

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

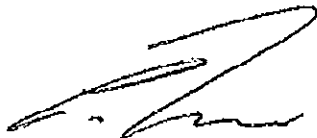
To Mr Mark Hall  
c/o Glen Kemp Ltd  
Wetherby Business Centre  
14-18 York Road  
Wetherby  
West Yorkshire  
LS22 6SL

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The above named Authority being the Planning Authority for the purposes of your application registered 25 June 2010, in respect of proposed development for the purposes of **erection of an extension to existing waste transfer building, relocation of existing crushing and screening operation, construction of a vehicle washing facility and provision of a vehicle access and working area (revised scheme to NYM/2009/0675/FL) at Marcus Richardson Environmental Services, Stainsacre Lane Industrial Estate, Fairfield Way, Whitby** have considered your said application and have **granted** permission for the proposed development subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. No machinery shall be operated on the premises before 08.00 hrs on weekdays and 08.00 hrs on Saturdays nor after 18.00 hrs on weekdays and 12.00 hrs on Saturdays nor at any time on Sundays or Bank Holidays without the prior written agreement of the Local Planning Authority.
4. No work shall commence on excavation works to install drainage to serve the development hereby permitted until full details of the proposed means of 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.
5. The development hereby permitted shall not be commenced until such time as a scheme to prevent run-off from any stockpiles of waste has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Continued/Conditions



Mr C M France  
Director of Planning

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Date **23 SEP 2010**

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2010/0497/FL

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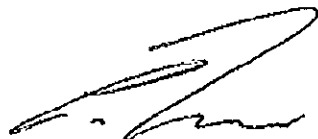
Conditions (Continued)

6. 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 in connection with the construction of the access road or building(s) or other works until:
  - (i) the details of the required highway improvement works, listed below, have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
    - (a) re-alignment of the verge crossing and footway adjacent to the access.
7. Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority, the development shall not be brought into use until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition number 6:  
re-alignment of the verge crossing and the footway adjacent to the access.
8. 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 in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
  - (i) alterations to the existing vehicular access to improve manoeuvring arrangements and reduce the need for vehicles to wait on the existing highway.
9. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 8:
  - (i) have been constructed in accordance with the submitted drawing.
  - (ii) are available for use unless otherwise approved in writing by the Local Planning Authority.  
Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
10. No work shall commence to clear the site in preparation for the development hereby permitted until details of a programme of works to mitigate the impact of the development on any badgers at the site have been submitted and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the details so approved.

Informatives

1. The site is already covered by a relevant Environmental Permit. Any variation to this permit should be applied for in line with the Environmental Permitting Regulations 2007.

Continued/Informatives



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Date .. 23 SEP 2010 ..

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2010/0497/FL

Informatives (continued)

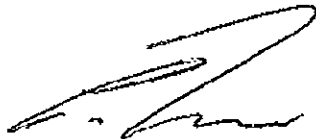
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2. The site is underlain by till deposits over sandstones, siltstones and mudstones of the Long Nab Member. This rock type is classified as a secondary aquifer (minor in the old designation). It is very important that the waste is not allowed to come in contact with surface water, and that any water contained in or generated by the waste is contained and controlled. Surface water run-off should be from roofs and clear hardstanding only.
3. Drainage from new developments must not increase flood risk either on site or elsewhere. Government policy strongly encourages a sustainable drainage approach to achieve these objectives. Developers should be strongly encouraged to reduce surface water run-off rates from previously developed sites as much as is reasonably practicable. Volumes of run-off should also be reduced wherever possible using infiltration and attenuation techniques.
4. In relation to condition 7 there must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and the Highway Authority.
5. In relation to condition 8 the proposals shall cater for all types of vehicles that will use the site. The parking standards are set out in the North Yorkshire County Council publication 'Transport Issues and Development – A Guide' available at [www.northyorks.gov.uk](http://www.northyorks.gov.uk).

**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 the details of the development together with any subsequent insignificant variations as may be approved in writing, comply with the provisions of NYM Core Policy A and NYM Development Policy 3.
3. In order to comply with the provisions of NYM Core Policy A which seeks to protect the residential amenities of adjoining occupiers.
- 4 & 5. 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.
6. In accordance with NYM Development Policy 23 and to ensure that the details are satisfactory in the interests of the safety and convenience of highway users.
7. In accordance with NYM Development Policy 23 and in the interests of the safety and convenience of highway users.
8. In accordance with NYM Development Policy 23 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.

Continued/Reasons for Conditions



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Director of Planning

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Date .. 23 SEP 2010

TOWN AND COUNTRY PLANNING ACT 1990

Continuation of Decision No. NYM/2010/0497/F

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Reasons for conditions (continued)

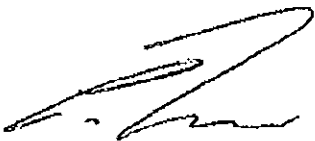
9. In accordance with NYM Development Policy 23 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
10. To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Core Policy C.

**Development Plan policies relevant to the decision**

Local Development Framework      CPF – Sustainable Waste Management

**Reason for Approval**

The proposed extension to the existing waste transfer building the relocation of the existing crushing and screening operation and the construction of a vehicle washing facility represent a small scale extension to the existing waste management business operating at the site. The proposals will improve the efficiency of the running of the site and will enable the waste needs of the surrounding are including both the National Park and Whitby to be met. The proposal is therefore considered to accord with Core Policy F of the North York Moors Local Development Framework and approval is therefore recommended.



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