

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

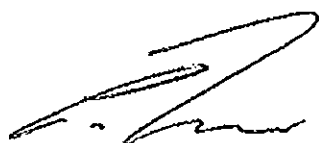
To Scarborough Borough Council
c/o URS Infrastructure & Environment
fao: Robin Newlove
Earl Grey House
75-85 Grey Street
Newcastle upon Tyne
NE1 6EF

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The above named Authority being the Planning Authority for the purposes of your application registered 4 October 2012, in respect of proposed development for the purposes of **creation of new access roads together with improvement works to existing junction at land between Cholmley Way and Fairfield Way, Whitby Business Park, 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 commenced 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. The development hereby permitted shall be carried out in accordance with the Tree Protection Measures set out in section/paragraph 3 of the Arboricultural Assessment dated 1 October 2012 and prepared by Barnes and Associates.
4. Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. 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.

Continued/Conditions



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Director of Planning

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Conditions (Continued)

5. 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 following drawings and details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

- i) Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:
 - a. the proposed highway layout including the highway boundary;
 - b. dimensions of any carriageway, cycleway, footway, and verges;
 - c. visibility splays;
 - d. the proposed buildings and site layout, including levels;
 - e. accesses and driveways;
- ii) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
 - a. the existing ground level;
 - b. the proposed road channel and centre line levels;
- iii) Full highway construction details including:
 - a. typical highway cross sections to a scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths;
 - b. kerb and edging construction details;
 - c. typical drainage construction details.
- iv) Details of the method and means of surface water disposal.
- v) Details of all proposed street lighting.
- vi) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.
- vii) Full working drawings for any structures which affect or form part of the highway network.
- viii) A programme for completing the works.

The development shall only be carried out in full compliance with the approved drawings and details unless agreed otherwise in writing by the Local Planning Authority with the Local Planning Authority in consultation with the Highway Authority.

6. No part of the development to which this permission relates shall be brought into use until the carriageway and any footway/footpath from which it gains access shall be constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

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

Continued/Conditions

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Date: 20 DEC 2012

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2012/0654/FL

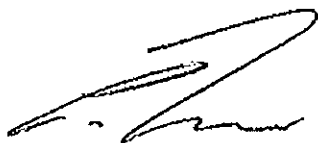
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Conditions (Continued)

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;
 - ii) an independent Stage 2 Safety Audit has been carried out in accordance with HD19/03 - Road Safety Audit or any superseding regulations;
 - iii) a programme for the completion of the proposed works has been submitted.The required highway improvements shall include:
 - a. widening of Fairfield Way and alterations to existing junctions on Fairfield Way.
8. There shall be no access or egress by any vehicles between the highway and the application site until:
 - i) full technical details relating to the bridging/culverting of the watercourse adjacent to the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority; and
 - ii) the surface water ditch at the Cholmley Way extension has been piped in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.
9. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.
10. Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
 - i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway;
 - ii) on-site materials storage area capable of accommodating all materials required for the operation of the site.

The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Continued/Informative(s)



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Continuation of Decision No. NYM/2012/0654/FL

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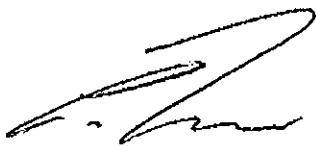
Informative(s)

1. In imposing condition 4 above it is recommended that before a detailed planning submission is made a draft layout is produced for discussion between the applicant, the Local Planning Authority and the Highway Authority in order to avoid abortive work. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.
2. In relation to condition 5 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.
3. In relation to condition 6 it is recommended that the applicant consult with the Internal Drainage Board, the Environment Agency and/or other drainage body as defined under the Land Drainage Act 1991. Details of the consultations shall be included in the submission to the Local Planning Authority. The structure may be subject to the Highway Authority's structural approval procedures.
4. You are advised that consent for the works to Road Improvement B that falls within the Scarborough Borough Council area will be consented by North Yorkshire Country Council as a separate planning permission.

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 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. In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
4. 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.
5. In accordance with NYM Development Policy 23 and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.
6. In accordance with NYM Development Policy 23 and to ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of prospective users of the highway.
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 to ensure satisfactory highway drainage in the interests of highway safety and the amenity of the area.

Continued/Reasons for Conditions



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Reasons for Conditions (Continued)

9. In accordance with NYM Development Policy 23 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
10. In accordance with NYM Development Policy 23 and to provide for appropriate on-site vehicle parking and storage facilities in the interests of highway safety and the general amenity of the area.

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

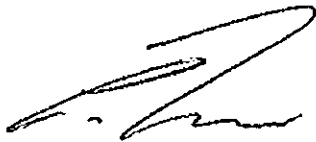
The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.

Development Plan Policies Relevant to the Decision

Local Development Framework	CPH – Rural Economy
	DP23 – New Development and Transport
	DP24 – Transport Infrastructure

Reason for Approval

The proposed development would not have a detrimental impact on the character of the area and would open up opportunities for further development at the Business Park. The proposal is therefore in accordance with Core Policy H and Development Policies 23 and 24 of the NYM Local Development Framework.



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