

**North Yorkshire County Council**  
**Business and Environmental Services**  
**Planning and Regulatory Functions Committee**

**7 February 2017**

**Publication by Local Authorities of Information about the handling of Planning Applications**

**Report of the Corporate Director – Business and Environmental Services**

This report outlines the County Council's performance in the handling of 'County Matter' and County Council development planning applications for Quarter 3 (the period 1 October 2016 to 31 December 2016).

Information on Enforcement Cases is attached as an Appendix.

**Recommendation:** That the reported be noted.

DAVID BOWE  
Corporate Director, Business and Environmental Services

Authors of Report: Jo Brownless & Amy Taylor

Background Documents to this Report: Application Files

Information on planning applications can be accessed via the County Council's Online Planning Register at the following web address:

<https://onlineplanningregister.northyorks.gov.uk/register/PlanAppSrch.aspx>

(Please enter the planning application reference number (NY/...) into the 'Application Reference' field).

**County Matter’ Planning Applications (i.e. Minerals and Waste related applications)**

**Table 1:** ‘County Matter’ planning applications determined during quarter 3 (the period 1 October 2016 to 31 December 2016).

<b>Total number of applications determined</b>		4	
<b>Number of delegated/committee decisions</b>		Delegated: 2	Committee: 2
<b>Speed of decisions</b>			
Under 13 weeks	13- 16 weeks (if major, 13 and if EIA 16 weeks)	Over 13/16 weeks within agreed Extension of Time (EoT)*	Over 13/16 weeks without or outside of agreed EoT
0	0	2	2

\*Article 34 of the Town and Country Planning (Development Procedure Order) 2015 provides for authorities to agree with the applicant to determine the planning application beyond the statutory 8/13/16 week period. This is referred to as an agreement for the extension of time (EoT) for the determination of the planning application. In instances where the application is determined within the agreed period the application is counted as satisfying the timeliness requirement.

**Table 1a:** Performance on ‘County Matter’ planning applications (NYCC Service Plan target - 60%)

<b>2015/16</b>	<b>Quarter 1 (Apr-Jun)</b>	<b>Quarter 2 (Jul-Sept)</b>	<b>Quarter 3 (Oct-Dec)</b>	<b>Quarter 4 (Jan-Mar)</b>
No. of 'County Matter' applications determined within 13/16 weeks or within agreed Extension of Time (EoT)	83.3% (no. 5/6)	100% (no.1/1)	50% (no. 2/4)	

**Table 1b:** "Special measures" \*\* performance on ‘County Matter’ planning applications

<b>2015/16</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
“Special Measures” stat. No. of 'County Matter' applications determined within 13/16 weeks or within agreed Extension of Time (EoT) over rolling two year period	(01/07/14- 30/06/16) : 93% (40/43)	01/10/14- 30/09/16) 91.6% (33/36)	01/01/15 – 31/12/17) 86.1% (31/36)	

\*\* Under section 62A of the TCPA 1990 LPAs making 50% or fewer of decisions on time are at risk of designation (“Special Measures”)

## County Council's own development' Planning Applications

**Table 2:** County Council's own development planning applications determined during quarter 3 (the period 1 October 2016 to 31 December 2016).

<b>Total number of applications determined</b>		18		
<b>Minor<sup>1</sup>/Major<sup>2</sup>/EIA<sup>3</sup></b>		Minor: 18	Major: 0	EIA: 0
<b>Number of delegated/committee decisions</b>		Delegated: 14		Committee: 4
<b>Speed of decisions</b>				
Under 8 weeks	8- 13 weeks (if Major)	13- 16 weeks (if EIA)	Over 8/13/16 weeks within agreed Extension of Time (EoT)	Over 8/13/16 weeks without or outside of agreed EoT
3	11	0	3	1

<sup>1</sup>A 'minor' development application is one where the floor space to be built is less than 1,000 square metres or where the site area is less than one hectare.

<sup>2</sup>A 'major' development application is one where the floor space to be built is more than 1,000 square metres or where the site area is more than one hectare. All minerals and waste related applications fall within the definition of major development.

<sup>3</sup>An EIA development application is one considered likely to have significant environmental effects and is accompanied by an Environmental Statement.

**Table 2a:** Performance on County Council's own development minor planning applications (NYCC Service Plan target - 65%)

<b>2015/16</b>	<b>Quarter 1 (Apr-Jun)</b>	<b>Quarter 2 (Jul-Sept)</b>	<b>Quarter 3 (Oct-Dec)</b>	<b>Quarter 4 (Jan-Mar)</b>
No. of County Council's own development minor applications determined within 8 weeks or within agreed Extension of Time (EoT)	100% (no. 7/7)	100% (no.17/17) Cumulative total 100% (no. 24/24)	94.4% (no.17/18) Cumulative total 97.6% (no. 41/42)	% (no. /) Cumulative total % (no. /)

**Table 3: List of all ‘County Matter’ planning applications in hand for more than 13 weeks and awaiting decision as at the end of Q3 i.e. 31 December 2016**

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No Expiry Date
Killerby Sand and Gravel Quarry, Killerby, North Yorkshire  NY/2010/0356/ENV (C2/10/02487/CCC)	Extraction and processing of sand and gravel including the construction of a site access, conveyors, bridges, associated plant and machinery with restoration to agriculture, nature conservation and wetland	22.9.10	Committee	Further information received from the applicant company (22 <sup>nd</sup> & 25 <sup>th</sup> October 2016) has been duly consulted upon by the County Planning Authority. The last of the consultation deadlines was 26 <sup>th</sup> January 2017. Twenty-five statutory and non-statutory bodies/organisations and fifty-seven neighbours have been consulted/notified. Responses to consultation received thus far have required clarification to be submitted by the applicant.	No - further EoT to be requested in light of the need for further information following representations received.
Blubberhouses Quarry, Kex Gill  NY/2011/0465/73	Variation of condition 2 of planning permission reference C6/105/6A/PA to allow extraction of silica sand and erection of processing plant at the site until 2036	6.12.11	Committee	Additional information was received from applicant company in January of last year and, amongst others, the Highway Authority, responding to consultation, stated their comments were to be held in abeyance awaiting discussions with regard to the ‘ <i>corridor of interest</i> ’ along the A59. It is understood that further progress is being made with proposals for a major re-alignment of the A59 at Kex Gill.	No - further EoT to be requested.

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No Expiry Date
Ripon Quarry, North Stainley  NY/2011/0429/ENV (C6/500/95/D/CMA)	Extension to existing sand and gravel workings	07.12.11	Committee	Public consultation currently underway on the further information received from the applicant company. This consultation runs until 16 <sup>th</sup> February 2017.	No - further EoT to be requested. extension to be requested
Darrington Quarry, Darrington Leys, Knottingley  NY/2012/0020/73 (C8/40/8AH/PA)	Application to vary condition no's 1, 2, 29, 30, 31 and 32 of Planning Permission C8/40/8AF/PA for a new restoration scheme, retain the existing plant and to extend the time period in which to implement the restoration scheme	20.01.12	Committee	The absence of any further progress with this application will mean it will be ' <i>finally disposed of</i> ' under the provisions of Article 40(13) of the Town and Country Planning (Development Management Procedure) Order 2015	No
Land at Walshford Bridge, Near Walshford, Wetherby  NY/2012/0297/FUL (C6/135/10/B/CMA)	Construction of a waste transfer station building, operational concrete pad, vehicle access to the highway, skip storage, staff parking, ground, flood alleviation measures and landscaping, including tree planting, biodiversity enhancement & perimeter fencing	18.12.12	Committee	The last correspondence between the Authority and the applicant was May 2013 and in the absence of any further progress this application will be ' <i>finally disposed of</i> ' under the provisions of Article 40(13) of the Town and Country Planning (Development Management Procedure) Order 2015.	No
Drax Power Station, Selby, North Yorkshire, YO8 8PQ  NY/2015/0071/73 (C8/2015/0340/CPO )	Application for the variation of condition No's 2, 3 & 5 of Planning Permission Ref. No. C8/2012/0796/CPO for the construction of a lightweight aggregate manufacturing plant and ancillary development, to allow a minor material amendment to that	19.03.15	Delegated	No further communication received from Applicant or Agent since 15 <sup>th</sup> January 2016. This application has now been ' <i>finally disposed of</i> ' on 18 <sup>th</sup> January 2017 and will be removed from the next statistical report.	No

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No Expiry Date
	part of the approved scheme lying north of the haul road (addition of a dust silo and a walled concrete stocking area, and alternative finish to existing single storey office cabin				
Ripon Quarry, North Stainley, Ripon, North Yorkshire, HG3 3HT  NY/2015/0306/ENV (C6/500/277/CMA)	Planning Application accompanied by an Environmental Statement for the variation of condition No's 10 (duration of development), 11 (definition of development), 43 (maintenance) & 44 (landscape and restoration) of Planning Permission Ref. No. C6/500/95B & C2/99/045/0011 for the continuation of sand & gravel extraction for a further 4 years after 31 December 2015 and the submission of a revised restoration scheme	11.11.15	Committee	Awaiting responses from the applicant to objections received from neighbouring residents. Subject to the outcome of consultation and/or issues arising, this application is anticipated to be presented to the Committee during Spring/Summer 2017.	No – EoT to be requested
Former Snaith (Pollington) Airfield, Great Heck, Selby  NY/2015/0313/FUL (C8/2016/0008/CPO )	Erection of a Class B2 wood processing facility (4930m <sup>2</sup> ), demolition of the existing pellet mill (approx. 2400m <sup>2</sup> ), installation of two existing prefabricated units (both circa 87m <sup>2</sup> ), construction of internal roadways, construction of a vehicle washing facility, construction of hardstanding to create a lorry park for 80 HGV parking bays (8057m <sup>2</sup> ),	17.12.15	Committee	The application was reported to Committee on 13 <sup>th</sup> December 2016 following Members' Site Visit on 30 <sup>th</sup> November 2016. Members resolved to grant permission subject to amendments to two conditions (hours & wheel wash) and officer negotiation on the detail of the Section 106 Agreement and subsequent completion.	Yes until 3 February 2017

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No Expiry Date
	construction of hardstanding for 80 car and van parking bays (2162m <sup>2</sup> ), amended hours for HGV's and other vehicles entering and leaving the site, construction of 5m high push walls, construction of hard standing (30800m <sup>2</sup> ) for storage and external processing of waste wood, construction of associated plant and equipment, construction of office and welfare building (240m <sup>2</sup> ), construction of surface and sub-surface attenuation ponds and drainage systems, associated boundary treatment, external lighting and landscaping				
Forcett Quarry, East Layton, Richmond, North Yorkshire  NY/2016/0042/ENV (C1/16/00174/CM)	variation of condition no's 1 & 15 of planning permission ref. C1/29/15P/CM dated 7 September 2011 to allow the continuation of limestone extraction for a further 10 year period until 31 August 2026	03.03.16	Committee	The application was reported to Committee on 25 <sup>th</sup> October 2016. Members resolved to grant planning permission subject to prior completion of Legal Agreement. Awaiting completion of Legal Agreement before planning permission is issued.	Yes until 10 <sup>th</sup> February 2017
Womersley Quarry, off Stubbs Lane, Womersley, DN6 9BB	variation of condition No's 1, 2, 3, 5, 6, 14, 18 & 20 of Planning Permission ref. C8/2012/0035/CP dated 4 September 2012 for the continuation of tipping of colliery	12.05.16	Committee	Awaiting further information from the applicant prior to re-consultation	Yes until 10 <sup>th</sup> February 2017

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No Expiry Date
NY/2016/0073/ENV (C8/41/107A/PA)	waste from Kellingley Colliery and soil materials from other locations for a further two years until 13th May 2018, revised tipping materials and revisions to the vehicle route, revised restoration scheme and landscaping				
Scorton Quarry, Richmond, North Yorkshire  NY/2016/0094/ENV (C1/16/00507/CM)	variation of condition No's 1, 20, 23 & 52 of planning permission ref. C1/39/34G to allow the continuation of sand and gravel extraction for a further 4 year period until 31 December 2020 with final restoration by 31 December 2021 and removal of the plant site by 31 December 2022 and amendments to the phasing and direction of working and a reconfigured layout for the conveyor	21.06.16	Committee	Reconsultation on further information completed. Due to be reported to Committee in April 2017	Yes until 10 <sup>th</sup> February 2017
Brotherton Quarry, Byram Park, York Road, Knottingley, Brotherton NY/2016/0087/73A (C8/50/0220/PA)	variation of condition No. 6 of Planning Permission Ref. C8/2013/1064/CPO to refer to an updated Dust Monitoring Scheme which removes the requirement to actively monitor for fugitive dust	29.06.16	Delegated	Awaiting completion of a legal agreement	No – (to be requested)

\* The Development Management Procedure Order 2015 (Part 9, Article 40, Paragraph 13) allows for Local Authorities to “*finally dispose*” of applications for which the statutory period for determination has elapsed and the subsequent period for appealing against non-determination has passed.



**Monitoring & Compliance Statistics Report – Quarter 3 (the period 01/10/16 to 31/12/16) 2016/2017**

**Table 1 – Complaints/alleged breaches of planning control received this quarter**

Site Address	District	No. of Complaints	Subject of Complaints	Date of receipt of complaint	Action	Resolved?
<b>County Matters</b>						
Womersley Quarry	Selby	1	Alleged out of hours working	03/10/16	M & C Officer in direct contact with operator, who reminded on site staff of the permitted working hours. Case closed 04/10/16.	Yes.
Ripon Quarry	Hambleton/Harrogate	1	Alleged out of hours working and issues with noise monitoring	18/10/16	M & C Officer in contact with site operator and local Environmental Health Officer. Issues resolved and case closed 17/11/16	Yes
Pollington Airfield	Selby	1	Alleged non-compliance with conditions relating to storage of waste and dust	29/11/16	M & C Officer attended committee site visit to observe site and operations. Case on-going.	No.
Whitewall Quarry	Ryedale	13	Noise	Various dates between 17/10/16 and 20/12/16	Investigations ongoing with regard to noise complaints. Noise monitoring has been carried out on a number of occasions and steps are being taken by operator at request of County Planning Authority to move towards alleviating further complaints. Case on-going.	No.
<b>County Council Development</b>						
None.						

**Table 2 – Updates on ‘live’ complaints/alleged breaches of planning control received prior to this quarter**

Site Address	District	No. of Complaints	Subject of Complaints	Date of receipt of complaint	Action	Resolved?
<b>County Matters</b>						

Site Address	District	No. of Complaints	Subject of Complaints	Date of receipt of complaint	Action	Resolved?
Whitewall Quarry	Ryedale	26 (4 complainants)	Alleged out of hours operations, dust & noise/noise monitoring issues, wheel wash, blasting, un-sheeted wagons, and speeding vehicles.	Various dates between 01/07/16 and 30/0916	Investigations on-going with regard to all issues raised. Steps being taken by operator at request of County Planning Authority to move towards alleviating further complaints. Case on-going.	No: on-going
Eastmoor Airfield, Sutton-on-the-Forest	Hambleton	1 complaint	Alleged tipping, storing and treatment waste	06/07/16	Two visits conducted to site whereby it appears operations have ceased. M & C Officer has written to landowner and received a response. Case on-going.	No: on-going
Stainton House Farm, West Marton	Craven	1 complaint	Alleged unauthorised extraction of stone	12/09/16	M & C Officer has conducted a visit and since met with the land agent and occupier. Operation deemed permitted development, no further action.	Yes.
County Council Development						
None.						

**Table 3 – Number of complaints/alleged breaches of planning control received by quarter**

2016/17	Quarter 1 (Apr-Jun)	Quarter 2 (Jul-Sept)	Quarter 3 (Oct-Dec)	Quarter 4 (Jan-Mar)
No. of complaints/alleged breaches of planning control received	50	33 Cumulative total no. 83	16 Cumulative total no. 99	Cumulative total no.

**Table 4 – Number of complaints/alleged breaches of planning control resolved by quarter**

2016/17	Quarter 1 (Apr-Jun)	Quarter 2 (Jul-Sept)	Quarter 3 (Oct-Dec)	Quarter 4 (Jan-Mar)

Number of complaints of the total number of 'live' complaints resolved	2% (no. 1/50)	21% (no. 7/33) Cumulative total 10% (no. 8/83)	13% (no. 2/16) Cumulative total 10% (no. 10/99)	% (no. /) Cumulative total % (no. /)
--	---------------	--	---	--

**Table 5 – Number of complaints/alleged breaches of planning control resolved by quarter**

2016/17	Quarter 1 (Apr-Jun)	Quarter 2 (Jul-Sept)	Quarter 3 (Oct-Dec)	Quarter 4 (Jan-Mar)
Number of resolved complaints resolved within 20 days of receipt	100% (no. 1/1)	86% (no. 6/7) Cumulative total 88% (no. 7/8)	100% (no. 2/2) Cumulative total 90% (no. 9/10)	% (no. /) Cumulative total % (no. /)

### **Existing Enforcement Issues**

#### **Formal Enforcement notices served by the County Council**

No notices were served during this period.

**Table 6- Monitoring and Compliance Visits undertaken in Quarter 3 (Minerals and Waste Sites only)**

Site	District	Date Visited
Shawl Quarry	Richmondshire	18/10/16
Seamer Carr Landfill Site	Scarborough	01/11/16
Newthorpe Quarry	Selby	04/11/16
Hensall Sand Quarry	Selby	24/11/16
Wykeham Quarry	Scarborough	13/12/16

Whitewall Quarry	Ryedale	16/12/16
------------------	---------	----------

Author of report: Amy Taylor (Extension 2401) – Monitoring & Compliance Officer