



The countryside charity  
North and East Yorkshire

PO Box 189  
York  
YO7 9BL

[www.cpreney.org.uk](http://www.cpreney.org.uk)

Tel: 07983 088120  
Email: [info@cpreney.org.uk](mailto:info@cpreney.org.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 – Further amended plans and additional information -

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

**Type of response:** Objection

**Date of Submission:** 13<sup>th</sup> October 2022

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 and East 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](http://www.kvaplaning.co.uk)

## **Comment**

CPRE North and East Yorkshire (CPRENEY) 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, March 2020 and April 2021.

CPRENEY welcomes the additional information with regard to ecology and the submitted metric analysis which demonstrates biodiversity net gain (BNG). It is noted that under Metric v3.1 the increase in the on-site baseline value due to applying the updated condition assessment criteria has required an increase in the area of off-site compensation required. Increasing the proposed off-site compensation area to 2.0 hectares results in a net change of 20.86% for habitat units and 16.71% for hedgerow units. Whilst the increase is welcomed, and it is considered best practise to utilise the most up to date version of the Metric (v 3.1), CPRENEY are always wary of sites offering off-site habitat compensation rather than onsite enhancement which often do not yield the most favourable or successful environments and do not offer adequate replacement habitats. As such, it is such considered that any proposed s106 agreement should explicitly set out both areas indicated within the proposed planning documents and BNG report which shows the two areas outlined in yellow, in order to ensure compliance and delivery of BNG.

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. CPRENEY 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. CPRENEY note the applicant's comments regarding very special circumstances (VSC) as prescribed in the NPPF at paragraph 147. However, CPRENEY still consider that the proposal should be justified in this way, As such, 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. It is acknowledged that this subjective opinion will be determined by the Council.

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