

North York Moors National Park Authority

Scarborough Borough Council (North) Parish: Newholm-Cum-Dunsley	App Num. NYM/2012/0757/EIA
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Proposal: Construction of a 450 space park and ride facility together with associated highway alterations and landscaping works (resubmission following expiration of NYM/2008/0621/EIA)

Location: OS Field 3618 bounded by Guisborough Road, A171, B1460 and Barkers Lane, Whitby

Applicant: North Yorkshire Council Business & Environmental Services, County Hall, Racecourse Lane, Northallerton, North Yorkshire, DL7 8AH

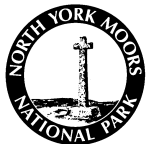
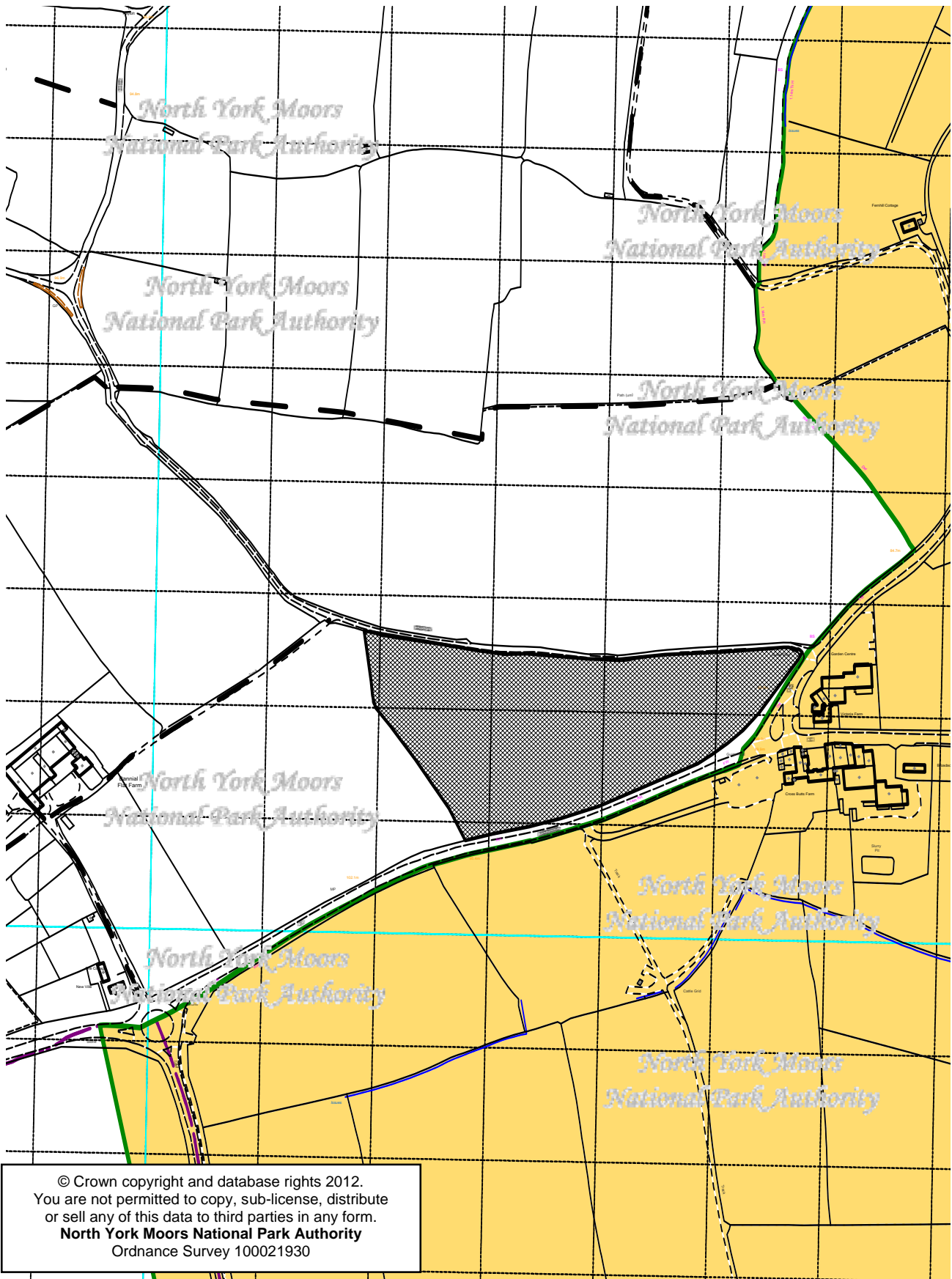
Date for Decision: 12 March 2013

Grid Ref: NZ 487362 510170

Director of Planning's Recommendation

Approval subject to the following conditions:

1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified
3. RSUO00 The application site shall be used only for the operation of a Park and Ride scheme. In the event of the site not being used as a Park and Ride site for a period in excess of 18 months all signs, seats, roads, hard standings and buildings on the site shall be removed and the site shall be restored as pasture land or native woodland within a period of a further six months.
4. LNDS00 The landscaping scheme shown on the approved plans shall be implemented in every respect in accordance with the plans in the first planting season following commencement of construction of the access road and formal car parking area. Thereafter if any tree or shrub dies or is diseased or dying within a period of ten years from the date of its first planting it shall be replaced with a tree or shrub of a similar size and species. The approved planting scheme shall be retained on site in perpetuity unless the prior written consent of the Local Planning Authority is granted to an amendment to this scheme.
5. MISC00 Notwithstanding the submitted plans, prior to the first use of the site as a car park/bus interchange full details of all anti-crime measures to be installed on the site and included in the operation of the scheme shall be submitted to and approved by the Local Planning Authority.
6. MATS00 Prior to the construction of the waiting room/toilet facility building full details of all external walling, roof and window materials shall be submitted to the Local Planning Authority and approved in writing. Thereafter the building shall only be constructed in accordance with these approved details and shall be so retained unless otherwise agreed with the Local Planning Authority.
7. WPDR09 Withdrawal of PD Part 2 Class A - Gates, Walls, Fences



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Scale: 1:4745 



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Conditions (continued)

8. GACS00 The site shall only be open to the public for car parking and access to buses during the following times:
 1 April until 30 April and 1 October until 31 October - 08.00 am until 06.00 pm
 1 May until 30 September - 07.00 am until 09.00 pm
 1 November until 31 March - 08.30 am until 06.00 pm
 Outside of these hours there shall be no parking of any kind of vehicle or siting of any temporary structure on the site and the site shall be secured and locked to prevent public access.
9. GACS00 No means of external lighting or illumination shall be installed on the site without the prior written approval of the Local Planning Authority. Thereafter only illumination and lighting that conforms to the approved details shall be erected on the site.
10. DRGE00 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is first brought into use. The scheme shall also include details of the maintenance program of the drainage scheme for the lifetime of the development.
11. RSUO00 All waiting rooms hereby approved as part of the development shall make provision for display of tourism and interpretation information related to both Whitby and the National Park the details of which shall be submitted to the Local Planning Authority for written approval prior to and implemented before the first use of the Park and Ride scheme by the public and the facility shall thereafter be retained as approved

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.
3. The Local Planning Authority do not consider this site to be generally suitable for development but recognise the need for a Park and Ride facility in this location and to comply with the provisions of Development Policy 24 of the Local Development Framework.
4. To ensure a high quality, substantial planting scheme is included which gives a high level of screening and to comply with NYM Core Policy A and NYM Development Policy 24.
5. The Local Planning Authority recognises its duties under the 1998 Crime and Disorder Act and wishes to ensure inclusion of crime prevention measures that are commensurate with the character of the area.
- 6 & 11. 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.
7. In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.

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Reasons for Conditions (continued)

8. The Local Planning Authority would wish to control the operation of this site to main daylight hours and would not wish to see the site used for permanent access and parking and to comply with NYM Core Policy A.
9. 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.
10. To ensure proper drainage is included and to comply with NYM Development Policy 3.

Consultations**Borough -****Newholm Cum Dunsley Parish -** No objections.**Whitby Town Council -****Highways -****Environmental Heath Officer -****Environment Agency -****Natural England -** No adverse comments.

Police - The car park location is remote and will attract criminals diverting police away from the town centre which can be little afforded and as such crime minimising measures must be taken. Query what CCTV coverage will happen when not open? Youths could be tempted to break into the shelter building and encourage drug taking and alcohol drinking. The site must be lit when open for the CCTV to capture images. The lighting should be switched on when not operating for those people returning when the site has been locked up but not allnight as this will attract youths. Landscaping the site so it cannot be seen will avoid surveillance by passing motorists to call the police out. Inadequate crime prevention information is submitted with the application.

Whitby Civic Society -**Whitby Disablement Action Group -****Whitby Hospitality Association -****Advertisement Expiry Date -** 21 December 2012.

Others - George Winn-Darley, Aldby Park, Buttercrambe - My client owns a large site adjacent to the existing A169/A171 roundabout which lies outside the National Park and we feel it would be a suitable alternative site. We would be grateful if this site could be looked into.

Ms Wendy Rayment, Flat 3, 2 Uppang Lane, Whitby - Object on the following grounds: Would urbanise the area and result in light pollution. It is not designed for the demand and will not benefit the local economy. It is in the wrong location, traffic could easily be diverted over the bridge to the east where a site outside the National Park could be found. Feel the pond will not deal with the drainage and so lead to flooding. The costs are spirally to beyond £4 million this will be an unused 'white elephant'. Would set a precedent to build on other green belt land around Whitby. There is no point in having National Park designation if this sort of development is going to be allowed.

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Background

This application is a resubmission of a proposal for a Park and Ride facility, sited just within the National Park, alongside the A171 on the western approach to Whitby.

Site History

The project was screened at pre-application stage by the Authority as EIA development. A planning application for the Park and Ride facility and accompanying Environmental Statement was originally submitted in June 2007 (Ref No NYM/2007/1016/EIA), but this was refused in March 2008 due to failing to demonstrate that the development needed to be located within the National Park and unacceptable impacts relating to proposed lighting columns within the car park area. Subsequently a revised application was submitted in 2008 (Ref No NYM/2008/0621/EIA) which included updated information pertaining to the site selection process, omitted the lighting columns and increased perimeter landscaping. It also included the submission of an addendum to the previous Environmental Statement (submitted as a supporting document) which assessed the landscape and visual impacts of the revised proposals. Following lengthy debate at the Planning Committee, at which the traffic management benefits to Whitby and environs and the improved mitigation package were particularly acknowledged, the application received planning permission in February 2009. However, the scheme was not implemented during the subsequent three year period due to funding and site procurement problems and consequently lapsed in February 2012. That permission is a material planning consideration in the assessment of this application.

In resubmitting the current application North Yorkshire County Council acknowledge that in planning terms there has been a significant time lapse since the original assessments were completed in the 2006-2008 period. Consequently, Golder Associates were commissioned to produce an updated Environmental Statement for this application, taking into consideration any changes in the baseline conditions, new legislation (for example the introduction of the National Planning Policy Framework in 2012), or updated assessment methodologies and guidelines.

Site Location

The application site lies at the junction of the A171 Whitby Road with the B1460 Sandsend Road; it comprises a 4.3 hectare roughly triangular shaped field in generally open landscape characterised by indigenous hedging and dry stone walls. It is on the very edge of the National Park overlooking Whitby in the distance. The nearest built developments include Victoria Farm Garden Centre and Café to the east of the site across the B1640, and Cross Butts Farm/Hotel and Restaurant to the south east across the A171. Both lie outside the National Park and have sizeable car parks.

Proposal

The proposal involves the provision of a total of 450 car parking spaces, comprising 250 formal hard surfaced car parking spaces with an unsurfaced overspill parking area for around 200 cars to the western end of the site which would be surfaced informally with plastic mesh re-inforced grass. Access to the site would be via a new lamp lit roundabout which would replace the existing 'T' junction formed by the intersection of the A171/B1460 roads, a known accident black-spot. The existing main accesses to the Victoria Garden Centre and Cross Butts Farm, now a restaurant, would be maintained. The Park and Ride scheme now proposed includes a modern glass, stone and sedum roofed building which would form a waiting area and toilet facility similar to the one built at the Scarborough Park and Ride facility.

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Proposal (continued)

The parking areas have been designed to 'radiate' from the waiting area to reduce, as far as possible, the pedestrian walking distance from parking to bus boarding. Disabled parking spaces would be located closest to the waiting area. The hours of operation of the site to obviate the need for lighting columns would be:-

1 April until 30 April and 1 October until 31 October – 8.00 am until 6.00 pm

1 May until 30 September – 7.00 am until 9.00 pm

1 November until 31 March – 8.30 am until 6.00 pm

The applicant cites the main disadvantages of the site as being 1) its in the National Park; 2) the area is prominent on this northern side of the Esk Valley; 3) there will be some loss of an existing trod.

The supporting statement and Environmental Statement outlined why the other six sites have been rejected but recognise that of those six, Site 2, just to the east of the Garden Centre, was a possible alternative, although in the applicants view, less suitable. Following the initial refusal an additional supporting statement was submitted to answer some of the points made by the Authority's transport consultants.

In brief, the applicant's justification for this site is that it would have least impact on the landscape of all the sites assessed when viewed from a distance, would concentrate all movements at one improved junction and involve less new carriageway than the other options. In terms of possible development of the next best site, Site 2, they consider that at least 10 percent more traffic delay would occur if a new roundabout was created east of the existing junction and Garden Centre. Additionally there would be a greater land take requirement and higher costs which would render the scheme undeliverable.

The applicants also believe their scheme includes extensive landscaping mitigation measures which would help alleviate much of the landscape impact of the development.

In terms of the details of the scheme the applicant states that the car park would be to Park Mark 'secured by design' standards and have CCTV linked to Scarborough Borough Council's control room during operating hours. The scheme would include construction of a balancing lake; details of drainage and its maintenance have been discussed between the applicant and Environment Agency.

The applicant intends to route the shuttle buses into and out of Whitby via the B1460 which leads from the Sneaton Castle direction, so avoiding conflict with traffic going along the A171.

Planning Policy

Core Policy M of the NYM Local Development Framework deals with accessibility and inclusion. This states that the National Park Authority will work through effective and strong partnerships to improve accessibility to services and facilities within and beyond the National Park for all users and to encourage more sustainable patterns of travel. One of the ways this will be achieved is through supporting the implementation of Service Centre Transportation Strategies contained in the Local Transport Plan, including that for Whitby.

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Planning Policy (continued)

Development Policy 24 deals with transport infrastructure and states infrastructure that is required to facilitate transport related schemes or initiatives will be permitted where, in the case of Park and Ride schemes,

- a) The location of the site is on or in close proximity to a Category 1 road and the National Park boundary.
- b) Where possible the site is accessible by alternative modes of transport.
- c) The siting, scale and design does not have an adverse impact on the landscape character and amenity of adjacent occupiers.

As well as these 'transport specific' policies other national and local policies are considered relevant.

Core Policy A of the NYM Local Development Framework relates to delivering National Park purposes and sustainable development and states the Local Development Framework aim of seeking to further National Park purposes by encouraging a more sustainable future for the Park and its communities whilst conserving and enhancing the Park's special qualities. This policy lists eight criteria which set out the proposals to which priority will be given. These include providing a scale of development which will not have an unacceptable impact on the wider landscape nor detract from the quality of life of local residents or the experience of visitors.

The scale and nature of the Park and Ride development proposed is a significant proposal in National Park terms. However it has already been approved in recent times with essentially the same design, the main design change is a differing waiting room design which would now be similar to the same waiting room at the Scarborough Park and Ride development on the A64 approach into the town.

Appraisal

Whilst not strictly speaking a renewal, Officers consider the key issue is whether there have been any significant changes in material circumstances to warrant deviation from the normal principle of planning law that decision making should be consistent. The previous approval was granted under the currently adopted Core Strategy and Development Plan Policies document (Local Development Framework). The main policy change is the publication of revised and condensed national planning guidance contained in the National Planning Policy Framework. The National Framework guidance considered most relevant to this proposal seeks:- joint working across Local Planning Authority boundaries, to give great weight to conserving the landscapes of National Parks, and to promote sustainable transport development especially where it helps tackle local traffic congestion problems. As such the proposal falls to be considered against very similar policy considerations.

Main Issues

The development proposal has been assessed against the policies outlined above and the resulting main issues are the need for the development and whether or not this would outweigh landscape harm having regard to other sites and possible mitigation.

The starting point is to look at the need for the development. The Park and Ride site together with the associated changed in-town parking regime, including resident parking zones, are needed to help 'catch' traffic before it enters Whitby. This approach has been accepted for many years and is still considered to be appropriate because:-

The proposal was included in the Whitby Traffic Management Study which formed part of the proposals set out in the last Local Transport Plan. This Authority, as a partner of North Yorkshire County Council in that Local Transport Plan, has accepted the strategic proposal for a Park and Ride site for Whitby.

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Main Issues (continued)

This fact was partially instrumental in the specific Park and Ride policy included in this Authority's Local Development Framework; the text (paragraph 10.17) recognises this long standing proposal. The Authority's specific policy in relation to Park and Ride sites makes it clear that such a development could be acceptable on or in close proximity to the boundary of the National Park. If a suitable Park and Ride development is not undertaken then this could have an adverse effect on both the economy and environment of Whitby, as traffic congestion increases. It is, therefore, considered that a strategic local need exists and the development will significantly help improve traffic congestion problems in Whitby particularly at peak holiday times including school holidays.

Location

It was accepted at an early stage that for a Park and Ride site for Whitby to be successful, it needed to be located on the western edge of the town to 'intercept' the majority of in-bound tourist traffic on the main A171 (from Teesside area) and the A169 (from Pickering and the south). This led to an area of site search around the Cross Butts locality as this gave the possibility of 'capturing' traffic that was inbound not only on the A171 into Whitby town but also on the B1460, the road to Sandsend and the West Cliff area of Whitby. The applicant firmly believes that the application site is the best of all those looked at and this has been previously accepted by the Authority.

Originally seven sites were looked at but most of these were discounted for operational and practical reasons; they were either too small or too far from the A171/B1460 junction and after an initial assessment the two most likely possible sites appeared to be the application site and two fields just beyond the A171/B1460 junction to the east of the Victoria Garden Centre known as Site 2. That site would have required additional land take over this proposal, would have increased costs and resulted in slower journey times and as such the case was accepted for the current site. It is not considered appropriate to completely re-evaluate the competing technical merits of the sites again as circumstances have not materially changed in respect of physical characteristics.

Landscape Impact and Mitigation

Another key issue is the potential detrimental impact on the environment, landscape and recreational opportunities and the extent to which that could be moderated. The adverse impact of developing a 450 space car park on the site both during the construction period and the period whilst landscaping is established would clearly affect the landscape character of this part of the National Park.

There is no doubt that for the first ten years the site will have an adverse visual impact. However after this time this would significantly diminish and the impact would be modest as the landscaping establishes. That impact needs to be balanced against the transport management benefits. Whilst there would be harm arising from the development in the early years of the development, in the later years the mitigation measures would be likely to reduce the harm to a minimal level whilst all the time the sustainable transport benefits would be accruing. The creation of mounds, digging in of the parking area and building and the tree planting will all help to assimilate the development within the wider landscape.

Local and national planning policy guidance recognise the need for partnership working in transport related projects and, in particular, Development Policy 24 recognises the possible need for the establishment of a Park and Ride on the edge of the National Park. The proposal is considered to meet the first criteria of Development Policy 24 in that it is adjacent to a Class 1 road and right on the National Park boundary. In terms of its accessibility the location is well served by two main roads and could easily be served by a convenient bus route. It is difficult to see how a Park and Ride site for Whitby could be made accessible by rail due to the local topography. In terms of the impact of the siting, scale and design, the development would represent a large, urbanising proposal in an area of open countryside.

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Landscape Impact and Mitigation (continued)

However, National Park policies do recognise that a Park and Ride site, although a significant development, may well be acceptable in the National Park. Visual impact is mainly from the immediate area with only long distance views from the wider National Park. The omission of all lighting and the inclusion of land level reduction and a landscaping scheme would, over time, help minimise the impact of the proposed development to an acceptable degree.

Whilst some of the landscape protection measures may conflict with the aims of some aspects of the police advice to seek good visual surveillance, Officers maintain that the omitting of the lighting columns and landscaping are absolutely necessary to assimilate the development into a protected landscape.

Planning Balance

Officers consider the key issue is whether, having regard to the previous approval, there have been any significant changes in planning policy or any other material consideration to reach a differing view. The issues and alternatives have been briefly reconsidered and Officers have concluded that a Park and Ride on this site within the National Park is still acceptable. Having regard to the operational advantages for this site, the extra costs of developing Site 2, and the further mitigation measures included as part of the current scheme, it is considered that development of the application site is within the public interest. This is further emphasised by the existence in the Local Development Framework of a policy that specifically recognises that a Park and Ride scheme to serve Whitby may well be an acceptable development just within the National Park.

The recommendation is for approval of the scheme subject to strict conditions which would ensure the development is of a high standard and that any adverse impacts are moderated as far as is practically possible. It is considered that the requirement to screen the site by creating a natural wooded landscape should again take priority over meeting Park Mark standards and any crime preventing measures should only be incorporated where they are compatible with the submitted landscaping scheme.

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.

Reason for Approval

The proposed site for this Park and Ride development for Whitby is considered to accord with the objectives of the National Planning Policy Framework and the requirements of Development Policy 24 and Core Policy M of the NYM Local Development Framework and it is considered that the proposed mitigation measures will ensure the adverse impact of the development is brought within acceptable limits.