

**Town and Country Planning Act 1990  
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for  
Permission to Carry out Development**

To: Zip Pack / Supreme Plastics  
c/o Reesign  
5 Larpool Mews  
Larpool Drive  
Whitby  
YO22 4NF

The above named Authority being the Planning Authority for the purposes of your application validated 20 March 2020, in respect of proposed development for the purposes of **construction of storage building (part retrospective) at Zip Pack / Supreme Plastics, Stainsacre Lane** has considered your application and has **granted** permission for the proposed development subject to the following conditions:

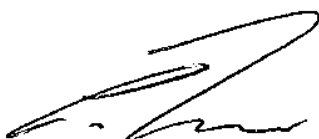
1. The permission hereby granted is valid only for ten years from the date of this permission and the development shall be removed from the site before this consent expires and the site restored to its former condition before that date.
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

<b>Document Description</b>	<b>Document No.</b>	<b>Date Received</b>
Plan view proposed	ZP005	14/10/2019
Proposed elevations	ZP001	14/10/2019
Proposed roof plan	ZP002	14/10/2019
Proposed roof construction	ZP004	14/10/2019
Purlin details	ZP003	14/10/2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. The storage building hereby approved shall only be used for storage purposes in association with the business on the site known as Zip Pak, and for no other purpose unless otherwise agreed in writing by the Local Planning Authority.
4. The external elevations of the storage building hereby approved shall, within three months of first being brought into use, be clad in horizontal timber boarding and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
5. 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.

Continued/Conditions



Mr C M France  
Director of Planning

Date 12 May 2020

**Please Note your Rights of Appeal are attached to this Decision Notice**

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2019/0723/FL

6. No trees, shrubs or hedges on the southwest boundary of the site shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work - Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.
7. Within one month of the development hereby approved being first brought into used, car parking spaces shall be provided and thereafter maintained in accordance with the details set out in the email from Steven Reed dated 14/4/2020, unless otherwise approved in writing by the Local Planning Authority.

**Informative**

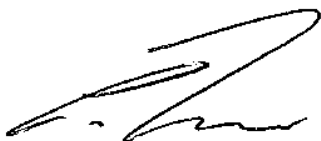
The applicant's attention is drawn to the split planning authority boundary at the site and should ensure that the appropriate other planning permission is sought from the relevant planning authority before development commences.

**Reasons for Conditions**

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 the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
- 4 & 5. 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.
6. 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.
7. In accordance with NYM Development Policy 23 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.

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

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.



Mr C M France  
Director of Planning

Date 12 May 2020

## Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State of Department of Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice (12 weeks in the case of a minor commercial application). The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so using a form which you can get from the Secretary of State at:

**Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 00 00) or online at [www.planningportal.gov.uk/planning/appeals](http://www.planningportal.gov.uk/planning/appeals)**

### Notes

1. Please note, only the applicant possesses the right of appeal.
2. No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.
3. In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.
4. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
5. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.