

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

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

To Bell Snoxell Building Consultants Ltd
fao: Mr Louis Stainthorpe
Barclays Bank House
Baxtergate
Whitby
North Yorkshire
YO21 1BW

The above named Authority being the Planning Authority for the purposes of your application validated 18 February 2014, in respect of proposed development for the purposes of **change of use of land to form waste transfer station, construction of associated buildings, creation of access road and landscaping works** at **land adjacent Wilf Noble Building Supplies, Sneaton Lane, Ruswarp**, has considered your said application and has **granted** permission for the proposed development subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Location Plan	LP	23 July 2014
Proposed Site Layout	03 Rev D	23 July 2014
Proposed Site Sections	04 Rev C	23 July 2014
Proposed Entrance Road	08 Rev C	17 July 2014
Proposed Elevations and Sections06	Rev C	23 July 2014
Proposed Elevations and Sections07	Rev D	23 July 2014
Retaining Wall Details	02 Rev A	18 Feb 2014
Dust Management Plan		29 April 2014
Tree Strategy		23 July 2014
Letter and machine specifications dated 22 April 2014		23 April 2014

showing details of the proposed crusher and screener.

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

3. The premises shall not be used other than as a Builders Merchant and Building Waste Recycling Station and shall not be used for any other purpose.
4. No sorting or crushing machinery shall be operated on the premises before 10.00hrs nor after 15.00hrs on Monday, Wednesday or Friday. Sorting and crushing machinery shall not be operated on Tuesdays or Thursdays, on weekends or any Bank Holidays without the prior written agreement of the Local Planning Authority.

Continued/Conditions



Mr C M France
Director of Planning

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TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2013/0763/FL

Conditions (Continued)

5. No more than 10,000 tonnes of waste material shall be processed on site in any one calendar year. A record shall be kept of the tonnage of material processed through the site and shall be made available for inspection by the Local Planning Authority as required.
6. The development hereby permitted shall not be brought into use until the proposed measures to be undertaken to limit the transmission of noise to adjacent properties have been implemented. The work shall not be carried out otherwise than in accordance with the details so approved.
7. With regard to the proposed waste management operation there shall be no external unloading or loading before 7.00am or after 5.30pm. Internal unloading (or loading) within the main shed shall be permitted from 6.30am on Monday-Saturday with no loading or un-loading out-with these hours or at any time on Sundays or Bank Holidays. Any variation to these hours will require a new grant of planning consent from the Local Planning Authority.
8. No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
9. No work shall commence on the erection of any buildings hereby approved until details of the wall and roof cladding, including samples, have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
10. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

Continued/Conditions



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TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2013/0763/FL

Conditions (Continued)

11. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
 - (ii)(a) The access shall be constructed in accordance with drawing number 08 revision A and the specification E3. The construction thickness of the access shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority
 - (iv) That part of the access extending 15 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.
 - (v) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed in accordance with the approved details and maintained thereafter to prevent such discharges.
 - (vi) The final surfacing of any private access within 15 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
 - (vii) Provision of tactile paving in accordance with the current Government guidance.All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
12. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 42 metres measured along both channel lines of the major road Sneaton Lane from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres) and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
13. There shall be no access or egress by any vehicles between the highway and the application site until full details of a safe and satisfactory access to the adopted highway have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The development shall not be brought into use until the approved access is ready for use.
14. No new tree planting shall be located over or within 5m either side of the centre line of the sewer which crosses the site.

Continued/Conditions



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Continuation of Decision No. NYM/2013/0763/FL

Conditions (Continued)

15. No work shall commence on excavation works to install drainage to serve the development hereby permitted until full details of the proposed means of separate disposal of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the drainage works have been completed in accordance with the approved details. It should be noted that the applicant will have to demonstrate that the geology and ground water levels are suitable to allow the operation of a soak-away.
16. Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
17. Prior to the commencement of development of the proposed new access road full details of the proposed new entrance, including all hard and soft landscape features shall be submitted in writing to and approved by the Local Planning Authority. The approved details shall then be fully implemented prior to the commencement of operation of the waste transfer station hereby approved.

Informatives

1. In relation to condition 11 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 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
2. In relation to condition 12 an explanation of the terms used above is available from the Highway Authority.

Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.

Continued/Reasons for Conditions



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TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2013/0763/FL

Reasons for Conditions (Continued)

3. 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) 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.
- 4 – 8. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
9. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
10. In accordance with NYM Development Policy 23 and in the interests of highway safety.
11. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
12. & 13. In accordance with NYM Development Policy 23 and in the interests of road safety.
14. In order to protect the structural integrity of the sewer from tree root infestation
15. 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.
16. To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.
17. In the interests of the visual amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



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