

**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**

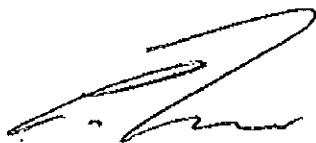
To Yorwaste Ltd
Mount View
Standard Way
Northallerton
North Yorkshire DL6 2YD

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The above named Authority being the Planning Authority for the purposes of your application registered 18 May 2012, in respect of proposed development for the purposes of **variation of condition 3 of planning approval NYM/2010/0497/FL to revise the operating hours to 06.00hrs to 22.00hrs Monday to Saturday and 06.00hrs to 18.00hrs on Sundays at Marcus Richardson Environmental Services Ltd, Stainsacre Lane Industrial Estate, Fairfield Way, Whitby** has considered your said application and has **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 by the Local Planning Authority.
3. No machinery shall be operated on the premises before 06:00hrs on weekdays and Saturdays and Sundays nor after 22:00hrs on weekdays and Saturdays or after 18:00hrs on Sundays or at any time on Christmas Day, Boxing Day or New Years Day 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.
6. 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.
7. 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.

Continued/Conditions



Mr C M France
Director of Planning

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Date: **13 JUL 2012**

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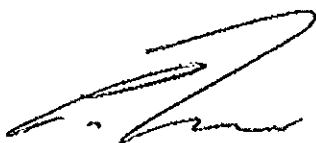
Conditions (Continued)

8. 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:
 - (i) re-alignment of the verge crossing and the footway adjacent to the access.
9. 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.
10. 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.
11. 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.

Informative(s)

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.
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.



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Continued/Informatives

Mr C M France
Director of Planning

Date: 13 JUL 2012

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2012/0342/FL

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Informatives (continued)

4. In relation to condition 7 and 8 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 9 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
6. The applicant's attention is drawn to the desirability of operating in such a manner that the noise from reversing beepers at night is kept to a minimum.

Reason(s) for Condition(s)

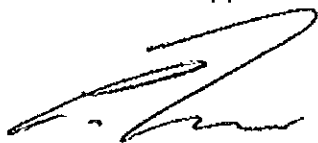
1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure the details of the development together with any subsequent insignificant variations as may be approved in writing, comply with the provisions of NYM Core Policy 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 order to comply with the provisions of NYM Core Policy A which seeks to protect the residential amenities of adjoining occupiers.
7. 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.
8. In accordance with NYM Development Policy 23 and in the interests of the safety and convenience of highway users.
9. 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.
10. 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.
11. In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation

Development Plan Policies Relevant to the Decision

Local Development Framework CPF – Sustainable Waste Management

Reason for Approval

The proposed extension to the operating hours would not result in an intensification of the use and would not have an adverse impact on residential amenity. 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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Mr C M France
Director of Planning

Date .. **13 JUL 2012** ..