1.

¹ Nationally local species are those which are uncommon and which are confined to a particular habitat, a particular geographical area or display a markedly uneven distribution.

2

² Nationally Scarce species are those which are uncommon and which are confined to between 16-100km squares of the UK national ordnance survey grid.

