

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Hawsker-Cum-Stainsacre

Application No. NYM/2019/0497/FL

Proposal: construction of industrial building (Use Class B2) with associated access, parking and landscaping works

**Location: land at the rear of Fairfield Way
Stainsacre Lane Industrial Estate
Whitby**

**Decision Date: 13 September 2019
Extended to:**

Consultations

Parish – No objections

Highways – No objections

Yorkshire Water – No observations required

North Yorkshire Fire & Rescue – No objections

Site Notice/Advertisement Expiry Date – 29/08/2019

Director of Planning's Recommendation

Approval subject to the following condition(s):

- 1 Standard Three Year Commencement Date
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
- 2 Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified
The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Site and Block Plan	D10938-01 Rev B	11/07/2019
Proposed block plan	D10938-02 Rev H	11/07/2019
Proposed floor plans and elevations	D10938-04 Rev D	11/07/2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
- 3 Use Restricted to That Specifically Proposed (inserts)
The premises shall not be used other than as industrial building and shall not be used for any other purpose (including any other purpose in Class B2 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 2010 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, or within Schedule 2, Part 3, Classes A-V of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order).

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- 4 No Outside Storage
No storage of materials, machinery, vehicles, waste or other items shall take place outside the building(s) on the site without the prior written agreement of the Local Planning Authority.
- 5 Other than the lighting shown on the approved drawing no. D10938-02 Rev H, no additional external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
- 6 Roof Colouring (insert)
The external surface of the roof of the building hereby permitted shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
- 7 The external elevations of the building hereby approved shall, within three months of first being brought into use, be clad in "Merlin grey" steel profile sheeting as shown on the approved plans and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
- 8 The external surface of the roller shutter doors of the building hereby permitted shall be coloured and thereafter maintained grey and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
- 9 There shall be no access or egress by any vehicles between the highway and the application site until full details of a safe and satisfactory access to the adopted highway have been submitted to an approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved access is available for use.
- 10 The development hereby permitted shall be carried out in accordance with the Tree Protection Measures set out in sections 5 and 6 and Appendix 6 of the Arboricultural Report Ref: ARB/AE/2246, Dated September 2019 and prepared by Elliott Consultancy Ltd.

Reason(s) for Condition(s)

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. 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. In order to enable the Local Planning Authority to retain control over future changes of use to the property which would otherwise be permitted by the Town and Country Planning (Use Classes) Order 2010 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) or the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), and to comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to enhance and conserve the special qualities of the NYM National Park and ensure that development does not have an adverse effect on the amenities of adjoining occupiers.
4. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.
5. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.

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6. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
7. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
8. In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.
9. In accordance with NYM Development Policy 23 and to ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of prospective users of the highway.
10. The trees within the vicinity of the site are of significant amenity value and every effort shall be made to protect them in accordance with NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.



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Background

Fairfield Way forms part of the Stainsacre Industrial Estate located on the southern outskirts of Whitby, just off the A171. Businesses such as Whitby Seafoods and the recycling plant are located on Fairfield Way.

This application relates to an undeveloped parcel of land at the north eastern end of Fairfield Way, to the rear of existing industrial units. Permission is sought to construct a new industrial building, currently to be occupied by an engineering business.

The proposed building would be located immediately to the rear of Howdens, with parking adjacent the access road. The edge of the site would be fenced with a 2m high palisade galvanised steel fence, and new planting would be undertaken along the fence line.

The building would measure 15m wide by 30m long with a height to the ridge of 8.5m and approximately 7.4m to the eaves. The building would be clad in dark grey profile sheeting with large roller shutter doors on the front elevation.

Main Issues

Core Policy H of the NYM Local Development Plan seeks to strengthen and support the rural economy by providing local communities with a range of opportunities for entrepreneurship, education and training in various ways, including allowing new employment development in Whitby Business Park, service villages and local service villages.

Development Policy 3 of the NYM Local Development Framework seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing and design are compatible with surrounding buildings; that the standards of design are high; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.

The Area Action Plan for the Business Park has now been adopted and one of the main aim of this plan is to improve the overall environment and appearance of the business park. This site is probably the last large undeveloped site within the existing built up area and consequently its resultant appearance is very important.

This design is simple and the building would be well sited within the existing industrial estate and would not have a detrimental impact on the immediate locality and with the use of appropriately coloured materials and landscape would meet the aims of the Action Plan.

Landscaping of the site has been considered and a satisfactory arboricultural report has been submitted.

The proposal would therefore be in accordance with Core Policy H and Development Policy 3 of the NYM Local Development Framework and approval is recommended.

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Draft Local Plan

No relevant changes

Pre-commencement Conditions

N/A

Explanation of how the Authority has Worked Positively with the Applicant/Agent

Approval (No Amendments Required)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.