

	REPORT TO PLANNING & DEVELOPMENT COMMITTEE TO BE HELD ON THURSDAY, 11 March 2021	
APPLICATION REFERENCE NO: 20/01804/FL	TARGET DATE: 12 November 2020	GRID REF: 488500-510916

REPORT OF THE PLANNING SERVICES MANAGER – PSM/21/40

SUBJECT: Demolition of two houses to provide extensions to foodstore and car park with associated external works and alterations at Lidl Stakesby Road Whitby North Yorkshire YO21 1HH for Lidl Great Britain Limited

1.0 INTRODUCTION AND THE PROPOSAL

1.1 This application was previously considered by the Committee at its meeting on 17 December 2020 and this followed a site visit by Members. It was resolved to defer the application to obtain more information on a number of issues. The applicants have submitted a package of documents seeking to address points raised by the Committee and objectors to the scheme. The documents can be found on the Council website dated 19 February 2021 and are considered further in Section 7 (Assessment) of this report.

1.2 The existing Lidl food store is prominently located on a bend of Castle Road/Stakesby Road in the western part of Whitby. Apart from a petrol filling station/convenience store to the north-west on the opposite side of Castle Road and a smaller carpet/flooring store adjacent to the north-east boundary, the area is mainly residential, largely consisting of mid-20th century semi-detached housing. The existing shop was built approximately 13 years ago and replaced a former hardware store. The building is single storey and essentially cuboidal in form with a gently sloping mono-pitch roof. It is set 1.7m from and runs parallel to the eastern boundary, beyond which are the rear gardens of dwellings on Beech Grove. Between the road and the western/northern faces of the building is an open car park containing 70 spaces.

1.3 The southern end of the building, where deliveries take place, is set behind the truncated garden of 1a High Stakesby. It is proposed that this house and its semi-detached pair with a longer rear garden (no. 1b) would be demolished to make way for an extension of the building and the car park. The gardens are at a slightly higher level than the existing car park, which would require some lowering to facilitate the proposed works. The extended building would in effect occupy much of the current rear garden of no. 1b. The front part of the site, including where the two houses are located, would be replaced by car parking. This main extension of the store would enlarge and move the position of the warehouse area so that it still would occupy the southernmost part of the building. The existing storage area would be partly occupied by an increased sales

area, including an in-house bakery. This extension would measure 280sqm. It would enlarge the sales area from 1,200sqm by a further 160sqm or 13% (114sqm excluding the bakery). This would mainly be of the same height as the existing building - 6m at the front and sloping down to 3.9m on the rear elevation adjacent to boundary with Beech Grove properties. The loading bay area currently consists of a single storey flat roof front projection with a height of 4.1m. This would also continue southwards as part of the same extension. Ventilation/refrigeration plant (in place of existing equipment on the front elevation) would be situated on the roof and surrounded by a parapet wall which would be 0.4m lower than the main part of the building to its rear.

1.4 A much smaller extension is proposed on the northern end of the building adjacent to the eastern site boundary projecting towards the rear of an electricity substation. This would extend an existing small projection and provide enhanced ancillary uses such as toilets, staff facilities, cash and IT rooms. It would measure 49sqm with a height of 5.1m at the front sloping down to 4.3m to the rear.

1.5 The proposals would increase the number of car parking spaces by 20. This would largely be at the southern end of the site using the same access onto Castle Road. The existing parking areas would be rearranged, moving the 5 spaces for the disabled and also creating parent & child spaces close to the store entrance. Other minor works include parking for 14 cycles, new entrance sliding doors and trolley bay.

2.0 SCREENING OPINION REQUIRED?

2.1 Not required.

3.0 COMMUNITY ENGAGEMENT BY THE APPLICANT

3.1 Prior to the submission of the application the applicants sent a consultation letter to an unspecified number of local residents, providing details of the proposed development and inviting comments using an online questionnaire. This is summarised in a Statement of Community Involvement (SCI). It states that all of the respondents were customers who travel on foot with the majority enjoying shopping at the store and most being unsure of the need for the proposals. They also expressed concerns on potential increase of noise pollution as a result of relocating the external plant, increase of traffic from the additional parking spaces; and damage to boundary / garden wall. Nonetheless, it asserts the proposal was positively received by the local community overall, subject to addressing the matters raised with the majority expressing their positive experience while shopping,

3.2 During the course of the application the applicants also undertook community engagement. A total of 9,000 leaflets were distributed to all homes and businesses in Whitby, Sleights and surrounding villages. These summarised the plans, outlined benefits, addressed concerns and asked for feedback via a freepost return card. Overall, 127 responses were received. When asked to reply to the statement, "I am generally in favour of Lidl's proposals for extending the car park and store at Stakesby Road, Whitby", 106 replied 'agree' (83%), 16 replied 'disagree' (13%) and 5 replied 'not sure' (4%). Among comments received were the benefits of extra car parking, which sometimes floods and a reduction in congestion, as well as concern about loss of housing and worsening an eyesore.

3.3 Full details of the SCI and the more recent community engagement, including the applicant's response to matters raised by objectors, can be found on the Council website.

4.0 CONSULTATIONS AND COMMENTS

The following is a summary of the key and relevant comments received from consultees and interested parties. Their full comments and any accompanying documentation are available to view on the Council's website.

4.1 Highway Authority (HA) - No objection subject to conditions. On peak occasions, the capacity of the current car park is not currently sufficient to meet the demand. Although increasing the floor space is likely to attract more customers/ vehicles, the additional parking capacity of 20 spaces outweighs this expected increase. The HA has received comments about the single access point, over its safety and the clear visibility available. There are no recorded collisions associated with this access (in the period that are currently held), but the vision splays are important and should be kept clear for drivers to see oncoming vehicles. The accesses to the two properties proposed to be demolished both have existing drives with dropped kerbs. These should be reinstated with new kerbs and the grass verges continued across the closed up drives. These matters should be subject of conditions. In response to correspondence received from an objector, the HA checked data on the 'Crashmap' website and found no record of collisions in the vicinity of the supermarket junction.

4.2 Environmental Health (SBC) - no objection, subject to conditions. There is broad agreement with the findings of the submitted Acoustic Assessment. In addition to limiting noise levels at the nearest dwellings to 35 decibels, it is important to ensure there are not problems relating to tonality and intermittence. While the conclusions of the submitted Assessment are broadly accepted, in practice the precise impact can only be assessed accurately once new equipment is in situ with additional mitigation provided if necessary. A condition is therefore proposed which requires an Acoustic Assessment within 3 months of installation of new equipment with mitigation measure agreed and installed within a further 3 month period if deemed necessary.

4.3 Northern Powergrid - no comments received.

4.4 Whitby Town Council - No objections - support the application subject to improvements to increase visibility at the exit.

4.5 Publicity - The statutory consultation period for the planning application expired on 30.10.2020. The Borough Council has received representations from 18 parties, of which 15 object and 3 are in support. In summary, the following points have been made in objection to the application, in approximate order of frequency that they have been raised:

- Negative impact of additional traffic on busy road/ accident blackspot, close to pedestrian crossing and associated noise, fumes and dirt. The Transport Assessment and accident data is questioned - no surveys appear to have taken place. Numerous other recent developments nearby and traffic management measures are required. Sight lines should be improved at entrance.

- Noise impact on neighbours - from refrigeration plant proposed on the roof close to residents, traffic, deliveries and refuse collection. Proposed fencing will not remedy this. There are existing noise problems have been made worse by the recent removal of vegetation and the acoustic report is questioned.
- Loss of good housing - contrary to the Council's Housing Strategy and could be further extensions of the store if houses become available
- Light pollution from floodlighting and the submitted assessment is difficult to interpret
- Loss of light - extension would be 5.7m away from nearest dwelling
- Loss of wildlife habitat frequented by various species including bats - i.e. gardens, where the applicants removed mature trees this year. Clearance of vegetation from the garden has already reduced garden bird numbers.
- Overlooking/loss of privacy
- Eyesore/design out of keeping - pitched or green roof suggested with extra landscaping
- Need to show compliance with Rights to Light and Party Wall Act, Environmental Health (noise) and Health & Safety regulations
- No need for extra retail space - houses are required
- Odour from extra refuse
- Loss of amenity space during construction
- Increased hardstanding and recent tree felling will increase flooding of car park and roads
- Loss of trees and vegetation planted when store opened was not maintained and has been lost.
- Loading bay arrangements are dangerous with HGVs reversing
- Plans show encroachment onto adjoining private properties
- Measurements quoted in the application are inaccurate and do not show relationship with adjacent dwellings.
- Position of footpaths is unclear
- Contrary to Local Plan policies
- Loss of property value
- Parking problems could be solved if existing problems of waterlogging and uneven surface were resolved.
- No new jobs created.

Points made in support are summarised as follows:

- Improvement in parking situation - the car park is often full so shoppers leave and try again, increasing traffic. It would also reduce obstruction at the Stakesby Road entrance.
- Increased shopping area is welcomed.

5.0 RELEVANT SITE HISTORY

5.1 2006 - Discount foodstore - approved with conditions

5.2 2010 - Removal of condition to increase internal sales area -approved

5.3 2015 - Extension to provide welfare facilities - approved

5.4 2016 - Variation of conditions relating to delivery hours and opening hours - approved, subject to conditions restricting deliveries and customer opening to 7am to 11pm Monday to Saturday. On Sundays deliveries are restricted to 9am to 8pm and hours of opening from 10am to 4pm.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of The Town and Country Planning Act 1990 require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise (in the case of advertisement applications the Advertisement Regulations 2007 are applicable). Attention is drawn to the following Development Plan and other planning policies and guidance which are considered to be particularly relevant to the consideration of this application:-

Scarborough Borough Local Plan 2017

SD 1 - Presumption in Favour of Sustainable Development

DEC 1 - Principles of Good Design

DEC 4 - Protection of Amenity

TC 1 - Hierarchy of Centres

TC 2 - Development in Commercial Centres

ENV 3 - Environmental Risk

ENV 5 - The Natural Environment

INF 1 - Transport

INF 3 - Sustainable Transport and Travel Plans

National Planning Policy Framework

NPPF2 - Achieving Sustainable Development

NPPF4 - Decision-making

NPPF6 - Building a strong, competitive economy

NPPF7 - Ensuring the vitality of town centres

NPPF9 - Promoting sustainable transport

NPPF12 - Achieving well-designed places

NPPF14 - Meeting the challenge of climate change, flooding and coastal change

NPPF15 - Conserving and enhancing the natural environment

Scarborough Borough Supplementary Planning Documents

Transport Assessments

Local Planning Policy and Guidance

None relevant

7.0 ASSESSMENT

Principle of Development

7.1 Before assessing site specific factors it is necessary to consider whether there are any planning policies which may affect the principle of the proposed development. The site lies firmly within the Development Limits of Whitby in the Local Plan, but outside the town centre and it is not identified as a District or Neighbourhood Centre by policy TC1 of the Local Plan. Both national and local policies indicate that a sequential assessment should be applied to new retail proposals, whereby town centre, followed by edge-of-centre sites should be the first preference, assuming such sites are available, suitable and viable. It is recognised in this case that the proposal is for an extension to an existing store, increasing the retail floor space by 160sqm, if the bakery is included. Case law has held that it would be inappropriate to expect the applicant to disaggregate retail floor space. Therefore, in applying this policy approach it would be necessary to consider the store as a whole unit, thus rendering smaller town centre/edge of centre units unsuitable when applying the sequential approach.

7.2 The applicant has submitted a note setting out the applicant's case regarding the sequential assessment. It outlines the company's minimum requirements for a store. Four vacant premises are identified in the town centre, but the largest of these is 250sqm which is considerably smaller than space requirements. As with most sites in the historic core of the town centre there would also be limited scope for on-site parking, which the applicants consider to be an essential requirement to the store's viability. The applicant's submission does not assess whether there are potential new build sites in or on the edge of the centre. However, this has been considered relatively recently in connection with food retail proposals at Whitby Business Park. The main sites potentially available would be on the edge of the town centre, in the form of public car parks, mainly situated off Langborne Road. These are generally in heavy use and not considered to be available, apart from possible flood risk issues, which may apply. Furthermore, there is the consideration of whether it would be reasonable to expect the wholesale relocation of a store on the basis of an addition of 13% to the retail floor area. For these reasons an objection is not raised with respect to policies which apply the sequential approach.

7.3 A concern raised by objectors is the loss of two houses. While one of the aims of the Local Plan is to facilitate the delivery of a range of housing to meet local needs, there are no planning policies which specifically presume against the demolition of existing houses to make way for new development. The application should be viewed within the context of the presumption in favour of sustainable development which underpins Local Plan Policy SD1 and the NPPF, which promote both economic growth and new housing in roughly equal measures. The applicant has identified 3 current/recent residential sites which will provide 359 new dwellings on the western side of Whitby, and on a more general level officers can advise that the loss of 2 houses would not adversely affect the Borough's housing supply figures. The existing relationship between No 1a and the Lidl store is also poor given its restricted rear garden and the close proximity to the delivery bay, car park and externally situated refrigeration plant.

7.4 The semi-detached pair of houses to be removed are also typical of the area and time at which they were built. They are not of sufficient historic or architectural merit to object to their loss, assuming that the replacement development proposed is acceptable, which is considered later. For these reasons it is not considered that an objection based on the loss of the houses can be substantiated. The main considerations with this application therefore relate to the specific form of development proposed within the context of the site and its surroundings.

Design and Appearance

7.5 These factors should be assessed within the context of the public view, notably the main road to the west of the site rather than from private property, which is not itself a planning consideration. From Castle Road the building currently has an elongated and low appearance, largely consisting of white rendered lower walls with grey profiled metal cladding above. The proposals would further extend this form of building to the north by 7.4m and to the south by 10.5m. The northerly extension would be the less prominent. This element continues the building's mono-pitch roof, but on its lower side and would be set back by 12.9m, making it more recessive in view. It would also be partially set against the backdrop of the carpet store to its rear and in effect fill a gap between the existing small projection at the northern end of the building and an electricity substation, which would partially obscure it from the road to the north.

7.6 The greater visual impact would be as a result of the extension of the building and car park to the south. The design of the existing building is functional and this applies to a slightly greater degree to the southern end, where the loading bay is located, although currently it is partly screened by the two houses to be demolished. The proposed extension would in simple terms elongate the existing building, utilising a similar design form. The proposals would result in a wider expanse of car park being visible from the road. As originally submitted officers considered that this would result in an unduly stark appearance, too dominated by parked vehicles.

7.7 Following negotiations, also involving the Council's Landscape Architect, four trees would now be planted along the frontage of the southern part of the site. This would not wholly obscure the proposals, but would soften the visual impact. Three of the trees would be tightly constrained by the wall on the frontage and parking bays behind. The plans show an underground crate system, which would increase the amount of water which can be absorbed and help to maintain their health. It is standard practice that landscape conditions require replanting of vegetation which dies within a specified period and in this case 10 years is recommended, which is longer than standard. A more substantial landscaped area on the frontage was considered, but would necessitate the loss of some of the additional proposed parking spaces, and as noted below, there is a lack of parking at certain times. Overall, the appearance of the proposals is on balance considered to be acceptable.

Impact on Residential Amenity.

7.8 The proposals would not result in any meaningful loss of privacy or overlooking of neighbouring residential property. Both extensions would be set close to the rear boundary of properties on Beech Grove. The fact that this is on the lower side of the mono-pitch roof of the single storey building assists when considering whether the extensions would cause loss of natural light or be unduly overbearing within the context of Local Plan policy DEC4. In the latest submission the applicant states that it is not technically possible to lower the eaves height close to the boundary. A Daylight and Sunlight Assessment has now been provided, relating to 23, 24 and 30 Beech Grove, which can be examined online. The northern extension would not directly line up with the rear elevation and conservatory at 30 Beech Grove and the relationship is consequently considered to be acceptable. The loss of light to the nearest property to the south, 1 High Stakesby is also considered to be acceptable with a diagonal gap of 15.5m proposed between the buildings.

7.9 The impact of the southern extension on the bungalow at 24 Beech Grove requires careful examination and this property was visited by Members. It is set closer to the rear boundary than houses further north, which currently have a similar view towards the rear of the existing building. The distance to the rear boundary is 5m and would be approximately 6.7m from the store extension. The closest window serves a kitchen/dining room, which can be deemed to a 'habitable room', also possessing a glazed door to the side. The height of the nearest part extension would be 4.6m, but is also on land at a slightly lower level, and taking account of excavations the base of the store extension would be 1.9 lower than that of the bungalow. A rule of thumb guideline, which is often used in such scenarios, is that an angle exceeding 25 degrees above standing eye level from the nearest window is likely to be unacceptable. In this case the angle would be approximately half that guideline.

7. 10 The submitted Daylight and Sunlight Assessment also concludes that the impact of the extensions on relevant windows and garden areas would comply with relevant Building Research Establishment guidance. This is normally applied in the context of Rights to Light law, which is distinct from the planning process, with the latter assessing the impact on the amenities of neighbours. Nonetheless, the report is useful in providing a methodical approach when considering Criterion [e] of Policy DEC4 which refers to the impact of overshadowing or loss of natural light. Criterion [a] of the same policy seeks to avoid unacceptable overbearing impacts. This is a more subjective assessment and in this case more finely balanced, but having taken all factors into account it is concluded that an objection would be difficult to sustain on these grounds.

7.11 The application now proposes a row of pleached trees in a planter between the open part of the rear garden and the proposed extension, also extending around the south-eastern corner of the site. [Pleaching is a method of training trees to produce a narrow screen or hedge]. Between the vegetation and the existing boundary 1.6m high wall a 2m fence is also proposed. It is important to note that the aesthetic impact on private view in itself is not a material planning consideration, but the planting would have some softening impact when viewed from the rear of 24 Beech Grove.

7.12 The application is accompanied by a Noise Impact Assessment relating to the proposed development. No. 1a Stakesby Road (to be demolished) is set very close to the more obvious existing noise sources, namely the delivery bay and adjacent ventilation equipment on the front face of the building. Loading would remain in the same position, so as proposed it would be more distant from the nearest retained dwellings and an acoustic fence is proposed adjacent to the bay. Ventilation/refrigeration equipment would be relocated to the roof of the extended front projection, which is at a lower height than the main part of the building and in part would form a barrier to the properties on Beech Grove. The equipment would otherwise be surrounded by a parapet wall, albeit there is a small lowered section on the side facing gardens to the south to facilitate access by means of a ladder. Apart from acoustic considerations this equipment is larger and could be more visually intrusive than the plant to be replaced, but this is not a concern since it would be concealed by the parapet wall.

7.13 The applicants assert that the existing plant is over 10 years old and in urgent need of upgrade, stating that the "outdated plant is louder than the proposed, ... which if constructed will provide an improvement in terms of the noise, whilst providing Lidl with a much better specification and performance." Since the scheme was last considered

by Members a new Noise Assessment has been undertaken. This states that acoustically, the existing plant is worse for the residents and it is worth noting that the Environmental Health Service is currently investigating complaints of noise from the existing equipment.

7.14 The Noise Impact Assessment includes a baseline survey and from the results a noise modelling exercise has been completed considering the impact of plant and deliveries at the nearest Noise Sensitive Receivers [nearby dwellings]. The results would suggest the most sensitive receivers would be houses to the south at High Stakesby. Nevertheless, the Assessment concludes that "the noise impact is low, and noise should not be considered a material constraint in determining the planning application." The Environmental Health Officer (EHO) broadly concurs with this conclusion. The amended Noise Assessment now includes diagrams (Figures 6 and 7) which largely indicate an improved or similar noise impact compared to the existing situation. The highest predicted reading at 1 High Stakesby would be 34dB, which would be slightly lower than the existing 36dB. There would be a more marked improvement for houses on the opposite of Castle Road to the front from 36-37dB to 26-28dB. The predicted figures for properties on Beech Grove show an increase to approximately 25dB, but this and other figures above are still below the 35 dB limit mentioned in condition 9 below.

7.15 When the application was previously considered some doubt was cast on the way condition 10 below (as recommended by the EHO) is worded, whereby the precise impact would only be ascertained once the plant is in situ, with the opportunity for mitigation should it be required. This has been discussed with the EHO and while a Noise Impact Assessment can provide predicted noise levels, taking account of factors including plant specification, background noise, siting and the configuration of buildings it is difficult to be absolutely precise. Hence the conditions below provides an absolute limit (35 decibels from the nearest property), as well as providing an opportunity for fine tuning once installed, which can make an important difference and help to address factors such as tonality and intermittency, which are understood to be possible concerns with the existing equipment.

7.16 A proposed lighting plan has been submitted showing floodlighting for the extended area of car parking and security lighting. A recently submitted lighting assessment includes some useful images indicating light spillage would be largely contained to the site, notably the car park. It is understood that the security lighting on the rear parts of the building would only be triggered by movement in the event of unauthorised access, so is unlikely cause serious amenity concerns for adjacent occupiers. In principle, the car park lighting should be acceptable, but a condition is still proposed to retain some control in the unlikely event that lighting is installed in a manner which does not reflect the submitted data and it causes direct glare to nearby residents.

Highways, Parking and Drainage

7.17 The application is accompanied by a Transport Statement, which concludes that taking account of the limited increase in retail floor area 'the increase in new trips would be minimal and it is anticipated that any additional trips would consist of pass-by and diverted trips'. The predicted peak is 1200-1300 hrs on Saturdays when an estimated addition of 11 vehicle arrivals and 12 departures would occur with lesser increases at other times. Stakesby/Castle Road is a Class B road and a key distributor route in the

western part of the town. The HA also has confirmed that there are no records of accidents at the junction in the last 5 years. One benefit associated with the application is that it provides a means of securing improved visibility at the access point. Currently there is restricted visibility to the right (especially of the footway) for vehicles leaving the site. Taken together with the fact that the Highway Authority (HA) does not object to the application it would be inappropriate to reject the application on grounds of highway safety or the free flow of traffic in the area.

7.18 The Transport Statement makes the case that the additional 20 parking spaces would bring overall provision in line with other foodstores owned by the company. The HA does not object to the level of provision. Anecdotally, it is understood that the car park is fully occupied at times, possibly resulting in customers leaving and returning at a later time or driving further afield for their shopping trip. Officers also negotiated parking provision for 14 cycles sited close to the store entrance.

7.19 The development is not of a scale or location, which generates the need for a Flood Risk Assessment. The site lies within Flood Risk Zone 1 (lowest risk category) and is not a critical drainage area. However, it is noted that there would be a net increase in impermeable surface area, adding to surface water run-off and following heavy rain the car park is affected by standing water. To address this point and to make sure any new drainage proposals are acceptable a condition is proposed.

Other Considerations

7.20 Some objectors have noted removal of trees/vegetation previously occurred in the gardens of the two houses proposed for demolition. This was not subject of any statutory protection, so the baseline for considering landscape proposals and biodiversity is the situation at the time of the decision, which is also the approach adopted by submitted Ecological Impact Assessment. This report considers the potential for bats in greatest detail. It does not identify the presence of roosts and states that this would be unlikely. It also concludes the site is of negligible suitability as bat foraging/commuting habitat. No evidence of other protected species was found on the site, but it may be of local importance to a restricted number of bird species. The application proposes 4 bird boxes (including 2 double ones) and 1 bat box, in addition to new planting of 5 trees and shrubs. Taking these measures into account no objection is raised to the application on ecological grounds.

7.21 The plans indicate some slight encroachment of the application site onto an area possibly not in the ownership of the applicant. Essentially this consists of a sliver of garden land beyond the southern boundary of 1b High Stakesby. The applicant states that the plans correspond to Land Registry maps, but for the avoidance of doubt Notice has been served on the neighbour claiming ownership. The proposed development itself does not appear to encroach onto the land in question and it is not required to satisfy proposed conditions. It would not be the role of the Committee to determine ownership, which would fall outside the planning process. For these reasons it is not considered that an objection to the application could be substantiated on planning grounds with respect to this point.

Conclusion

7.22 The application has required careful examination, particularly with regard to the visual impact, highways and impact on neighbours in terms of noise and daylight. Since

the application was previously before the Committee some additional mainly contextual, but nonetheless helpful information has been provided by the applicants. It remains the case that the application is recommended for approval subject to the safeguards provided by the conditions below.

POSITIVE & PROACTIVE STATEMENT

The following steps were taken in an effort to achieve a positive outcome to this application.

The proposed development submitted was in principle acceptable, but there were certain aspects where additional details had to be agreed and implemented and/or specific safeguards need to be put into place, having regard to relevant planning policies. The Local Planning Authority acted proactively by obtaining additional and revised information/plans from the applicant, as well as attaching planning conditions to address such matters.

RECOMMENDATION

PERMISSION BE GRANTED, subject to the following condition(s)

- 1 The development hereby approved shall be carried out in strict accordance with the following plans received by the Local Planning Authority on the dates as listed below. This is unless otherwise agreed in writing by the Local Planning Authority:-

7364-SMR-00-XX-DR-A-2001-S4-P5 -Site Location Plan - 27/08/2020

7364-SMR-00-XX-DR-A-2003-S4-P9 - Proposed Site Plan/External Works - 17/11/2020

7364-SMR-00-XX-DR-A-2004-S4-P3 - Floor Plans - 27/08/2020

7364-SMR-00-ZZ-DR-A-2005-S4-P2 - Roof Plans - 27/08/2020

7364-SMR-00-ZZ-DR-A-2007-S4-P1 - Proposed Elevations

7364-SMR-00-ZZ-DR-A-2008-S4-P6 - Site Sections -17/11/2020

7364-SMR-00-XX-DR-A-2010-A3-C5 - Proposed Rear Fence Elevation - 19/02/2021

R/2368/1C - Landscape Details - 19/02/2021

DWG 00 - LiAS Design Notes & Luminaire Schedule - 07/12/2020

DWG 01 - Proposed Lighting Layout - 07/12/2020

Diagrams of Sheffield Parking Stands - 17/11/2020.

Reason: For the avoidance of doubt.

- 2 The external facing materials of the walls and roofs of the extensions hereby permitted shall match those of the existing building on the site.

Reason: Having regard to the appearance of the site and its surroundings to accord with Policy DEC1 of the adopted Scarborough Borough Local Plan.

- 3 The scheme of landscaping and tree planting shown on Drawing Reference R/2368/1C received by the Local Planning Authority on 19/02/2021 shall be carried out in its entirety within a period of 12 months beginning with the date on

which development is commenced, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of ten years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.

Reason: To comply with Policies DEC1 and ENV5 of the adopted Scarborough Borough Local Plan.

- 4 The visibility splays required at the access are to provide clear visibility of 43 metres measured along both channel lines of the major road from a point measured 2 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety.

- 5 The development must not be brought into use until the existing accesses from 1a and 1b High Stakesby onto Castle Road have been permanently closed off in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the amenity of the area.

- 6 External lighting on the site shall be provided in general accordance with the submitted details as provided in the LiAS document received by the Local Planning Authority on 07/12/200 and subject to the following:
- i. In the event that the new lighting, in the opinion of the Local Planning Authority, is considered to cause unacceptable glare to the occupiers of nearby dwellings within a period of 12 months of it coming into operation, then its impact shall be reduced in accordance with details and a timescale agreed in writing by the Local Planning Authority.
 - ii. Security lighting as indicated on the approved document shall only illuminate when triggered by a motion sensor.

Reason: In the interests of the visual and residential amenities and to comply with Policies DEC1 and DEC4 of the adopted Scarborough Borough Local Plan.

- 7 Prior to works commencing on the proposed car park extension hereby granted, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. These shall include measures to ensure the existing and extended car park is not adversely affected by standing surface water and to minimise pollution risk. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure adequate drainage of the site and car park in particular and to minimise the risk of pollution.

- 8 Bird and bat boxes shall be provided in accordance with the details shown on the relevant untitled plan submitted to the Local Planning Authority on 20/08/2020.

Reason: To enhance biodiversity.

- 9 The level of noise emitted from the site shall not exceed 35 dB as measured at the elevation of the habitable part of any dwellinghouse in the vicinity of the site.

Reason: In the interests of residential amenities and to comply with Policy DEC4 of the adopted Scarborough Borough Local Plan.

- 10 Within 3 months of the installation of the new air handling and refrigeration equipment a Noise Impact Assessment shall be carried out to quantify the noise impact on the occupiers nearby dwellinghouses and this assessment shall be submitted for approval in writing by the Local Planning Authority. Its methodology shall comply with the most up to date British Standard for noise. The resultant noise levels emanating from the site shall also not exceed 35 dB as specified in condition 9 above and the Assessment shall also consider possible impacts relating to the tonality and intermittency of noise generated. Where required measures of mitigation shall be proposed to limit any negative impacts on nearby occupiers and these shall be implemented in full within 3 months of the Noise Impact Assessment having been approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenities and to comply with Policy DEC4 of the adopted Scarborough Borough Local Plan.

David Walker

Background Papers:

Those documents referred to in this report.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT MR HUGH SMITH ON 01723 383642 email hugh.smith@scarborough.gov.uk



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