

**NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES**



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM19/572/NM**

Application for non material amendment to planning approval
NYM/2018/0375/FL to

Proposed Development: allow the addition of 2 no. sprinkler tanks, 1 no. pump house and relocation
of
approved turning head

Location: Whitby Seafoods Ltd, Stainsacre Lane Industrial
Estate, Fairfield Way, Whitby,

Applicant:

CH Ref:		Case Officer:	Ged Lyth
Area Ref:	3/33/119M	Tel:	01609 780780
County Road No:		E-mail:	

To:	North York Moors National Park Authority The Old Vicarage Bondgate Helmsley YO62 5BP	Date:	12 September 2019
FAO:	Hilary Saunders	Copies to:	

Note to the Planning Officer:

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:

The provision of the proposed turning area will allow the large vehicles to be able to turn around within the site. This will cater for the drivers to have the facility to enter and leave the site off Fairfield Way in a forward gear.

Consequently there are **no local highway authority objections** to the proposed development

Signed: <p style="text-align: center;"><i>Ged Lyth</i></p> <p><small>For Corporate Director for Business and Environmental Services</small></p>	Issued by: Whitby Highways Office Discovery Way Whitby North Yorkshire YO22 4PZ e-mail:
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**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

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Application No:

NYM19/572/NM

From:
To: [Planning](#)
Subject: Application NYM/2019/0572/NM - Hawsker Cum Stainsacre
Date: 04 September 2019 11:11:35

Good Morning,

The Parish Council has no objections to application NYM/2019/0572/NM.

Kind regards,
Stephanie Glasby
Parish Council Clerk

NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES
LEAD LOCAL FLOOD AUTHORITY
CONSIDERATIONS and RECOMMENDATION



Application No:	NYM/2019/0572/NM		
Proposed Development:	Application for non material amendment to planning approval NYM/2018/0375/FL to allow the addition of 2 no. sprinkler tanks, 1 no. pump house and relocation of approved turning head location at Whitby Seafoods Ltd, Stainsacre Lane Industrial Estate, Fairfield Way, Whitby.		
Location:	Whitby Seafoods Ltd, Fairfield Way, Whitby		
Applicant:	Whitby Seafoods Ltd		
District/Borough:	Scarborough		
FRM Engineer:	Seraya Simcoe	LPA Case Officer:	Mrs H Saunders

Note to the Planning Officer:

Thank you for consulting the Lead Local Flood Authority on the planning application referenced above.

The LLFA have no objections to the Non Material Minor Amendments application. The applicant should note that the conditions provided in our response to the full application dated 4th September 2018, as noted below, are still applicable and require discharging.

LLFA C1 - Standard Detailed Drainage Design Condition

Development shall not commence until a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of

Date:	30/08/2019	Approved by:	Emily Mellalieu Flood Risk Management Team Leader
FAO:			
Issued by:	Seraya Simcoe		

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LEAD LOCAL FLOOD AUTHORITY CONSIDERATIONS and RECOMMENDATION

Continuation
sheet:

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Application No:



amenity and flood risk.

LLFA C2 - Runoff rate, Storage Requirements and Maintenance –

Development shall not commence until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a maximum flowrate of 3 litres per second for up to the 1 in 100 year event. A 40% allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event (345m³). The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere.

LLFA C5 - Treatment of Surface Water/Pollution Prevention

The development shall not commence until a scheme, detailing the treatment of all surface water flows from parking areas and hardstanding through the use of road side gullies, oil interceptors, reedbeds or alternative treatment systems, has been submitted to and approved in writing by the Local Planning Authority. Use of the parking areas/hardstanding shall not commence until the works comprising the approved treatment scheme have been completed. Roof water shall not pass through the treatment scheme. Treatment shall take place prior to discharge from the treatment scheme. The treatment scheme shall be retained, maintained to ensure efficient working and used throughout the lifetime of the development.

Reason: To prevent pollution of the water environment from the development site

LLFA C7 - Exceedance Flow Routes

No development shall take place until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in North Yorkshire County Council SuDS Design Guidance (or any subsequent update or replacement for that document).

**LEAD LOCAL FLOOD AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



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sheet:

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Application No:

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Date: 29 August 2019
Our ref: 293194
Your ref: NYM/2019/0572/NM



Mrs H Saunders
North York Moors National Park Authority
planning@northyorkmoors.org.uk

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

Dear Mrs Saunders

Planning consultation: Application for non material amendment to planning approval NYM/2018/0375/FL to allow the addition of 2 no. sprinkler tanks, 1 no. pump house and relocation of approved turning head location.

Location: Whitby Seafoods Ltd, Stainsacre Lane Industrial Estate, Fairfield Way, Whitby.

Thank you for your consultation on the above dated 22 August 2019 which was received by Natural England on 22 August 2019

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any

queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to .

Yours sincerely

Alice Watson
Consultations Team

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute Guidelines for Landscape and Visual Impact Assessment](#) for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#)

Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites*, and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the [Magic](#) website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

² <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).



NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

Premises: 00048317
Job: 1179086

Scarborough Fire Station
North Marine Road
Scarborough
North Yorkshire
YO12 7EY

When telephoning please ask for: J Butterfield

27 August 2019

Dear Sir or Madam

Whitby Seafoods Ltd, Stainsacre Lane Industrial Estate, Fairfield Way, Whitby, YO22 4PU

FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 22 August 2019
Ref No: NYM/2019/0572/NM

Your communication has been dealt with as follows:

At this stage in the planning approval process the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority have no objection/observation to the proposed development. The North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the Fire Authority.

The majority of information we collect regarding business fire safety is non-personalised information, however any personal data we collect will be managed in accordance with our Privacy Notice which can be viewed on our website, www.northyorksfire.gov.uk/about-us/yourdata.

Under the Regulatory Reform Order 2005 we are obliged to publish a public register of enforcement action which can be viewed via our website, www.northyorksfire.gov.uk/about-us/key-documents/links-registers.

Whitby Seafoods Ltd
Stainsacre Lane Industrial Estate
Fairfield Way
Whitby
YO22 4PU

Should you require further information please contact the officer whose name appears at the head of the letter.

Yours faithfully

J Butterfield

From:
To: [Planning](#)
Subject: NYM/2019/0572/NM Whitby Seafoods Ltd Fairfield Way Whitby FAO Mrs Saunders
Date: 23 August 2019 10:29:35

Dears Mrs Saunders,

Thank you for giving North Yorkshire Police the opportunity to comment on this planning application. Having reviewed the documents submitted, in relation to designing out crime, I have no comments to make.

If I can be of further assistance, please do not hesitate to contact me.

Kind regards

Mr Richard Ball, MPlan
Designing out Crime Officer
Police Station, Fulford Road, York, North Yorkshire, YO10 4BY

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