



The countryside charity
North Yorkshire

PO Box 189
York
YO7 9BL

www.cprenorthyorkshire.co.uk

Tel: 07983 088120
Email: info@cprenorthyorkshire.co.uk

Branch Chair
Jan Arger

Authority: Selby District Council

Type of consultation: Planning Application

Full details of application/consultation:

2019/0547/EIA - Proposed construction of a motorway service area – amended plans and additional information

At land at: Lumby, South Milford, Leeds, West Yorkshire, LS25 5LE

Type of response: Objection

Date of Submission: 19th April 2021

All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

All CPRE North Yorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

External planning consultant used in this response:



KVA Planning Consultancy
Katie Atkinson, BA (Hons), Dip TP, MA
MRTPI
www.kvaplaning.co.uk

Comment

CPRE North Yorkshire (CPRENY) welcomes the opportunity to comment on further amended plans for the proposed motorway service area (MSA) at Lumby, having previously commented on this application in October 2019 and March 2020.

The amended plans appear to be a much better environmentally friendly design with potential opportunities for biodiversity. However, it appears that the applicant has not provided additional information in relation to whether these opportunities amount to a measurable net gain for biodiversity or, if so, what degree this might offer. It is thought that this should be clarified by the applicant prior to determination. The NPPF and the emerging Environment Bill seek to secure net gains for biodiversity by incorporating improvements in and around developments as a mandatory requirement, by a minimum of 10%.

Despite the amended design, the concerns of this charity remain and the objection, therefore, maintained. It is requested that this letter is read alongside our previous responses which set out the primary areas of concern. CPRENY remain of the opinion that the information submitted by the applicant is not in conformity with policies in the adopted Development Plan documents or the NPPF, therefore, should be refused.

The proposal for the MSA in the green belt location appears to be predicated on 'need' for the HGV parking area. The MSA, when considered as a whole, does not fall under the definition of 'local transport infrastructure' which is appropriate development as set out in paragraph 146 of the NPPF, therefore, the applicant must justify very special circumstances (VSC) as prescribed in the NPPF at paragraph 143. The justification for VSC by way of HGV parking requirements do not meet this test as set out in the Secretary of States decision confirming the Appeal Inspector's recommendation at APP/F4410/W/18/3197290 (the Brodsworth appeal). The Inspector and Secretary of State both found that 'need' did not outweigh 'harm' to the Green Belt despite being above the recommended distance of 28miles between MSA as set out in Circular 2/2013. The proposed site, in this instance, is a mere 6 miles from the nearest MSA, therefore, the purported 'need' must be challenged.

Furthermore, the 5.8Ha site is located within the Selby DC Locally Important Landscape Area as well as being within the green belt. Due to the topography of the site, CPRENY consider that it will not be possible to minimise to acceptable levels the adverse impacts of the proposals on the landscape and visual effects at this location from all viewpoints. Additional photomontages have been submitted in support of the amended proposals, however, these only show the proposals from 3 locations and do not show the entire site across 360degrees, not does it show other nearby development alongside the proposed for example the adjacent garden centre and residential properties. CPRENY support the increased 'greening' of the appearance of the site, however, do not know whether this is sufficient to mitigate the impact of the proposal on this important landscape area as an updated LVIA has not been submitted to the Council. As such further information should be submitted or the proposal should be refused.

CPRENY reserve the right to comment further should any additional information be submitted in support of this application.