From: To:

Cc: Planning

Subject: FW: Enterprise Way BNG Report **Date:** 25 August 2023 16:07:46

Attachments: <u>image001.png</u>

Hi Hilary,

I have reviewed the documents submitted, and I'm happy with the information provided. I would recommend that a Biodiversity Enhancement Management Plan should be secured as a condition of any consent. This should include details of the management measures for the habitats to be created onsite for the next 30years, as well as the locations and management details for the proposed bat and bird boxes. Additionally, a dark night skies lighting condition should be included.

Best wishes,

Zara Hanshaw ACIEEM Ecologist (she/her)

North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP

From:

To: **Planning**

Subject: FAO Hilary Saunders - NYM/2023/0025

Date: 16 June 2023 12:31:41 image002.png Attachments:

image004.png

Good Afternoon,

Thank you you for consulting CPRE NEY. We have no objections to the proposals. And – CPRENEY welcomes the attention paid to landscaping and energy efficient design including the incorporation of BNG both within the site but also via living walls.

Thank you.

Yours Sincerely

Fran Evans | Admin Officer Flexible office hours

Twitter: CPRENEY | Facebook: CPRENEY

LinkedIn: CPRE North and East Yorkshire | Instagram: CPRE NEY

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







A Please consider the environment before printing this e-mail

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

NORTH YORKSHIRE COUNCIL

LOCAL HIGHWAY AUTHORITY CONSIDERATIONS and RECOMMENDATION



Application No: NYM/2023/0025

construction of 10 buildings to create 18 business and industrial

Proposed Development: units (use classes B2 and E) with associated access road, parking,

cycle and bin stores, landscaping and realignment of public right of

way

Location: Enterprise Way, Whitby

Applicant: Paul Clemitshaw

TD/D3/

Case

James Kennedy

CH Ref:

Area Ref:

4/35/2976

Tel:

County Road No:

E-mail:

Officer:

To:

North York Moors National Park

Date:

13 June 2023

FAO:

O: Hilary Saunders

Authority

Copies to:

It is noted the application site is not connected to the existing highway network and to achieve access would require development on land outside the application boundary. However should the planning authority be satisfied the applicant has control over the land required to enable road connections to be formed there are no local highway authority objections. It is recommended that the following conditions are attached to any permission granted:

1. MHC-01 Detailed Plans of Road and Footway Layout

Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures

which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority.

The development must only be carried out in compliance with the approved engineering drawings.

Reason for Condition

To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users.

2. MHC-02 Construction of Adoptable Roads and Footways

No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course macadam level or block paved (as approved) and kerbed and connected to the existing highway network with any street lighting installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason for Condition

To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

3. MHC-09B Provision of Approved Access, Turning and Parking Areas

No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users 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.

4. MHC-13 Travel Plans

Prior to the first occupation of the development, a Travel Plan must be submitted to and approved in writing by the Local Planning Authority. The Travel Plan will include: -

- agreed targets to promote sustainable travel and reduce vehicle trips and emissions within specified timescales and a programme for delivery;
- a programme for the delivery of any proposed physical works;
- effective measures for the on-going monitoring and review of the travel plan;
- a commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development, and;
- effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

The development must be carried out and operated in accordance with the approved Travel Plan. Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented as long as any part of the development is occupied.

Reason for Condition

To establish measures to encourage more sustainable non-car modes of transport.

5. MHC-15A Construction Management Plan

No development for any phase of the development must commence until a Construction Management Plan for that phase 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 Construction Management 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 and chassis underside 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;

- 4. areas for storage of plant and materials used in constructing the development clear of the highway;
- 5. measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
- 6. details of site working hours;
- 7. means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
- 8. removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
- 9. a detailed method statement and programme for the building works; and

Reason for Condition

In the interest of public safety and amenity

6. Access - Delivery of off-site highway Works

The following schemes of off-site highway mitigation measures must be completed as indicated below:

• Provision of a vehicular connection from the application site site to Enterprise Way and Fairfield Way to be provided before first occupation.

For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

Reason for Condition

To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

Signed:

James Kennedy

For Corporate Director of Environment

Issued by:

Transport and Development

County Hall

Northallerton

Workshire North Yorkshire

e-mail:

Date: 13 April 2023 Our ref: 428782

Your ref: NYM/2023/0025

Mrs Hillary Saunders North York Moors National Park

BY EMAIL ONLY



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

Dear Mrs Saunders

Planning consultation: Construction of 10 buildings to create 18 business and industrial units (use classes B2 and E) with associated access road, parking, cycle and bin stores, landscaping and realignment of public right of way Location: Enterprise Way, Whitby

Thank you for your consultation on the above dated 06 April 2023 which was received by Natural England on 06 April 2023

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.

Protected Landscapes - North York Moors National Park

The proposed development is for a site within or close to a nationally designated landscape namely North York Moors National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Landscape advice - North Yorkshire and Cleveland Heritage Coast

The proposed development is for a site within or close to a defined landscape namely North Yorkshire and Cleveland Heritage Coast. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 178 of the National Planning Policy Framework. It states:

178. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 176), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

The NPPF continues to state in a footnote (footnote 60) that "For the purposes of paragraph 176 and 177, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined."

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

Priority habitats and Species

Priority habitats and Species are of particular importance for nature conservation and are 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. A list of priority habitats and species can be found on Gov.uk.

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.

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

Dominic Rogers Consultations Team From:

To: Planning

Subject: Hawsker cum Stainsacre Parish Council

Date: 02 May 2023 21:50:38

NYM/2023/0025 - Application for construction of 10 buildings to create 18 business and industrial units (use classes B2 and E) with associated access road, parking, cycle and bin stores, landscaping and realignment of public right of way at Enterprise Way, Whitby —

Council has raised several concerns over the application. Council believes that this is an overdevelopment, taking into consideration the current economic climate and the local area. Council understand that this site has been earmarked for development prior to this application, however, Council do consider this a greenfield site and do not find this development suitable.

Council have major concerns over the traffic visiting the proposed site and how this can be managed, the car parking spaces, bike spaces and the number of units suggests a large influx of vehicles to the area. Council do not find the current speed on approach to Enterprise Way suitable with the increased queueing traffic to the site if the planning application is accepted. The current structure has a 60mph zone and then a 30mph zone very close to the entrance to Enterprise Way. Council would suggest a change to this speed restrictions including a 40mph zone prior to the 30mph zone to allow for speed reduction on approach.

NYM/2023/0222 - Application for conversion of two outbuildings to provide six ensuite holiday letting bedrooms(revised scheme following withdrawal of NYM/2023/0138) at Low Laithes Farm, Hawsker – No Objections

NYM/2023/0181 -Application for demolition of sectional garage and construction of domestic store and dog grooming salon at 9 Prospect Field, Hawsker– No Objection

NYM/2023/0129 – Application for reconfiguration of site to provide parking and amenity spaces for existing dwelling and construction of two local occupancy dwellings together with landscaping works at land to the rear of Blacksmiths Cottage, Back Lane, Hawsker - Object – Council has voiced concerns over the accessibility to the site and proposed new properties, it has also highlighted visibility concerns for drivers and pedestrians. ~Council feels that this is an over development of the space available and for the village.

NYM/2023/0139 – Application for use of land for the sitting of one caravan for seasonal residential use (01 April to 30 September in any one calendar year) for a temporary five year period at land adjacent Red Barn, Hawsker Lane, Hawsker – Council object to this application. The siting of the site entrance along the highway is not a safe exit. Replacement of caravans would cause issue and could create further danger on an already dangerous junction.

NYM/2023/0245 - Application for non material amendment to planning approval
NYM/2021/0512 to allow the construction of electricity sub-station and meter
housing buildings (retrospective) at land at Fairfield Way, Hawsker-cum-Stainsacre
– No Objections

Kind regards,

Clerk to Hawsker cum Stainsacre Parish Council

Our Ref: 202-3-2023 MR Your Ref: NYM/2023/0025

Date 28 April 2023



Partnership Hub

Mrs Hilary Saunders
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
North Yorkshire
YO62 5BP

Dear Mrs Saunders,

Proposal Application for construction of 10 buildings to create 18 business and industrial

units (use classes B2 and E) with associated access road, parking, cycle and bin

stores, landscaping and realignment of public right of way

Location Enterprise Way, Whitby

Many thanks for giving North Yorkshire Police the opportunity to comment on the additional information submitted in support of this application. Having reviewed this, I have no comments to make in relation to Designing Out Crime. However, if I can be of any further assistance, please do not he sitate to contact me.

Yours sincerely,

Mr Mark Roberts
Police Designing out Crime Officer





From:

To: Planning

 Subject:
 RE: NYM/2023/0025

 Date:
 25 April 2023 08:35:41

With regard to dark night skies matters, it is confirmed that the proposed bollard and pole mounted light units indicated in the additional details received on 21 April 2023 are acceptable.

Kind regards

Rob

Rob Smith Senior Minerals Planner

North York Moors National Park Authority The Old Vicarage Bondgate Helmsley York YO62 5BP From: To:

Cc: Planning

Subject: Enterprise Way Whitby **Date:** 21 April 2023 14:47:46

Hi Hilary,

I've reviewed the BNG assessment submitted with this application. No supporting information has been provided to detail who has completed the metric-I note that this metric should be completed by ""an ecologist able to confidently identify the positive and negative indicator species for the range of habitats likely to occur in a given geographic location at the time of year the survey is undertaken". High distinctiveness habitas is proposed to be created, to good condition, but no information on where or how this will be created has been provided. There is insufficient information submitted at the moment to have confidence that the habitats proposed can be created and managed to the conditions detailed within the report. I would therefore recommend that additional information, including supporting text and maps, is provided, as well as justification from an ecologist about the habitat choices, and any management measures that will be required.

Best wishes,

Zara Hanshaw ACIEEM Assistant Ecologist (she/her)

North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP

Our Ref: 184-2-2023 MR Your Ref: NYM/2023/0025

Date 17 April 2023



Partnership Hub

Mrs Hilary Saunders
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
North Yorkshire
YO62 5BP

Dear Mrs Saunders,

Proposal Application for construction of 10 buildings to create 18 business and industrial

units (use classes B2 and E) with associated access road, parking, cycle and bin

stores, landscaping and realignment of public right of way

Location Enterprise Way, Whitby

Many thanks for giving North Yorkshire Police the opportunity to comment on the additional information and amendments to this application. Having reviewed the accompanying documents and drawings that have been submitted, I have no further comments to make in relation to Designing Out Crime. However, if I can be of any further assistance, please do not hesitate to contact me.

Yours sincerely,

Mr Mark Roberts
Police Designing out Crime Officer







NYMNP

Planning Services (Scarborough Area)
North Yorkshire Council
Town Hall
St Nicholas Street
Scarborough
North Yorkshire
YO11 2HG

Web: www.northyorks.gov.uk

Our Ref ZF23/00651/OA Date 17 April 2023

Proposal Application for construction of 10 buildings to create 18 business and

industrial units (use classes B2 and E) with associated access road, parking, cycle and bin stores, landscaping and realignment of public right

of way - NYM/2023/0025

Site Address Enterprise WayWhitbyNorth Yorkshire

I refer to the above consultation which was received at this office on 6 April 2023.

The North Yorkshire Council makes no comment in its capacity as Local Planning Authority If you require any further assistance please contact me at the above address.

Yours faithfully

Planning Services

Date: 13 April 2023 Our ref: 428782

Your ref: NYM/2023/0025

Mrs Hillary Saunders North York Moors National Park

BY EMAIL ONLY



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

Dear Mrs Saunders

Planning consultation: Construction of 10 buildings to create 18 business and industrial units (use classes B2 and E) with associated access road, parking, cycle and bin stores, landscaping and realignment of public right of way Location: Enterprise Way, Whitby

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SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

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Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

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Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

Priority habitats and Species

Priority habitats and Species are of particular importance for nature conservation and are 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. A list of priority habitats and species can be found on Gov.uk.

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.

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

Dominic Rogers Consultations Team

Annex A - Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 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 to respond to 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 174 and 175). 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. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on Gov.uk website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying Good Practice Guide for Handling Soils in Mineral Workings.

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 <u>standing advice</u>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 Site of Special Scientific Interest 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 175 and 179 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 are 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 on Gov.uk. 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

Annex A - Additional advice

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland <u>Inventory</u> which can help identify ancient woodland. Natural England and the Forestry Commission have produced <u>standing advice</u> 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 Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120,174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 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:

- 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.

Natural England's <u>Biodiversity Metric 3.1</u> may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the <u>Small Sites Metric</u> may be used. This is a simplified version of <u>Biodiversity Metric 3.1</u> and is designed for use where certain criteria are met. It is available as a beta test version.

Natural England's <u>Environmental Benefits from Nature tool</u> may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside <u>Biodiversity Metric 3.1</u> and is available as a beta test version.

Green Infrastructure

Natural England's <u>Green Infrastructure Framework</u> provides evidence-based advice and tools on how to design, deliver and manage green infrastructure (GI). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the <u>15 Green Infrastructure Principles</u>. The Green Infrastructure Standards can be used to inform the quality, quantity and type of green infrastructure to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

GI mapping resources are available <u>here</u> and <u>here</u>. These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

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 urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Annex A - Additional advice

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

Paragraphs 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a <u>duty</u> 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 <u>here.</u>

From:

To: Planning

Subject: RE: NYM/2023/0025 **Date:** 12 April 2023 10:43:33

It is noted that no additional information on external lighting control has been submitted at this stage. The previous comments on this issue, provided on 27 January 2023, remain applicable and have been reproduced below.

Given the scale and location of the development (on the fringe of the Business Park) it is particularly important that a detailed lighting scheme, including detailed lux plots and lighting specifications and control methods, compatible with protection of dark night skies, is submitted for approval prior to installation of any external lighting and a condition should be imposed to require this. The proposed drawings also indicate significant areas of glazing and roof lights. The potential for light pollution from internal lighting is therefore also a relevant consideration with this proposal and the applicant should be requested to confirm that glazing with low visible light transmission will be specified (preferably not exceeding 0.5VLT). The use of internal shutters or blinds would also be helpful in this respect.

Kind regards

Rob

Rob Smith Senior Minerals Planner

North York Moors National Park Authority The Old Vicarage Bondgate Helmsley York YO62 5BP From:

To: Planning

 Subject:
 Re: NYM/2023/0025

 Date:
 07 April 2023 15:15:44

Hi, This is fine, as long as there is a route through that is all that matters. The Young people at Whitby need somewhere to work. Thanks for getting in touch. Les M Atkinson, Footpath Secretary, Scarborough Ramblers Group.



Your ref: NYM/2023/0025

Our ref: TD/D3/734

Highways and Transportation

Transport and Development County Hall, Northallerton North Yorkshire DL7 8AH

Contact: James Kennedy www.northyorks.gov.uk

8 March 2023

Dear Hilary,

NYM/2023/0025 – construction of 10 buildings to create 18 business and industrial units (use classes B2 and E) with associated access road, parking, cycle and bin stores, landscaping and realignment of public right of way

I refer to your recent consultation regarding the above application. In principle there are no highway authority objections to development of the site for industrial units providing suitable road connections are made to both Fairfield Way and Enterprise Way as part of the proposals. Works outside the application boundary would be required to form such connections. It should also be noted that approximately only the first 50m of Enterprise Way from it's junction of the A171 is publicly maintained highway, the remaining length being private.

Whilst studies on the wider business park have been undertaken a number of years ago to check that the junctions of both Fairfield Way and Enterprise Way onto the A171 would remain within capacity should this site be developed, there has subsequently been significant developments granted permission close the site in recent years. It is therefore recommended a further check of junction capacity is undertaken that allows for this committed development in addition to the trips expected to be generated by the proposal to confirm that the current accesses would remain satisfactory to serve the development.

The level of staff parking proposed would be above our minimum recommended standards but it is noted a number of units do not have provision for service vehicles. What are the arrangements proposed to allow service vehicles to access these units? For the service yards that are proposed, a number appear relatively small, autotracks should be provided to demonstrate how service vehicles can access these yards and be able to leave the site in a forward gear.

I look forward to receiving confirmation as to how the road connections to the wider business park would be delivered and the additional information requested regarding service vehicles and junction capacity.

Yours sincerely

James Kennedy
Transport and Development

NORTH YORKSHIRE COUNTY COUNCIL

BUSINESS and ENVIRONMENTAL SERVICES

LEAD LOCAL FLOOD AUTHORITY CONSIDERATIONS and RECOMMENDATION



Application No:	NYM/2023/0025		
Proposed Development:	Application for construction of 10 buildings to create 18 business and industrial units (use classes B2 and E) with associated access road, parking, cycle and bin stores, landscaping and realignment of public right of way at Enterprise Way, Whitby		
Location:	Public right of way at Enterprise Way, Whitby		
Applicant:	Paul Clemitshaw		
District/Borough:	North York Moors National Park Authority		
FRM Engineer:	Heather Lagan	LPA Case Officer:	Hilary Saunders

Note to the Planning Officer:

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

The following documents are noted:

- EW1_Pro 001 Plans Unit 1 to EW1_Pro 107 Plans Unit 10 (Plng) , InHaus, Dec 22.
- Planning and Access Statement, InHaus, No date.

In assessing the submitted proposals and reaching its recommendation the Authority would like to make the following comments:

1. Runoff Destinations

Drainage layout drawings are requested with agreed drainage outfalls, peak flow rates, easements, required attenuation storage and finished floor levels.

Surface water runoff not collected for use must be discharged to one or more of the following in the order of priority shown in accordance with the Building Regulations Part H:

- a) Discharge into the ground (infiltration please provide BRE365 results).
- b) Discharge to a surface water body.

Date:	15/02/2023	Approved by:	Emily Mellalieu Flood Risk Management Team Leader
FAO:			
Issued by:			

LEAD LOCAL FLOOD AUTHORITY CONSIDERATIONS and RECOMMENDATION		
Continuation sheet:	Page 2 of 3	
Application No:		

- c) Discharge to a surface water sewer, highway drain or other drain.
- d) Discharge to combined sewer.

The applicant must demonstrate their rationale for each runoff destination, detailing reasoned elimination or selection for each. Please see section 4 for further information: https://www.northyorks.gov.uk/info/sustainable-drainage-systems-guidance-2022-update#Sustainable%20drainage%20systems

2. Peak Flow Control

Please provide the peak runoff rate for the one in one, one in 30 and one in 100 year rainfall events, including 10% for urban creep and a factor for climate change (% found here: https://environment.data.gov.uk/hydrology/climate-change-allowances/rainfall)

The peak flow rate for a greenfield development should seek to (in order of preference):

- a) Discharge at the calculated greenfield runoff rate for the site, or;
- b) Discharge at the nominal 1.4 l/s/ha runoff rate, or if this is not achievable for sites less than 1 ha:
- c) Discharge using a 75mm orifice size / flow control whilst reducing flow rates to as close as the greenfield runoff rate as possible.

3. Volume Control

This is an additional measure to the peak flow control, as the additional volume of surface water generated by the development needs to be controlled so that the volume of surface water runoff post development does not adversely affect the receiving system. Measures should be proposed to reduce or remove the volume from the site via infiltration, long term storage, receiving proposed SuDS features or harvested for use within the development site.

Reducing to the pre-development QMED/QBAR greenfield runoff peak flow rates is usually sufficient to achieve Volume control for the 1 in 100 year 6 hour storm event on sites with the necessary attenuation storage provided.

Micro Drainage calculations are requested to confirm the required Surface water attenuation volume. SuDS attenuation features should be able to provide the 1 in 100 year design flood event plus with an allowance for climate change and for urban creep. This should be incorporated into the detail drainage design. Please see table below on design parameters.

Design Consideration	Design Parameter
Minimum Slope	1:500
Roughness Value (K) – manning "n" should	0.6mm
only be used for open channels.	
Minimum System Velocity	1.0 m/s
Climate change	Climate change allowances for England
	(data.gov.uk)
Additional Flows - Urban Creep (Where	10%
Applicable)	
Maximum Drained Area for Gullies	150m ²
Highway Drains Minimum Cover	1.2m

LEAD LOCAL FLOOD AUTHORITY CONSIDERATIONS and RECOMMENDATION		
Continuation sheet:	Page 3 of 3	
Application No:		

Minimum Pipe Diameter	150mm		
Volumetric Runoff Coefficient Cv	1.0 For both summer and winter. (In		
(Summer/Winter)	accordance with HR Wallingford		
recommendations and Se			
	Adoption)		
Percentage Impermeable Area	100% for compliance with SfA		
Margin for Flood Risk Warning	300mm		
Area Reduction Factor	1		
Time of Entry	3-8 minutes		
Return Period	1, 30, 100 as a minimum		

4. Designing for Exceedance

An exceedance plan overlaid with topographical levels is required to show overland flow during an extreme flood event, exceeding the capacity of the proposed drainage system.

Mitigation measures should be proposed to minimise the risk of flooding to these properties. Site design must be such that when SuDS features are exceeded due to failure caused by blockages or collapsed pipes or when the system is overwhelmed by excessive flood flows, the 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, with no flooding anywhere on site.

5. Maintenance

Arrangements for the maintenance of the proposed SuDS surface water runoff attenuation features should be submitted to the Local Planning Authority for approval in the form of a Management Plan.

Recommendation to the Local Planning Authority:

The submitted documents are limited and the LLFA recommends that the applicant provides further information before any planning permission is granted by the LPA.



Yorkshire Water Services
Developer Services
Sewerage Technical Team
PO BOX 52
Bradford

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

Email:

BD37AY

9th February 2023

Your Ref: NYM/2023/0025

Our Ref: Z000508

Dear Sir/Madam,

Enterprise Way, Whitby - Construction of 10 buildings to create 18 business and industrial units (use classes B2 and E) with associated access road, parking, cycle and bin stores, landscaping and realignment of public right of way

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

Water Supply

A water supply can be provided under the terms of the Water Industry Act, 1991.

- 1.) Any supply issues can be resolved under the provisions of the WI Act 1991. there may be issues with system pressure due to height of development in comparison to existing YW network, see below.
- 2.) The developer should be made aware that Pressure at point of connection expected to be 17-25mh. and topography of development area is higher m.aod than the point of connection so pressures onsite may be lower, this will need to be investigated when formal plans are submitted showing design and mains layout.





YorkshireWater

a.) The developer should be made aware that if any of the proposed units require a significant non-domestic supply that cannot be met by the existing available network capacity then Yorkshire water reserve the right to carry out required network improvements at the cost of the applicant

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:

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 not to exceed 3.5 litres per second.

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

- 1.) The developer is proposing to discharge surface water to SUDS but the eventual outfall has not been stated. Sustainable development requires appropriate surface water disposal.
- a.) 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.
- b.) The developer and LPA are strongly advised to seek comments on surface water disposal from other drainage bodies as further restrictions may be imposed.
- c.) There is a culverted watercourse to the north west that would appear a reasonable means of surface water disposal should infiltration prove unfeasible.





YorkshireWater

- d.) 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.
- e.) As a last resort, and upon receipt of satisfactory evidence to confirm the reasons for rejection of other methods of surface water disposal, curtilage surface water may discharge to public surface water sewer at a restricted rate not to exceed 3.5 litres per second.

Yours faithfully

Reuben Thornton
Developer Services Team



From:

To: Planning

Subject: Hawsker cum Stainsacre Parish Council

Date: 07 February 2023 22:01:13

Please see below for comments made by Hawsker cum Stainsacre Parish Council on planning matters:

NYM/2022/0831 - Application for creation of wetland area at land at Asp House, Stainsacre – No Objections

NYM/2022/0832 -Application for creation of two ponds at land at Low Rigg Farm, Stainsacre – No Objections

NYM/2023/0025 - Application for construction of 10 buildings to create 18 business and industrial units (use classes B2 and E) with associated access road, parking, cycle and bin stores, landscaping and realignment of public right of way at Enterprise Way, Whitby –

Council has raised several concerns over the application. Council believes that this is an overdevelopment, taking into consideration the current economic climate and the local area. Council understand that this site has been earmarked for development prior to this application, however, Council do consider this a greenfield site and do not find this development suitable.

Council have major concerns over the traffic visiting the proposed site and how this can be managed, the car parking spaces, bike spaces and the number of units suggests a large influx of vehicles to the area. Council do not find the current speed on approach to Enterprise Way suitable with the increased queueing traffic to the site if the planning application is accepted. The current structure has a 60mph zone and then a 30mph zone very close to the entrance to Enterprise Way. Council would suggest a change to this speed restrictions including a 40mph zone prior to the 30mph zone to allow for speed reduction on approach.

From:

To: Planning

 Subject:
 RE: NYM/2023/0025

 Date:
 27 January 2023 09:30:29

Given the scale and location of the development (on the fringe of the Business Park) it is particularly important that a detailed lighting scheme, including detailed lux plots and lighting specifications and control methods, compatible with protection of dark night skies, is submitted for approval prior to installation of any external lighting and a condition should be imposed to require this. The proposed drawings also indicate significant areas of glazing and roof lights. The potential for light pollution from internal lighting is therefore also a relevant consideration with this proposal and the applicant should be requested to confirm that glazing with low visible light transmission will be specified (preferably not exceeding 0.5VLT). The use of internal shutters or blinds would also be helpful in this respect.

Kind regards

Rob Smith Senior Minerals Planner

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



NYFRS Reference: Premises: 00405488

Job: 1263677

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

When telephoning please ask for: S Dargue

27 January 2023

Dear Sir or Madam

<u>Construction of x10 Buildings To Create 18 Business and Industrial Units, Enterprise</u> <u>Way, Whitby, YO22 4NH</u>

FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 25th January 2023 Plans No: NYM/2023/0025

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/.

Construction of x10 Buildings To Create 18 Business and Industrial Units Enterprise Way Whitby YO22 4NH

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

S Dargue

S Dargue

Our Ref: 042-1-2023 MR Your Ref: NYM/2023/0025

Date 30 January 2023



Partnership Hub

Mrs Hilary Saunders
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
North Yorkshire
YO62 5BP

Dear Mrs Saunders,

Proposal Application for construction of 10 buildings to create 18 business and industrial

units (use classes B2 and E) with associated access road, parking, cycle and bin

stores, landscaping and realignment of public right of way

Location Enterprise Way, Whitby

Many thanks for giving North Yorkshire Police (NYP) the opportunity to comment on this application. I have carried out analysis of crime and disorder for a 12-month period (1 January 2022 to 31 December 2022), for an area as shown in the report at the end of this document, which showed that the site is located within a low crime & disorder area, with 25 crimes and 1 anti-social behaviour incident recorded by NYP.

Having reviewed the documents and drawings that have been submitted in support of the application it is apparent that consideration has been given to the security of the scheme and that the principles of Crime Prevention Through Environmental Design(CPTED) have been adopted. Therefore, I have no concerns to raise in relation to the design & layout of the proposal in terms of Designing Out Crime, but would give the following advice for the information of the applicant.

1 Intruder Alarm

1.1 Consideration should be given to fitting each unit with the infrastructure to enable a monitored intruder alarm system to be installed. With this in mind the developer should consider providing secure ducting into the site with sufficient access points, to enable any telephone line to be used for intruder or fire alarm systems, to be installed.





1.2 If alarm systems are to be installed, for police response, the system must comply with the requirements of the NPCC Security Systems policy, which can be found at the following link: http://www.securedbydesign.com/security-systems/

2 <u>Lockers</u>

2.1 Staff should be provided with a secure locker to enable them to store valuables whilst at work. Any lockers should be in a secure room which has a key or fob operated lock fitted to the door and has clear signage to show that it is for staff only.

3 Secured by Design (SBD)

- 3.1 Secured by Design is an initiative promoted by the National Police Chiefs Council (NPCC) and has been shown through independent analysis that it can reduce the chances of a development becoming a victim to crime by up to 70%. Once a development obtains the award, the Secured by Design logo can be used to promote the development. Even if not applying for SBD accreditation the developer should consider using doors, windows and shutters certified to the relevant SBD standards.
- 3.2 There is no cost to the developer to apply for accreditation. For more information on Secured by Design the applicant should contact the author of this report or visit the web site at

4 Construction Phase

- 4.1 There are many crimes that can occur during the construction phase of building. Common crimes include the theft of plant, equipment, materials, tools and diesel fuel. It is therefore strongly recommended that site security be given serious consideration should this application be successful.
- 4.2 Further analysis of the crimes recorded in the study area revealed that a fifth of the incidents were on construction sites, with 2 thefts and 3 burglaries.
- 4.3 Guidance on construction site security can be found on the secured by design website at https://www.securedbydesign.com/guidance/design-guides

I have no other comments to make at this time, but of I can be of any further assistance please do not hesitate to contact me.

Yours sincerely,

١

Mr Mark Roberts
Police Designing out Crime Officer

NYP ASB & Crime Incidents Report

Analysis Study area

Planning Application reference

Size of study area

See Map (0.481 Sq. Km)

Study period start

1 January 2022

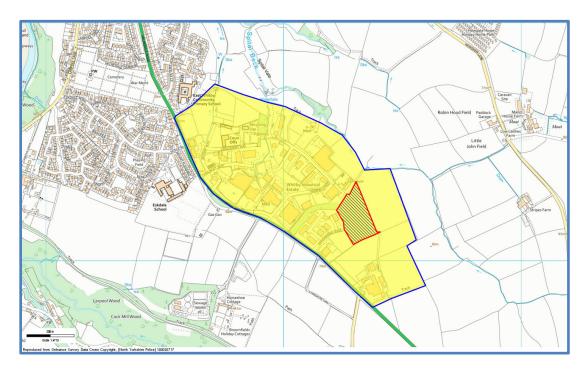
Study period end

27 January 2023

Compiled By

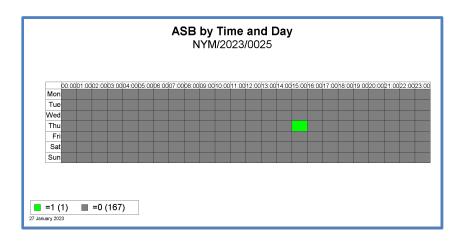
Mark Roberts DOCO

Map Of Study Area



Anti-Social Behaviour

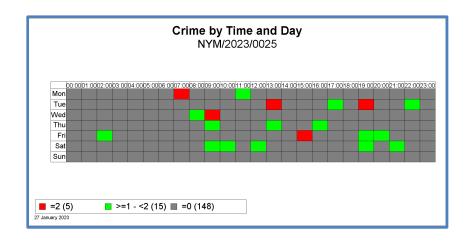
ASB Group	Total
ASB Environmental	
ASB Nuisance	
ASB Personal	1
Grand Total	1



Crime

Crime Group	Total
Arson & Criminal Damage	2
Burglary Residential ¹	
Burglary Non-Residential	4
Drug Offences	
Fraud	
Misc Crimes Against Society	
Possession Of Weapons	
Public Order Offences	1

Robbery	
Sexual Offences	
Theft: All Other Theft	7
Theft: Bicycle Theft	
Theft: Shoplifting	5
Theft: Theft From Person	
Vehicle Offences	4
Violence Against The Person	2
Grand Total	25



 $^{^{\}mbox{\scriptsize 1}}$ Includes residential garages, sheds and other outbuildings

From:

To: Planning

 Subject:
 Re: NYM/2023/0025

 Date:
 25 January 2023 19:17:03

NYM/2023/0025

Quite happy with this application.

Les Atkinson. Footpath Secretary, Scarborough Ramblers Group.