

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



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No:	NYM21/0512/FL
Proposed Development:	change of use of land, construction of site access and 4 no. buildings together with associated parking and landscaping works to enable the relocation of existing waste recycling and skip hire operation
Location:	land at Fairfield Way, Hawsker-cum-Stainsacre
Applicant:	Nobles Recycling and Skip Hire Ltd

CH Ref:		Case Officer:	Ged Lyth
Area Ref:	4/35/2713B	Tel:	
County Road No:		E-mail:	

To:	North York Moors National Park Authority The Old Vicarage Bondgate Helmsley YO62 5BP	Date:	7 October 2021
FAO:	Mr M Hill	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 application is to construct a waste recycling and skip hire operation on a vacant site on Fairfield Way Industrial Estate, Whitby, relocating an existing business from an unsuitable location in Ruswarp village to a more appropriate Industrial Estate location.

The access to the site from Fairfield Way shows an achievable visibility of **43 metres measured 2.4 metres** from the existing carriageway edge. There are issues on Fairfield Way with vehicles often parked on or obstructing the existing footways. The applicant is proposing measures to prevent parking on the footway within the visibility splay, however this inconsiderate parking is expected to continue and may be displaced along Fairfield Way with the construction of the proposed access. There is sufficient parking provided within the site therefore the development is not expected to increase or exacerbate this problem.

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Continuation sheet:

Application No:

NYM21/0512/FL

The current site for this operation is located in Ruswarp village and it would be appreciated if the LHA could be consulted should any application or enquiry be received regarding the Ruswarp site.

Consequently the Local Highway Authority recommends that the following **Conditions** are attached to any permission granted:

MHC-03 New and altered Private Access Crossing at FAIRFIELD WAY WHITBY

The development must not be brought into use until the access to the site at **FAIRFIELD WAY WHITBY** has been set out and constructed in accordance with the ‘Specification for Housing and Industrial Estate Roads and Private Street Works’ published by the Local Highway Authority and the following requirements:

The crossing of the highway footway must be constructed in accordance with the **approved details shown on drawing T3539-001** and Standard Detail number **E60 A** and the following requirements.

- Any gates or barriers must be erected a minimum distance of **15 metres** back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within **15 metres** of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
- Measures to enable vehicles to enter and leave the site in a forward gear.

All works must accord with the approved details.

Reason for Condition

To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

MHi-C New and altered Private Access or Verge Crossing – (MHC-03)

Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The ‘Specification for Housing and Industrial Estate Roads and Private Street Works’ published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council’s web site:

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Continuation sheet:

Application No:

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[https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification for housing and industrial roads street works 2nd edi.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification%20for%20housing%20and%20industrial%20roads%20street%20works%202nd%20edi.pdf)

The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

MHC-05 Visibility Splays at FAIRFIELD WAY, WHITBY

There must be no access or egress by any vehicles between the highway and the application site at **FAIRFIELD WAY WHITBY** until splays are provided giving clear visibility of **43 metres** measured along both channel lines of the major road from a point measured **2.4 metres** down the centre line of the access road. In measuring the splays, the eye height must be **1.05 metres** and the object height must be **0.6 metres**. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition

In the interests of highway safety.

MHi-D Visibility Splays – (MHC-05)

An explanation of the terms used above is available from the Local Highway Authority.

MHC-09B Provision of Approved Access, Turning and Parking Areas at FAIRFIELD WAY, WHITBY

No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users at **FAIRFIELD WAY, WHITBY** have been constructed in accordance with the details approved in writing by the Local Planning Authority. **Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.**

Reason for Condition

To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

MHC-15B Construction Phase Management Plan

No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any **temporary construction access** to the site including measures for removal following completion of construction works;
2. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
3. the parking of contractors' site operatives and visitor's vehicles;

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4. areas for storage of plant and materials used in constructing the development clear of the highway;
5. details of site working hours;
6. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason for Condition

In the interest of public safety and amenity

Signed:

Kay Aitchison

on behalf of **Ged Lyth**

For Corporate Director for Business and Environmental Services

Issued by:

Whitby Highways Office
Discovery Way
Whitby
North Yorkshire
YO22 4PZ

e-mail: _____

From: Kay Aitchison
Sent: 08 October 2021 12:49
To: Mark Hill
Cc: Helen.1 Watson

>

Subject: RE: NYM/2021/0512/FL - Noble Recycling

Hi Mark

I'm not happy for the temporary access to be concrete ramps and steel plates as this is likely to damage the surface of Fairfield Way when it is removed. I would be happy for a temporary access, removing the footway, stoning, and temporary tarmac until such a time as all the services are into the site and then for it to be constructed properly. Other than that I'm happy with the plan.

This is the old condition for temporary site accesses, can we add it to the permission please

HC-05 Temporary Construction Site Access

Other than for the purposes of creating the temporary access no vehicles shall be allowed onto the site. Once created no vehicles shall access the site except via the approved temporary access. The access shall be constructed in accordance with details approved in writing by the Local Planning Authority *in consultation with the Highway Authority* for a minimum distance of **6 metres** into the site. Any damage to the existing adopted highway occurring during use of the access until the completion of all the permanent works shall be repaired immediately.

Before the development is first brought into use the highway verge/footway shall be fully reinstated in accordance with the scheme approved in writing by the Local Planning Authority.

HI-02 INFORMATIVE – Condition HC-05

These works may include replacing carriageway, kerbs, footways, cycleways and verges to the proper line and level. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The local office of the Highway Authority will also be pleased to provide the detailed construction specification referred to in this condition.

Reason

In accordance with policy **number** and in the interests of both vehicle and pedestrian safety and the visual amenity of the area.

Kind Regards

Kay Aitchison

Project Engineer

Area 3 Whitby

Whitby Highways Depot

Discovery Way

Whitby

YO22 4PZ



SCARBOROUGH BOROUGH COUNCIL

North York Moors National Park (Mr M Hill)

Your Ref

Our Ref 21/01792/OA

17 September 2021

Dear Sir or Madam

Proposal Consultation for change of use of land, construction of site access and 4 no. buildings together with associated parking and landscaping works to enable the relocation of existing waste recycling and skip hire operation (NYM/2021/0512/FL)

Site Address Land At Fairfield Way Whitby North Yorkshire

I refer to the above consultation which was received at this office on 21 July 2021.

It is confirmed that Scarborough Borough Council as Local Planning Authority has no objection to this application. The principle of the development is consistent with policies in the adopted Whitby Business Park Area Action Plan. Some care will be required to ensure that outdoor storage of materials is suitably mitigated in visual terms and we will rely on the National Planning Authority to assess the proposals within the context of the more detailed policies in the AAP, as well as guidance in the associated Design Brief.

If you require any further assistance please contact me at the above address.

Yours faithfully

D Walker

Mr D Walker
Head of Planning



From:
To:
Cc:
Subject: NYM/2021/0512/FL - land at Fairfield Way
Date: 27 August 2021 12:05:15

Dear Mark

This application involves the development of some 2.3ha of greenfield land, of which approximately 1.6ha is to be modified through hard landscaping and construction, leaving around 0.7ha as continued green space. Whilst I am pleased to see that there is a recognition within the application that biodiversity enhancement of the undeveloped land will be important to retain ecological connectivity of the area, the lack of any ecological assessment, or consideration of what 'enhancement' involves, means that it is not possible at this time to determine whether the proposals will lead to a net degradation of the biodiversity value of the site.

Whilst there is no suggestion from our records that the land itself is of particular high ecological interest, primarily consisting of apparently improved grassland, and has been so for some time, even relatively low quality habitats do provide some value for wildlife. With the proposed loss of approximately 70% of the area to sealed and hard landscaping, which of negligible value for biodiversity, it is likely in the absence of further information that a loss of local biodiversity will be caused which would be contrary to National Park purposes. Without further evaluation, it is also not possible to judge whether the remaining area of the site is sufficiently large to enable adequate enhancement to be conducted, and so such measures cannot be left to planning conditions to determine.

Within the Environment Bill, which is currently being developed by parliament, it is proposed that all development (with a few small exceptions) will need to evidence and provide 10% biodiversity net gain in order to be approved. To enable this policy to be enacted, a specific metric has been designed to enable developers to quantify existing and future habitats (habitats being used as a proxy measure for biodiversity) and therefore demonstrate how the development will ensure biodiversity net gain is achieved. The latest version of the metric is available here; [The Biodiversity Metric 3.0 - JP039 \(naturalengland.org.uk\)](https://www.naturalengland.org.uk/Policy-and-Programme/Policy-and-Programme-Details/Policy-and-Programme-Details/JP039).

Whilst the Environment Bill has not yet passed into law, the metric has been rolled out and its use by local planning authorities encouraged within the remit of existing planning policies. I believe that it would be appropriate in this case for the applicant to use the metric to quantify the existing biodiversity conditions on the site, the enhancement measures proposed on the retained northern part of the site (area C), and how this will ensure that existing levels of biodiversity will be retained and enhanced (no biodiversity net loss and biodiversity net gain respectively) by the proposals in line with National Park purposes and our strategic planning policies. The site will not qualify as a 'small site' and so the full Biodiversity Metric 3.0 should be used, which will require ecological expertise to complete. Whilst the metric is still fairly new, training has been provided to ecological consultancy firms and therefore the applicant should engage someone who has undertaken this training to complete the assessment on their behalf. Whilst we cannot at this point require 10% net gain is offered, the use of the metric should demonstrate that the value of habitats post development is higher than those already present (ie some biodiversity net gain has been achieved).

Whilst we have no records for protected species for the site, the land backs on to high

quality habitat to the north and north west and therefore use of the site by protected species such as bats, reptiles, otter etc cannot be ruled out. To supplement the biodiversity net gain assessment, a Preliminary Ecological Appraisal should be conducted to ensure that any protected species present are accounted for within proposals, and to set out what further surveys or mitigation may be required to ensure these species are not detrimentally affected by the proposed works.

Best wishes

Elsbeth

Elsbeth Ingleby MA_{Cantab} ACIEEM

Ecologist

North York Moors National Park Authority

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP

From:
To:
Subject: NYM/2021/0512/FL - Land at Fairfield Way, Hawsker-cum-Stainsacre
Date: 24 August 2021 17:36:44

From: Commercial Regulation (Environmental Health)

NYM/2021/0512/FL

Application for change of use of land, construction of site access and 4 no. buildings together with associated parking and landscaping works to enable the relocation of existing waste recycling and skip hire operation at land at Fairfield Way, Hawsker-cum-Stainsacre

Having reviewed the above planning application I have no objections on environmental health grounds.

Carol Cunningham
Environmental Health Officer
Commercial Regulation Team
Scarborough Borough Council, Town Hall
St Nicholas Street, Scarborough, YO11 2HG

w: www.scarborough.gov.uk

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YorkshireWater

Chris France
Director of Planning
North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Yorkshire Water Services
Developer Services
Pre-Development Team

PO BOX 52
Bradford
BD3 7AY

Your Ref: NYM/2021/0512/FL
Our Ref: X013474

13th August 2021

Dear Sir/Madam,

Land at Fairfield Way, Hawskercum-Stainsacre - Application for change of use of land, construction of site access and 4 buildings together with associated parking and landscaping works to enable relocation of existing waste recycling and skip hire operation

Thank you for consulting Yorkshire Water regarding the above proposed development. We have the following comments:

The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

(In the interest of satisfactory and sustainable drainage)





There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and

ii) the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.

(To ensure that no surface water discharges take place until proper provision has been made for its disposal)

Waste Water

If planning permission is to be granted, the following conditions should be attached in order to protect the local aquatic environment and Yorkshire Water infrastructure:

1) The developer is proposing to discharge surface water to public sewer however, sustainable development requires appropriate surface water disposal. Yorkshire Water promote the surface water disposal hierarchy and the developer must provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical before considering disposal to public sewer.

The developer and LPA are strongly advised to seek comments on surface water disposal from other drainage bodies as further restrictions may be imposed.

2) As the proposal site is currently undeveloped, no positive surface water is known to have previously discharged to the public sewer network. Surface water discharge to the existing public sewer network must only be as a last resort and the developer is required to eliminate other means of surface water disposal.

There is a watercourse to the north and north west section of the site, which appears to be the obvious point of discharge for surface water disposal if infiltration is not feasible.





YorkshireWater

Notes For The Developer:

i) If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), he should contact our Developer Services Team

at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6th Edition as supplemented by Yorkshire Water's requirements.

Yours faithfully

Joe Summers
Pre-Development Technician
Developer Services



From:
To: [Planning](#)
Subject: FAO - Mark Hill: NYM/2021/0512/FL
Date: 13 August 2021 12:26:33

Good Afternoon,

Thank you for contacting CPRENY regarding the above application.
Having considered the submitted documentation and plans forming the application, CPRENY has no objection to this proposal at this time.

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If you shop online, chose us a charity to support; to help us protect the North Yorkshire Countryside.

Please join us at one of our [virtual coffee breaks](#) to meet and chat to our trustees.

Yours Sincerely

Fran Evans | Administrator

Web: www.cprenorthyorkshire.co.uk

Twitter: [CPRENY](#) | **Facebook:** [CPRENY](#)

LinkedIn: [CPRE North Yorkshire](#) | **Instagram:** [cpre_northyorkshire](#)

Address: P.O. Box 189, York, YO7 9BL



The countryside charity
North Yorkshire

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CPRE North Yorkshire "The Country Side Charity" CIO number 1174989

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Mr M Hill
North York Moors National Park
Development Control
The Old Vicarage Bondgate
Helmsley
York
YO62 5BP

Our ref: RA/2021/143375/01-L01
Your ref: NYM/2021/0512/FL
Date: 10 August 2021

Dear Mr Hill

Proposal: APPLICATION FOR CHANGE OF USE OF LAND, CONSTRUCTION OF SITE ACCESS AND 4 NO. BUILDINGS TOGETHER WITH ASSOCIATED PARKING AND LANDSCAPING WORKS TO ENABLE THE RELOCATION OF EXISTING WASTE RECYCLING AND SKIP HIRE OPERATION
Location: LAND AT FAIRFIELD WAY, HAWSKERCUM-STAINSACRE

Thank you for your consultation regarding the above proposal which was received on 21 July 2021.

We have reviewed the information submitted with the application and we have no objection to the proposal. Our detailed comments are as follows.

Environmental Permit - Advice to LPA/applicant

This development will require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12.

In circumstances where an activity/operation meets certain criteria, an exemption from permitting may apply, more information on exempt activities can be found here:

<https://www.gov.uk/guidance/register-your-waste-exemptions-environmental-permits>

The applicant is advised to contact YorkshireWaste@environment-agency.gov.uk to discuss the issues arising from the permit application process.

Biodiversity

New developments should not only protect watercourses and their riparian corridors but also provide overall net gain for biodiversity. Net gain for biodiversity is defined as delivering more or better habitats for biodiversity and demonstrating this through use of the Defra Biodiversity Metric. It encourages development that delivers biodiversity improvements through habitat creation or enhancement after avoiding or mitigating harm.

The Government introduced the Environment Bill in January 2020 to ensure that the overall impact from development on the environment is positive. The Bill includes measures to strengthen local government powers in relation to net gain and a minimum requirement of 10% biodiversity net gain. Chapter 15 and Paragraphs 174, 175, 179 & 180 of [Nationally Planning Policy Framework \(NPPF\)](#) contain strengthened net gain policies. We encourage you to consider an approach to development that results in measurable net gains in biodiversity, having taken positive and negative impacts into account. [Planning Practice Guidance \(PPG\)](#) provides guidance on the application of net gain.

IEEM, together with CIRIA and IEMA have published guidance on how to deliver net gain in practice. These can be downloaded [here](#)

We trust the above advice is useful.

If I can be of any further assistance, please don't hesitate to contact me.

Yours sincerely

Mrs Frances Edwards

Sustainable Places Planning Advisor

cc The Mineral Planning Group Ltd

Date: 27 July 2021
Our ref: 361114
Your ref: NYM/2021/0512/FL



Mark Hill
North York Moors National Park Authority

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

BY EMAIL ONLY

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Dear Mr Hill

Planning consultation: NYM/2021/0512/FL - Application for change of use of land, construction of site access and 4 no. buildings together with associated parking and landscaping works to enable the relocation of existing waste recycling and skip hire operation

Location: Land at Fairfield Way, Hawsker-cum-Stainsacre

Thank you for your consultation on the above dated 21 July 2021 which was received by Natural England on 21 July 2021

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 consultations@naturalengland.org.uk.

Yours sincerely

Joe Thorpe
Consultations Team

Annex A - Generic advice on natural environment impacts and opportunities

Sites of Special Scientific Interest (SSSIs)

Local authorities have responsibilities for the conservation of SSSIs under s28G of the Wildlife & Countryside Act 1981 (as amended). The National Planning Policy Framework (paragraph 175c) states that development likely to have an adverse effect on SSSIs should not normally be permitted. Natural England's 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 Natural England Open Data Geoportal.

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.

Protected Species

Natural England has produced standing advice¹ 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. The list of priority habitats and species can be found here². 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.

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.

Protected landscapes

For developments within or within the setting of a National Park or Area of Outstanding Natural Beauty (AONB), we advise you to apply national and local policies, together with local landscape expertise and

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>

information to determine the proposal. The National Planning Policy Framework (NPPF) (paragraph 172) provides the highest status of protection for the landscape and scenic beauty of National Parks and AONBs. It also sets out a 'major developments test' to determine whether major developments should be exceptionally be permitted within the designated landscape. We advise you to consult the relevant AONB Partnership or Conservation Board or relevant National Park landscape or other advisor who will have local knowledge and information to assist in the determination of the proposal. The statutory management plan and any local landscape character assessments may also provide valuable information.

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Heritage Coasts are protected under paragraph 173 of the NPPF. Development should be consistent the special character of Heritage Coasts and the importance of its conservation.

Landscape

Paragraph 170 of the 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.

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.

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).



NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

Premises: 00312519
Job: 1228366

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

When telephoning please ask for: J Butterfield

29 July 2021

Dear Sir or Madam

Yorwaste Ltd, Fairfield Transfer Station, Stainsacre Lane Industrial Estate, Fairfield Way, Whitby, YO22 4PU

FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 21 July 2021
Ref No: NYM/2021/0512/FL

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/data/privacy-policies/.

Yorwaste Ltd
Fairfield Transfer Station
Stainsacre Lane Industrial Estate
Fairfield Way
Whitby
YO22 4PU

Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives

www.northyorksfire.gov.uk

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/financial/lists-and-registers/.

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

Yours faithfully

J Butterfield

Our Ref: 375-1-2021
Your Ref: NYM/2021/0512/FL
Date: 29 July 2021



Mark Hill
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
North Yorkshire
YO62 5BP

Dear Mark,

Proposal **Application for change of use of land, construction of site access and 4 no. buildings together with associated parking and landscaping works to enable the relocation of existing waste recycling and skip hire operation**

Location **Land at Fairfield Way Hawsker-cum-Stainsacre**

Thank you for giving North Yorkshire Police the opportunity to comment on this planning application. In relation to designing out crime, it is considered that the security arrangements outlined in the application are appropriate for this proposal. I have no other comments to make.

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

Yours sincerely,

Mr Richard Ball, MPlan
Designing out Crime Officer

From:
To: [Planning](#)
Subject: Planning application NYM/2021/0512/FL - Fairfield Way, Whitby
Date: 04 August 2021 10:54:31

At last nights meeting of Whitby Town Councils Planning Committee it was resolved unanimously to support this application.

Kind regards
Anne Cowey
Deputy Clerk and Civic Officer

Sent from [Mail](#) for Windows 10

From:
To: [Planning](#)
Subject: Hawsker cum Stainsacre Parish Council
Date: 03 August 2021 21:53:37

Good evening,

Hawsker cum Stainsacre Parish Council have made the following planning decisions:

NYM/2021/0482/FL - Council object to this planning application. Concerns have been raised that the siting of the hut will increase noise and light pollution, the toilet/shower block is located away from the hut, noise and light pollution will increase especially when visiting the toilet in the night. The hut is also visible from the Cinder Track.

NYM/2021/0512/FL - Council support this application, it is felt that this is a good use of the industrial estate and the Council believe this will continue to provide jobs for local people.

NYM/2021/0576/FL - Council have no objections.

Kind regards,

Clerk to Hawsker cum Stainsacre Parish Council