

# North York Moors National Park Authority

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

Application No. NYM/2018/0375/FL

**Proposal:** construction of warehouse and plant room extensions together with extension to and resurfacing of existing car park, internal access roadway and turning head, reinforced skip area, associated regrading of land and landscaping works together with installation of 2 no. flues to existing building

**Location:** Whitby Seafoods Ltd, Fairfield Way, Whitby

**Decision Date:** 13 September 2018

**Extended to:**

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## Consultations

**Borough/District** - No comments

**Parish** – No objections

**Highways** – No objections

**Fire Officer** – No objection/observation

**North Yorkshire Police** – 25 June 2018

**Environmental Health Officer** –

**Drainage** – No objections subject to conditions

**Natural England** – No objection

**Advertisement Expiry Date** – 27 July 2018

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## Director of Planning's Recommendation

**Approval** subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.																								
2.	PLAN01	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Document Description</th> <th style="text-align: left;">Document No.</th> <th style="text-align: left;">Date Received</th> </tr> </thead> <tbody> <tr> <td>Location plan</td> <td>10002/A/150/005 A1</td> <td>6 June 2018</td> </tr> <tr> <td>Proposed site masterplan</td> <td>10002/A/150/003 A1 Rev B</td> <td>6 June 2018</td> </tr> <tr> <td>Proposed internal layout</td> <td>10002/A/150/004 A1 Rev B</td> <td>6 June 2018</td> </tr> <tr> <td>Proposed factory layout</td> <td>10002/A/100/002 A1 Rev B</td> <td>6 June 2018</td> </tr> <tr> <td>Proposed elevations</td> <td>10002/A/140/024 A1 Rev B</td> <td>6 June 2018</td> </tr> <tr> <td>Site levels</td> <td>10002/A/120/001A1</td> <td>28 June 2018</td> </tr> <tr> <td>Land drainage plans</td> <td>---</td> <td>5 September 2018</td> </tr> </tbody> </table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority</p>	Document Description	Document No.	Date Received	Location plan	10002/A/150/005 A1	6 June 2018	Proposed site masterplan	10002/A/150/003 A1 Rev B	6 June 2018	Proposed internal layout	10002/A/150/004 A1 Rev B	6 June 2018	Proposed factory layout	10002/A/100/002 A1 Rev B	6 June 2018	Proposed elevations	10002/A/140/024 A1 Rev B	6 June 2018	Site levels	10002/A/120/001A1	28 June 2018	Land drainage plans	---	5 September 2018
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3.	RSUO01	The premises shall not be used other than as a warehouse and plant room and shall not be used for any other purpose (including any other purpose in Class B1, B2 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 2010 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, or within Schedule 2, Part 3, Classes A-V of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order).																								
4.	MATS00	The external surfaces of the building hereby permitted shall, within three months of first being brought into use, be coloured and thereafter maintained the colours as specified in approved drawing no. 10002/A/140/002 A1 Rev B or as may otherwise be agreed in writing with the Local Planning Authority.																								
5.	DRGE00	No work shall commence on excavation works to install drainage to serve the development hereby permitted until full details of a scheme detailing foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed.																								
6.	DRGE00	No work shall commence on excavation works to install drainage to serve the development hereby permitted until a scheme restricting the rate of development flow runoff from the site has been submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a maximum flowrate of 3 litres per second for up to the 1 in 100 year event. A 40% allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100 year plus climate change critical storm event (345m <sup>3</sup> ). The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.																								

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7.	DRGE00	The development shall not commence on the construction of the car park until a scheme, detailing the treatment of all surface water flows from parking areas and hardstanding through the use of road side gullies, oil interceptors, reed beds or alternative treatment systems, has been submitted to and approved in writing by the Local Planning Authority. Use of the parking areas/hardstanding shall not commence until the works comprising the approved treatment scheme have been completed. Roof water shall not pass through the treatment scheme. Treatment shall take place prior to discharge from the treatment scheme. The treatment scheme shall be retained, maintained to ensure efficient working and used throughout the lifetime of the development.
8.	DRGE00	No work shall commence on excavation works to install drainage until an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30 year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100 year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.
9	LNDS02B	All hard and soft landscape works comprised in the approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
10	LNDS10	No work shall commence to clear the site in preparation for the development hereby permitted until full details of the hardsurfacing to be utilised on the site have been submitted to and approved in writing by the Local Planning Authority, including a timetable to implement the proposed works. The hard landscaping works shall then be implemented in accordance with the approved details. The hard landscaping shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

**Reason for Condition(s)**

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3.	RSUO01	In order to enable the Local Planning Authority to retain control over future changes of use to the property which would otherwise be permitted by the Town and Country Planning (Use Classes) Order 2010 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) or the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), and to comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to enhance and conserve the special qualities of the NYM National Park and ensure that development does not have an adverse effect on the amenities of adjoining occupiers.

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4.	MATS01	For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
5&6	DRGEO0	In order to comply with the provisions of NYM Development Policy 2 to ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk.
7 & 8	DRGEO0	To avoid pollution of watercourses and to comply with the provisions of NYM Development Policy 1, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
9.	LNDS01	In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
10.	LNDS03	In the interests of the satisfactory appearance of the development and in order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that development proposals incorporate suitable hard landscaping details.

## Background

Whitby Seafood's is a factory which processes seafood which is distributed throughout the UK. It is located on the Stainsacre Lane Industrial Estate close to the boundary of the National Park, on the outskirts of Whitby.

The factory occupies a 6 acre site on the Industrial Estate, with the factory building itself stretching some 86 metres in length, running parallel with the estate road. At the north western end of the building there is a large car parking area which serves the factory.

Planning permission was granted in 2010 for the construction of a purpose built cold store to be used by the company to store frozen raw materials and finished goods to the rear of the existing Whitby Seafoods Building.

This application seeks permission for the construction of warehouse and plant room extensions to the rear of the site, adjacent to the recent cold store building. It is also proposed to extend and resurface the existing car park, and create an internal access roadway and turning head to enable access to the warehouse building. To the west of the site, within the existing service yard, a reinforced skip area is proposed, and a new HV substation. To the rear of the site, some associated regrading of land and landscaping works are proposed, and two flues are proposed in the existing front roof slope.

The proposed warehouse building will be of a similar footprint and eaves height as the cold store building, measuring 44m long x 30.5m deep with a height to the eaves of 10.5m and to the ridge of 12.5m. The roof and elevations would be coloured two shades of dark greys to reduce its visual impact compared to the very light coloured cold store building.

Additional areas of landscaping to the North West and North East elevations are proposed in the form of boundary treatments and areas of soft landscaping.

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In support of the application it is stated that:-

“The ambient warehouse extension will provide much needed on site storage space which will enable the business to operate more efficiently as well as freeing valuable space within the existing building to allow production to expand to meet the target turnover. The proposed ambient warehouse extension has been designed to match the existing cold store in eaves height. Due to the increased clear span of the proposed extension the ridge height will be approximately 300mm higher than the existing. In contrast to the existing cold store extension the colour scheme for the new extension will follow guidelines set out in Scarborough Borough Councils ‘Whitby Business Park Design Brief’, published in November 2016. To service the proposed new production lines within the building an additional refrigeration plant room is required. To service the new production lines a major site power upgrade is planned. To facilitate this a new brick effect GRP sub-station building is to be provided. The new production line will include additional frying capacity for the site. The frying line will have 2nr stainless steel mechanical extract flues.”

In relation to renewable energy requirements the following supporting information has been submitted:

“The proposed building will have very low energy requirements as it is an un-heated space with minimal lighting. Small power requirements are also minimal, limited to the mobile racking, dock leveller and door motors. The FLT charging indicated on the drawing is the sites existing facility, relocated into the new warehouse and will therefore not contribute to the additional energy consumption of the new extension.

### **Main Issues**

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

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

Development Policy 10 seeks to permit the re-use of an existing buildings for employment and training purposes where the building is of sound construction, there is sufficient land, storage space and parking, the building does not have an adverse impact on the character of the area and there are existing adequate access arrangements.

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Core Policy D of the NYM Local Development Framework seeks to address the cause of climate change and contribute to reducing greenhouse gas emissions in a number of ways, including generating energy from renewable sources where they are a scale and design appropriate to the locality, and which contribute towards meeting domestic, community or business energy needs within the National Park. This includes requiring commercial development of over 200sqm to generate energy on-site from renewable sources to displace at least 10% of predicted CO2 emissions.

The Whitby Business Park Area Action Plan sets out how the Business Park will be developed over the period to 2026. It includes proposals to improve and expand the existing site to accommodate new businesses and sets out highway, infrastructure and environmental improvements.

Although the proposed extension would be substantial, in terms of its scale and height, it is set within the Whitby Business Park and would not be visually intrusive in the wider landscape, particularly with its darker coloured elevations. The proposed warehouse and plant room is essential for the ongoing sustainability of the business which is an important element of the local economy and the proposal is therefore considered to be in accordance with Core Policy H of the NYM Local Development Framework.

The proposal would be well landscaped so that the views from the North and North East and in particular, those of the existing cold store structure and new car parking would be screened.

As the building is for warehousing with minimal energy requirements it is not considered that renewable energy provision is required. However, Core Policy D would be complied with by the use of solar panels on the west facing roof slope, which is considered to be acceptable on this proposed dark grey roof.

In view of the above it is considered that the proposal accords with the relevant policies and consequently, approval is recommended.

The proposal meets the aims and policies set out in the Whitby Business Park Area Action Plan and accompanying Design Brief. The details of design, height and proposed landscaping would also seem to be in accordance with the criteria set out in the accompanying Design Brief.

In view of the above, the proposal is considered to be in accordance with adopted Policies and approval is recommended.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent****Approval (No Amendments Required)**

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