

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

15 May 2018

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 4 (the period 1 January 2018 to 31 March 2018).

Information on Enforcement Cases is attached as an Appendix.

Recommendation: That the reported be noted.

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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 4 (the period 1 January to 31 March 2018).

Total number of applications determined		4	
Number of delegated/committee decisions		Delegated: 1	Committee: 3
Speed of decisions			
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%)

2017/18	Quarter 1 (Apr-Jun)	Quarter 2 (Jul-Sept)	Quarter 3 (Oct-Dec)	Quarter 4 (Jan-Mar)
No. of 'County Matter' applications determined within 13/16 weeks or within agreed Extension of Time (EoT)	100% (no.5/5)	100% (no. 3/3)	100% (no.3/3)	50% (no.2 /4)
No. of 'County Matter' applications determined within 13/16 weeks discounting Extension of Time agreements (EoT)	40% (no. 2/5)	0% (no. 0/3)	33.3% (1/3)	0% (0/4)

Table 1b: "Special measures" ** performance on 'County Matter' planning applications

2017/18	Quarter 1	Quarter 2	Quarter 3	Quarter 4
"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	(01/07/15 - 30/06/17) : 88.2% (30/34)	(01/10/15 - 30/09/17) 87.1% (27/31)	01/01/15 - 31/12/17) 86.2% (25/29)	1/04/16– 31/03/18 : 83.3% (25/30)

** 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 4 (the period 1 January 2018 to 31 March 2018)

Total number of applications determined		11		
Minor¹/Major²/EIA³		Minor: 11	Major: 0	EIA: 0
Number of delegated/committee decisions		Delegated: 10		Committee: 1
Speed of decisions				
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
6	2	0	3	0

¹A '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.

²A '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.

³An 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%)

2017/18	Quarter 1 (Apr-Jun)	Quarter 2 (Jul-Sept)	Quarter 3 (Oct-Dec)	Quarter 4 (Jan-Mar)
No. of County Council's own development minor applications determined within 8 weeks or within agreed Extension of Time (EoT)	100% (no. 15/15)	95.2% (no.20/21) Cumulative total 77.7% (no. 28/36)	100% (no.14/14) Cumulative total 84% (no. 42/50)	100% (no.11/11) Cumulative total 86.6% (no.53/61)
No. of County Council's own development minor applications determined within 8 weeks discounting Extension of Time agreements (EoT)	53.3% (no. 8/15)	57.1% (no.12/21) Cumulative total 55.5% (no.20/36)	57.1% (no.8/14) Cumulative total 56% (no. 28/50)	72.7% (no 8/11) Cumulative total 55.7% (no.34/61)

Table 3: List of all ‘County Matter’ planning applications in hand for more than 13 weeks and awaiting decision as at the end of Q4 i.e. 31 March 2018

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	While reported to Members at the meeting of the Committee on 4 th April 2017, the intervening period has awaited completion of both S106 & S278 Legal Agreements and therefore still in hand at the end of March. However, the Decision Notice was issued on 4 th April 2018.	Yes - EoT secured ‘til 4 th April 2018.
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
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	Awaiting revised details.	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
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	Committee Report in preparation.	No
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 th 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. Engrossments circulated for signature.	No - Extension of time until 2 June 2017 agreed further extension to be requested once S106 signed
Womersley Quarry, off Stubbs Lane, Womersley, DN6 9BB NY/2016/0073/ENV (C8/41/107A/PA)	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 waste from Kellingley Colliery and soil materials from other locations for a further two years until 13th May	12.05.16	Committee	On 19 December 2017 Planning Committee resolved to grant planning permission subject to the prior completion of a Section 106 agreement	No- until 12 January 2018. Further extension to be requested once S106 signed

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
	2018, revised tipping materials and revisions to the vehicle route, revised restoration scheme and landscaping				
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 – further extension to be requested once S106 signed
Went Edge Quarry, Went Edge Road, Kirk Smeaton, Selby NY/2016/0185/ENV (C8/2016/1471/CPO)	8 hectare extension to the existing limestone quarry into Area 5 & 6 from the current working Area 4 and east in Area 7 to 20 metres AOD to provide 4.4 million tonnes of limestone and restore the site with engineering fill from the existing waste treatment facility to create 1 in 2.5 slopes against the exposed face	28.11.16	Committee	The application was reported to Committee on 29 August 2017 Members resolved to grant planning permission subject to prior completion of Legal Agreement. Awaiting completion of a legal agreement.	No – further extension to be requested once S106 signed
Land to the South of Knapton Quarry Landfill Site, Knapton NY/2016/0194/ENV (C3/16/01918/CPO)	erection of a Green Energy Facility (6,342 sq. metres) (energy from waste via gasification), office reception building (91 sq. metres), substation & switchroom (39 sq. metres), air cooled condenser (195 sq. metres), installation of a weighbridge, earthworks, 20 car parking spaces, extension to internal access road, landscaping and associated infrastructure, including a	14.11.16	Committee	On 19 December 2017 Planning Committee resolved to grant planning permission subject to the prior completion of a Section 106 agreement	No- Extension of time agreed until 2 February 2018. Further extension to be requested once S106 signed

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
	local connection via underground cable (340 metres) to the 11kV grid via a proposed substation at land south of Knapton Quarry/Landfill as well as an underground connection (Option 1: 5.26 km and Option 2: 8.25km) to the 66kV grid via the primary substation at Yedingham				
Middleton Lodge, Kneeton Lane, Middleton Tyas NY/2016/0220/73	variation of condition No's. 1, 6, 7, 10, 12, 14, 20, 24, 26, 27, 29, 30 & 33 of Planning Permission Ref. No. C1/14/00747/CM which relates to phasing and restoration	18.11.16	Committee	Awaiting further information from the applicant prior to re-consultation and assessment of information submitted and further discussions required.	EoT requested until 2.4.18
Former Stillingfleet Mine Site, Escrick Road, Stillingfleet NY/2016/0251/FUL - C8/999/16U/PA -	change of use of part of the former coal mine site to create a waste transfer for construction and demolition wastes, installation of a weighbridge, a skip storage area, portable amenity cabin (30 sq. metres) and the provision of car parking spaces	1.2.17	Committee	Due to be presented at the 15 May committee	No – to be requested upon confirmation of being placed on committee agenda
High Rails Farm, Ripley, Harrogate, HG3 3DL NY/2016/ 0255/73A - (C6/17/00322/CMA)	Application to vary condition No. 1 of Planning Permission Ref. No. C6/6/93/592/A/CMA for the extension of time for the purpose of crushing and screening for recycling purposes of builder's waste/road sweeper waste for a further 6 years until 17 April 2023	13.1.17	Committee	Further information required from applicant.	No – (to be requested upon confirmation of being placed on committee agenda)

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/2017/0028/FUL (C8/2017/0515/CPO) Former Kellingley Colliery, Turvers Lane, Kellingley, Selby, WF11 8DT	construction of a road to access the Southmoor Energy Centre (engineering operation)	27.3.17	Delegated	Delegated report in preparation.	
NY/2017/0155/COU (C1/17/00470/CM) Kiplin Hall Quarry, Kiplin Hall, North Yorkshire, DL10 6AT	change of use of former quarry to a waste recycling facility for the treatment of waste wood by use of mobile plant and machinery, importation and temporary stocking of waste wood and finished products prior to removal off site	22.6.17	Committee	On Committee on 6 February 2018 Planning Committee resolved to grant planning permission subject to the prior completion of a Section 106 agreement	No – Further extension to be requested once S106 signed
NY/2017/0219/FUL - Land off Weeland Road, Kellingley, WF11 8DN	drilling a borehole, testing of borehole including flaring, erect containerised units, associated plant and equipment, extract mine gas, generate electricity and ancillary operations	18/08/2017	Committee	Committee Report in preparation.	No
NY/2017/0231/FUL C6/17/04649/CMA) Crossgates Quarry, Brimham Moor Road, Fellbeck,	part retrospective planning application for proposed deposit of 66,000 tonnes of inert materials to achieve restoration of a former quarry by 30 November 2018	18/10/2017	Delegated	Awaiting further ecological and landscape information from the Applicant following consultation response requests.	No – (to be requested upon confirmation of being placed on committee agenda)
NY/2017/0267/ENV - C4/17/02418/CC - land to the west of Raincliffe Grange Farm, Main Street, Seamer	extraction and processing of sand and gravel from new quarry (11.9 hectares) including the construction of a site access road, internal haul road, mobile processing plant, site office, soil storage bunds, lagoons,	25/10/2017	Committee	Committee Report in preparation.	Yes but only until 27.4.18. Applicant commissioning additional archaeological

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
	stockpile area and restoration to agriculture and lake				studies in May to address Historic England concerns. Further ETA to be requested when extra information received.
NY/2017/0267/ENV - C8/2017/1232/CPO - Newthorpe Quarry, Newthorpe, Sherburn in Elmet	variation of condition No. 9 of Planning Permission Ref C8/59/11C/IDO to increase production levels up to 250,000 tonnes per annum	31/10/2017	Delegated	Awaiting sign off of Delegated report.	EoT requested until 17.4.18
NY/2017/0268/ENV - C8/2017/1230/CPO - Newthorpe Quarry, Newthorpe, Sherburn in Elmet	4 hectare northern extension to the existing limestone quarry, erection of site offices/amenity block (74.3 sq. metres), weighbridge, weighbridge	02/11/2017	Delegated	Awaiting further comments from Network Rail and Ecology and NYCC Ecology – Draft delegated report largely prepared and awaiting amendments based on the above.	EoT requested until 11.5.18
NY/2017/0290/73A - C1/17/00850/CM - Melsonby Quarry, Barton, North Yorkshire	variation of condition No. 2 of Planning Permission Ref. C1/93/169B/CM to allow the continuation of the extraction of blockstone for a further period of 15 years until 3 December 2032	24/11/2017	Delegated	Awaiting further information on Landownership from the agent	No – To be requested once further information received.
NY/2017/0305/73A - C8/2017/1335/CPO - Mill Balk Quarry, Mill Balk, Great Heck, North Yorkshire	variation of condition No's 1, 3, 4, 5, 8, 15, 22, 23 & 25 of Planning Permission Ref. C8/43/37A/MR to allow for the continuation of mineral extraction operations and to revise	01/12/2017	Committee	Awaiting responses from statutory consultees following submission of information by Applicant.	No – (to be requested upon confirmation of being placed on committee agenda)

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
	the working, the phasing and the restoration schemes				
NY/2017/0291/FUL - C1/17/00883/CM - Gatherley Road Industrial Estate, Brompton on Swale	part retrospective application for erection of a single storey extension to an existing waste management building (446 sq. metres) erection of office (25 sq. metres) mess room (10 sq. metres) relocation of soil and rubble bins including a 2.4 metre high push wall, weighbridge and skip storage area	07/12/2017	Delegated	While still in hand at the end of March, the Decision Notice was issued on 20 th April 2018.	No (to be requested when sent for sign off)
NY/2017/0326/ENV - C1/18/00013/CM - Pallett Hill Quarry, Catterick Village, Nr Richmond	variation of condition No's 2, 5 & 8 of Planning Permission Ref. C1/15/250/PA/F dated 7th November 1994 to facilitate an extension to the permitted area of extraction, an amendment to the restoration design and to alter the period for completion of all mineral operations from 31st December 2017 to 31st December 2022 and the restoration of the site from 31st December 2018 to 31st December 2023	20/12/2017	Committee	Further ecology information required	No – (to be requested upon confirmation of being placed on committee agenda)

* 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 4 (the period 1 January 2018 to 31 March 2018) 2017/2018

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 ?
County Matters						
Bean Sheaf Garage	Ryedale	1	Breaching Condition 5 & 6 of decision notice C3/14/00663/CPO storing over 20 end of use vehicles and stacking 3 vehicles high	8/1/18	Operator made aware of breach and planning application forthcoming.	Yes
Wilton Heights	Ryedale	1	Alleged unauthorised quarrying and waste disposal in quarry void	26/02/18	Quarrying deemed permitted development for agricultural purposes, waste disposal being investigated.	Partially
Road between Thornton Watlass and Burrill, near Bedale	Hambleton	1	tractor disposing of ice cream waste/by-product. She said there are tractors taking the waste down a rubble/gravel path into a field, and tipping the waste into a 'pit' hidden behind a copse of trees	27/2/18	Complainant stated this has stopped, site visit undertaken with no issues seen, needed to be followed up with operator.	No
Went Edge Quarry	Selby	1	Alleged non-use of wheel washing facilities on site resulting in drag out of debris onto public highway	06/03/18	Operator has been contacted and site visited which confirmed issue. Investigation ongoing.	No
Escrick Railway Cutting	Selby	2	Tipping of inert materials	7/3/18	Operator contacted and investigation ongoing.	No
County Council Development						
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?
County Matters						

Site Address	District	No. of Complaints	Subject of Complaints	Date of receipt of complaint	Action	Resolved?
Whitewall Quarry	Ryedale	7 (2 complainants)	Noise, speed of vehicles and dust on highway	Dates between 06/07/17 & 25/08/17	Speed of vehicles on public highway not a planning matter, referred to Police. Operator reminded to keep public highway leading from site access in a clean condition. Investigations ongoing with regard to noise complaints.	Partially
Former Greens Of Skipton Ltd, Ings Lane, Skipton	Craven	1	Alleged unauthorised processing of waste wood	02/08/17	Joint investigation between NYCC and Craven DC ongoing.	No
County Council Development						
None.						

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

2017/18	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	12	11	1	6
		Cumulative total no. 23	Cumulative total no. 24	Cumulative total no. 30

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

2017/18	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	83% (no. 10/12)	27% (no.3 /11) Cumulative total 57% (no. 13/23)	100% (no. 1/1) Cumulative total 58% (no. 14/24/)	16% (no. 2/6) Cumulative total 58% (no. 16/30)
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Table 5 – Number of complaints/alleged breaches of planning control resolved by quarter

2017/18	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	80% (no. 8/10)	100% (no. 3/3) Cumulative total 85% (no. 11/13)	100% (no. 1/1) Cumulative total 86% (no.12/14)	50% (no.1/2) Cumulative total 81% (no. 13/16)

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 2 (Minerals and Waste Sites only)

Site	District	Date Visited
Scorton Quarry	Richmondshire	19/02/18