



Agenda

Notice of a public meeting of Planning and Regulatory Functions Committee

To: Councillors Margaret Atkinson, Eric Broadbent, Andy Brown, Bryn Griffiths, Tim Grogan, Robert Heseltine, Mike Jordan, Pat Marsh, John McCartney, Bob Packham (Vice-Chair), Andy Paraskos (Chairman), Roberta Swiers and David Webster.

Date: Tuesday, 15th November, 2022

Time: 10.00 am

Venue: Council Chamber, County Hall, Northallerton, DL7 8AD

PLEASE NOTE:

This meeting is being held as an in-person meeting and in public. The Government position is that of learning to live with COVID-19, removing domestic restrictions while encouraging safer behaviours through public health advice. In view of this, hand cleanser and masks will be available for attendees upon request. The Committee Room will be well ventilated and attendees encouraged to avoid bottlenecks and maintain an element of social distancing.

Please do not attend if on the day you have COVID-19 symptoms or have had a recent positive Lateral Flow Test.

Please contact the named supporting officer for the Committee, if you have any queries or concerns about the management of the meeting and the approach to COVID-19 safety.

Further details of the government strategy (Living with COVID-19 Plan) is available here – <https://www.gov.uk/government/news/new-guidance-sets-out-how-to-live-safely-with-covid-19>

Business

1. **Welcome by the Chairman, Introductions and Apologies**
2. **Minutes of Previous Meeting - To agree as an accurate record the Minutes of the meeting held on 26 July 2022** (Pages 5 - 18)
3. **Declarations of Interest**

Enquiries relating to this agenda please contact Stephen Loach Tel: 01609 532216
or e-mail stephen.loach@northyorks.gov.uk
Website: www.northyorks.gov.uk

4. Public Questions and/or Statements

Members of the public may ask questions or make statements at this meeting if they have given notice (including the text of the question/statement) to Steve Loach of Democratic Services (contact details provided on the Agenda) by midday on Thursday 10th November 2022.

Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:-

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);
- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

- 5. Items Dealt with under the Scheme of Delegation - Report of the Corporate Director, Business and Environmental Services** (Pages 19 - 22)
- 6. Conferment of the Title of Honorary Alderman - Report of the Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer** (Pages 23 - 24)
- 7. C1/19/00587/CM (NY/2019/0130/FUL) - Planning Application for the Purposes of the Part Retrospective Proposed Retention of Quarry Access Until 31st December 2025 on Land at Pallett Hill Quarry, Leeming Lane North, Catterick Village - Report of the Corporate Director Business and Environmental Services** (Pages 25 - 42)
- 8. C5/2021/23435/NYCC (NY/2021/0244/FUL) - Planning Application For The Purposes Of The Demolition Of Existing Prefabricated Building Units And Corridors (339.7 Sq. Metres), Construction Of A Single Storey Classroom Building (973.7 Sq. Metres) With Wall Mounted Perimeter Lighting, Erection Of Glazed And Timber Canopies (130.8sq. Metres), Sprinkler Tank Plant Building And Compound (68.4 Sq. Metres), Extended Car Park Area With 4 Metre High Lighting Columns, New Playground, Running Track And Footpaths (1,464.11sq. Metres), 2 Metres High Fencing And Gates, Tree Removal And Hard And Soft Landscaping Works On Land At Greatwood Community Primary School, Pinhaw Road, Skipton - Report of the Corporate Director, Business and Environmental Services** (Pages 43 - 90)
- 9. Publication by Local Authorities of Information about the handling of Planning Applications for the period 1 April - 30 June 2022 - Report of the Corporate Director – Business and Environmental Services** (Pages 91 - 102)
- 10. Publication by Local Authorities of Information about the handling of Planning Applications for the period 1 July to 30 September 2022 - Report of the Corporate Director – Business and Environmental Services** (Pages 103 - 112)
- 11. Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstances.**

Barry Khan
Assistant Chief Executive
(Legal and Democratic Services)

County Hall
Northallerton

Monday, 7 November 2022

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North Yorkshire County Council

Planning and Regulatory Functions Committee

Minutes of the meeting held at County Hall, Northallerton on Tuesday 26 July 2022 at 10am.

Present:-

County Councillors Andy Paraskos (Chairman), Eric Broadbent, Andy Brown, Brynn Griffiths, Tim Grogan, Robert Heseltine, George Jabbour (as substitute for Mike Jordan), Andrew Murday (as substitute for Pat Marsh) and Robert Windass (as substitute for Roberta Swiers).

Apologies were received from County Councillors Margaret Atkinson, Mike Jordan, John McCartney, Pat Marsh and Roberta Swiers.

There were 6 members of the public and a representative of the press present.

Copies of all documents considered are in the Minute Book

1. Welcome and Introductions

The Chairman welcomed everyone and Members introduced themselves for the benefit of public attendees, including Members who were attending as substitutes and who they were substituting for.

2. Minutes of the meeting held on 8 March 2022

It was noted that there were insufficient Members present that attended the previous meeting to determine whether these were an accurate reflection of the proceedings.

Resolved -

That the Minutes of the meeting held on 8 March 2022 be noted and submitted to the next meeting of the Committee allowing them to be confirmed by Members and signed by the Chairman as a correct record.

3. Declarations of Interest

There were no declarations of interest.

4. Public Questions or Statements

The representative of the Assistant Chief Executive (Legal and Democratic Services) stated that, other than those that had indicated that they wished to speak in relation to the applications below, there were no questions or statements from members of the public.

5. C4/17/02418/CC - Planning application for the extraction and processing of sand and gravel from a 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, stockpile area and restoration to agriculture and lake on land to the west of Raincliffe Grange Farm, Main Street, Seamer

Considered -

The report of the Corporate Director, Business and Environmental Services requesting Members to determine a planning application for the extraction and processing of sand and gravel from a 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, stockpile area and restoration to agriculture and lake on land to the west of Raincliffe Grange Farm, Main Street, Seamer

The application, though subject to representations in support in respect of the benefits of location, amenity, landscape, traffic, economy and ecology, was also subject to objections having been raised by local residents on grounds relating to due process, landscape, need, policy, economy, traffic, vibration, noise and general amenity impacts and was, therefore, reported to this Committee for determination.

The agent for the applicant, Malcolm Ratcliff, addressed the Committee, highlighting the following:-

- He thanked officers for their work involved in producing the report and the recommendation provided.
- He outlined the need for the raw materials, which were of a good quality and for those to be available locally.
- The application was compliant with the appropriate policies
- The applicant would adhere to the conditions set out in the report

The Chief Planner presented the Committee report, highlighting the proposal, the site description, the consultations that have taken place, the advertisement and representations, planning guidance and policy and planning considerations. The report also provided a conclusion and recommendations

Detailed plans, photographs and visual information were presented to complement the report.

Members undertook a discussion of the application and the following issues and points were highlighted during that discussion:-

- A Member sought clarification on the need for the product being extracted. In response it was noted that the details regarding this were outlined in the local plan and related to the provision of a central supply. The Member stated that the plan had only been agreed in February 2022 and wondered how the supply had been determined up to then. In response it was emphasised that the plan had been in draft form for around four years, but had been subject to a lengthy consultation process, so publication and agreement had been delayed in part by the pandemic. It was stated that it was more efficient to provide raw materials locally rather than bring them in from outside of the area. The proposal would create more flexibility for the provision of the raw materials and create a valuable contribution to the supply.
- A Member asked how it was ensured that the conditions related to the

application were complied with. In response it was stated that although compliance could not be guaranteed there was a duty for the applicant to abide by the conditions. Inspections are undertaken by officers to ensure that compliance is taking place and enforcement action can be undertaken when this is not happening.

- It was asked whether a financial bond could be required to ensure that the application was undertaken. In response it was stated that financial bonds rarely met the tests to be imposed as part of the regular planning process.
- A local Member outlined his support for the application.
- A Member highlighted his concerns regarding the case for local raw materials and how some archaeological artefacts had been disposed of, but overall considered that the application should be supported.
- Other issues raised included ensuring that the land owner kept the water at an appropriate level to encourage biodiversity following restoration, in line with Condition 38, that there had been no issues raised in respect of the 6.30am start for the development of the site, issues relating to climate change should be highlighted in future reports, ensure that the local plan is not overlooked and ensuring that the correct area is referred to within the report Southern not northern).

Resolved -

That the application be approved for the reasons stated in the report, subject to a Section 106 Legal agreement and in accordance with the conditions outlined.

6. C8/2021/0443/CPO - Planning application for the proposed infilling and restoration of former mineral workings on land adjacent to Eggborough Sandpit on land to the west of Eggborough Sandpit, Weeland Road, Goole Hensall

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a Planning application for the proposed infilling and restoration of former mineral workings on land adjacent to Eggborough Sandpit on land to the west of Eggborough Sandpit, Weeland Road, Goole Hensall

This application was subject to an objection from Eggborough Parish Council and a further objection from a local resident having been raised in respect of this proposal on the grounds of noise, visual impact and delaying the completion of the Eggborough Sandpit site and is, therefore, reported to the Committee for determination.

The following statement was submitted by RL and CR Stanley and was read to the Committee by the Clerk:-

“General

Mount Pleasant House is the nearest residential property to the Northwest of the proposed application.

The report states a distance of 80m, however it is actually 40m to the property boundary and 66m to the House from the proposed site.

Vehicle movement is to take place between 8.00am and 5.00pm , however currently diggers, earth movers and lorries commence at 7.30am!

There will be a huge volume of infill to the proposed site 47500 cu meters and 40000 cu meters in the existing quarry (see consequences below).

Proposed development takes 8 years with a further period of reinstatement.

Specific

Noise –

Currently there is a constant noise of Lorry doors banging (when loads tipped), earth movers, grading machines and diggers; the last 3 are continuous.

The proposal will entail some if not all of the above over the 8-year period.

Visual-

From any part of or our property in or outside there is constant movement and our eyes are drawn in the direction, as the development moves closer this will become worse.

Pollution – Dust-

During dry weather especially, because of the nature of the product handled a lot of dust blows in various directions; this will come towards and enter 'Mount Pleasant' at times if the proposal is granted ?

Flood –

A significant area of the 'Grass field' – planning proposal , and the existing quarrying each have a lake which has constantly been flooded summer and winter.

Mrs CR Stanley and our Son N J Stanley own land to the south of High Eggborough crossing, some 200 meters from the above site which has started to flood in the last 2 years, the concern is if the above areas are infilled, where is the volume of water going, we feel there is only one way.

We feel very strongly against the planning proposal and ask the authority please take this into account when considering the application.

..... I appreciate the opportunity the voice our concerns, a point to note – The current extraction has a mountain of material some 50 feet high approximately, which surely is not allowed according to planning permission, I have photographic evidence.”

A representative of the Chief Planner presented the Committee report, highlighting the proposal, the site description, the consultations that have taken place, the advertisement and representations, planning guidance and policy and planning considerations. The report also provided a conclusion and recommendations

Detailed plans, photographs and visual information were presented to complement the report.

Members undertook a discussion of the application and the following issues and points were highlighted during that discussion:-

- It was clarified that part of the land was unable to be restored as agricultural land due to flooding issues, however, a substantial amount of the land could be used for that purpose.
- It was noted that there had been no response from the local Member in relation to the application.
- Members questioned the flooding issues on the land and it was stated that the Local Lead Flood Authority had indicated in response to the application, that there was no flood risk coming from the site, nor was there any impact further

downstream. .

- A Member suggested that where issues of note were to be demonstrated for the consideration of applications as much evidence as possible was required within the report allowing the Committee to be fully informed when making a decision, with details of the policies supporting the application fully outlined.
- It was noted that the control of materials going into the site would be undertaken under the environmental permit issued by the Environment Agency.

Resolved: -

That the application be approved for the reasons stated in the report and in accordance with the conditions outlined.

7. NY/2020/0162/FUL (C8/2020/1204/CPO) - Planning application for the infilling and restoration of the former Watergarth Quarry with excavated materials, erection of a temporary single storey site cabin, formation of temporary site access, car parking area and associated hardstanding on land at former Watergarth Quarry, Rawfield Lane, Fairburn, Selby

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application for the infilling and restoration of the former Watergarth Quarry with excavated materials, erection of a temporary single storey site cabin, formation of temporary site access, car parking area and associated hardstanding on land at former Watergarth Quarry, Rawfield Lane, Fairburn, Selby.

The application is subject to eight objections having been raised from members of the public in respect of this proposal on the grounds of: highway safety, HGV movements, impact on residential amenity from noise, dust and pollution, impact on health and quality of life, impact on biodiversity and type of infill material.

An objection had also been received from Yorkshire Wildlife Trust and concerns had also been raised by the Fairburn Parish Council. It was, therefore, reported to the Committee for determination.

A representative of the Chief Planner presented the Committee report, highlighting the proposal, the site description, the consultations that have taken place, the advertisement and representations, planning guidance and policy and planning considerations. The report also provided a conclusion and recommendations

Detailed plans, photographs and visual information were presented to complement the report.

She highlighted a number of alterations to the published report, as follows:-

Section 9, Recommendation 9.1 (ii) - where it reads "the proposed development would not have an adverse impact upon the openness or the purposes of including land within the Green Belt and as such it is considered not to be an inappropriate development" This is not relevant as the application boundary has been amended and does not include any Green Belt land and therefore should not be included within the list of reasons.

Condition nos. 22, 23, 25 and 26 - where it reads "Within six months of the date of this

permission” in the published Officer Report, it is now proposed to read as follows
“Within six months of the commencement of development”

Condition no. 27 - where it reads “Within 12 months of the date of this permission an annual meeting shall be held” in the published Officer Report, it is now proposed to read as follows “Within six months of the commencement of development, a meeting shall be held, and bi-annually thereafter,”

Condition no. 32 - The wording of condition no. 32 in the published Officer Report has been amended and it is now proposed to read as follows “In the event of the cessation of tipping for a period of 6 months prior to the approved restoration having been completed, a revised restoration scheme for the site shall be agreed in writing with the County Planning Authority. The scheme shall be submitted to the County Planning Authority within 6 months of the date tipping ceased. Any further works required by the agreed revised restoration scheme shall have been completed within 3 months of the written approval of the scheme. All machinery and equipment, any hard standings and structures and temporary access off Rawfield Lane shall be removed from the site once restoration works at the site have been completed.”

Members undertook a discussion of the application and the following issues and points were highlighted during that discussion:-

- A Member noted the Condition relating to an annual meeting between the developer, all interested parties, technical experts and the County Planning Authority to review schemes of working, restoration, landscaping and aftercare issues, and asked what period of time this would continue for. In response it was stated that three meetings would take place, one within six months of commencement of development and thereafter bi-annually. Meetings would end once the development was completed.
- In terms of reference to the appointment of a qualified person to monitor the material going into the site, to ensure that pollution was not created to the watercourse, It was noted that the Environment Agency would be responsible for this. However, if there were reports that this was occurring then the Planning authority would investigate and take enforcement action if necessary.
- The bat survey was queried as a Member expected that the tunnel would house bats.
- It was noted that the local Member was satisfied with the application.
- The issue of the replacement of trees, removed during the development, was discussed. It was asked whether there would be a “two-for-one” replacement programme in place .It was stated that the replacement of trees would not be “two-for-one” and the exact details had been set out in the presentation., however, it was expected that the replacement trees could be excess of that figure, as the exact details were yet to be clarified. Members suggested that the trees should be replaced at as high a ratio as possible, that they should be replaced with mature trees and that rather than just replacing with native trees, the provision of food bearing trees would be advantageous. It was stated that the condition would need to be reworded and discussed with the Landscape Architect and the applicant to determine whether this was acceptable, if Members wished to change that. Members noted that the area already had fruit trees and it was considered that providing the appropriate species of trees was important. It was noted that semi-mature trees would be used as replacements, which was acceptable to Members, providing any that died were replaced.. It suggested, the necessary amendments to Condition 23 within the report could be delegated to the Chief Planner, to amend in line with Members suggestions,.

Should the amended condition not be agreed to the matter could return to Members for further consideration.

Resolved: -

That the application be approved for the reasons stated in the report and in accordance with the conditions outlined, subject to the updated conditions detailed above and subject to the necessary amendments to Condition 23 within the report being delegated to the Chief Planner to undertake, in line with Members suggestions

8. C3/18/00967/CPO - Planning application which seeks retrospective permission for a 2.4 hectare extension to an inert and demolition waste recycling area on land at Whitewall Quarry, Welham Road, Norton-on-Derwent

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application which seeks retrospective permission for a 2.4 hectare extension to an inert and demolition waste recycling area on land at Whitewall Quarry, Welham Road, Norton-on-Derwent.

The application was subject to thirty two representations (including three from the Norton Action Group) objecting to the application and a recommendation from Norton-on-Derwent Town Council that the application be refused. The objections and the recommendation were raised on the grounds of traffic, risk of pollution and associated impacts upon residential amenity, availability of alternative locations, scepticism on the part of residents that the operator will comply with any conditions and sustainability. The planning application was therefore reported to the Committee for determination.

Local resident and business owner, Mr Mark Campion, submitted a statement to be read out by the Clerk. This was attempted within the three minutes permitted, however, the full statement had been circulated to Members, prior to the meeting. The statement outlined the following:-

Mr Campion submitted a standing objection letter dated 8 October 2018 to this proposal for this retrospective application for a 2.4-hectare extension to an existing inert & demolition waste recycling area, Whitewall Quarry.

Mr Campion's objections to this application remain as per his original objection letter. A copy of this letter was available to view on the Council' online planning register.

Notwithstanding those original standing objections Mr Campion wishes to submit further comments/objections in respect of the report prepared by the Head of Planning Services to be presented to members of the Planning and Regulatory Functions Committee at this meeting.

In para 2.2 the report it states "The quarry is actively producing stone and hosts ancillary operations in the form of a concrete batching plant, maintenance building and an inert waste recycling plant", Mr Campion wonders why no reference is made to the concrete panel building the omission of this ancillary activity thereby renders this report as inaccurate. Mr Campion further notes the reference to the

quarry hosting ancillary activities but does not accept the definition that these are ancillary activities but considers these commensurate in planning terms with B2 General Industrial uses as very little material comes directly from the existing quarrying operation as the limestone material is generally unsuitable in the concrete or panel manufacturing process.

Paragraph 2.15 of the report refers to the implementation and commencement of recycling operations in 2005 and that inert waste material is imported and brought to the site by 'back-haul' on empty lorries that have been used for the transport of primary materials following delivery elsewhere in the County or beyond. Mr Campion strongly disputes this statement firstly the question of the operator's reliability in terms of use of 'back-haul' was raised during the planning inquiry into a proposed asphalt plant sought by the operators and refused by the Council in February 2015. In his report the planning inspector concluded that relying on a 'back-haul' system of transportation to import recyclable material into the quarry may not be robust and not all recyclable materials would arrive by 'back-haul' thereby undermining the apparent sustainability of the transport operation. Mr Campion therefore challenges the assertion claimed in the report that this is a sustainable operation as no details to support the 'back-haul' statement are provided by the applicant and this has not been challenged or further details sought by planning officers to verify this unsubstantiated claim.

Mr Campion also wishes to raise concern the emphasis in the report is that the inert waste recycling operation is an ancillary activity linked to the primary extraction of minerals from the quarry site. Mr Campion argues the inert waste recycling activity has little if any direct connection with the quarry and is in effect a B2 general industrial process that could be carried out on any suitable industrial area. Mr Campion considers the report before members fails to deal with this issue or recognise or explain why it is essential this inert waste recycling is carried out within the confines of the quarry basin. Mr Campion also does not accept the presence of the inert waste recycling operation has any direct connection to the restoration of the quarry. At present a substantial area of this lower part of the quarry is currently used for the inert waste recycling operation, or occupied by buildings and structures and/or storage related to various other activities being carried out in the quarry basin the presence of which effectively prevents any meaningful restoration of this worked out area of the quarry being implemented at present or in the near future.

On the issue of the inert waste recycling operation Mr Campion also notes the officers report makes no mention of two incidents of unauthorised tipping of inert waste materials by the operator to the south and west beyond the permitted red boundary of the existing quarry site comprising several thousands of tonnes of inert waste material. Mr Campion considers this a serious omission from the report and considers members should be aware of this issue and the failure of planning officers to take enforcement action in either case at the time these breaches of planning occurred.

Mr Campion notes in the report the Head of Planning's statement in paragraph 2.16 that "Planning permission for the quarrying and recycling operations extends to November 2023 after which all operations must cease and the quarry be restored including the benching of remaining quarry faces with seeding and tree planting to enhance nature conservation interests with soils

from the recycling operations contributing to the restoration". Mr Campion draws members attention to Condition 1 of the conditions set out at the end of the report that contradicts this statement stating as follows: " The permission hereby granted authorises the inert waste and demolition waste material recycling area until 23 November 2023 or until such date as quarrying operations cease whichever is the sooner after which the development hereby permitted shall then be discontinued and any structures, plant and machinery shall be removed from the site. Mr Campion notes should members approve this report the use of the site for inert waste recycling could be carried on indefinitely in the event the quarrying operation is approved in the future i.e., beyond November 2023 based on the wording of Condition 1. This could lead to a situation whereby due to market demand or conditions the operators seek to mothball the quarry approval of Condition 1 as written would effectively permit the inert waste recycling to continue indefinitely. On this basis Mr Campion considers the wording of Condition 1 is unacceptable and asks members to overturn the Head of Planning's recommendation and refuse this application or alternatively amend Condition 1 to restrict the temporary inert waste recycling operation up to but not beyond the 23 November 2023.

Furthermore, Mr Campion is of the opinion permission for the temporary inert waste recycling should be granted only until 23 November 2023 when the other activities also expire so these can be considered in their entirety and not in isolation or a piecemeal fashion so members are able to judge the accumulative impacts of renewing any or all of the activities and assess the effects of these on traffic generation, environmental quality, economic need, and other considerations.

Turning to the issue of noise Mr Campion has noted Condition 14 states as follows: "The equivalent continuous noise level due to recycling operations during permitted daytime hours (07:00-1700 Monday – Saturday, 0700 – 1200 Sunday) shall not exceed the background noise level (LA90) by more than 10dB(A) as measured at the nearest sensitive receptor. Measurements shall be hourly LAeq measurements and be corrected for the effects of extraneous noise. In the event that the noise levels are exceeded, those operations at the site causing the excessive noise shall cease immediately and steps taken to attenuate the noise level to ensure compliance with the specified levels". Mr Campion considers this condition is unenforceable and does not meet the 6 tests for conditions for two reasons firstly, the condition states noise levels shall not exceed background noise level (LA90) by more than 10dB(A) however this condition does not indicate or provide any data to identify an established figure or a mean background noise figure against which noise levels can be accurately measured and therefore identification and enforcement of any breaches of noise level is likely to be difficult for planning officers to implement successfully. Secondly, activities relating the inert waste recycling, the concrete batching plant and the concrete panel plant fall under different noise criteria and regulations to quarry noise and this is not addressed in this condition.

He noted the proposed transfer of sand and gravel from Seamer Carr, the application having been approved earlier in the meeting, to the concrete manufacturing process at Whitewall Quarry. He considered that this made the argument, that the concrete batching and panel manufacture were ancillary to the

primary use of Whitewall Quarry for limestone extraction, redundant.

The request for permission to commence work at 6.30am contradicted previous permissions at the site, which were from 7am to 5pm, therefore the request to commence work at 6.30am was not accepted. He also suggested that an addendum was required to Condition 7 to prevent empty vehicles returning to the site after 5pm.

The agent for the applicant, Malcolm Ratcliff, addressed the Committee, highlighting the following:-

- He outlined the process being undertaken at the limestone quarry and the need for the 25k tonnes of aggregate that could be produced, although the amount produced was usually lower.
- He outlined the applications compliance with plans and policies.
- He noted that the application only sought to extend the existing practice in the quarry.
- Compliance with the issues raised by objectors had been sought in an attempt to be a “good neighbour”.
- The application period was time limited.

The Chief Planner presented the Committee report, highlighting the proposal, the site description, the consultations that have taken place, the advertisement and representations, planning guidance and policy and planning considerations. The report also provided a conclusion and recommendations

Detailed plans, photographs and visual information were presented to complement the report.

Members undertook a discussion of the application and the following issues and points were highlighted during that discussion:-

- The details in relation to the gapping up of hedgerows were clarified.
- It was noted that the previous application was granted in 2002, and included recycling operations. The permission was scheduled to finish in 2007, and reference to the recycling operations appeared to have disappeared. In response it was clarified that the operations were contained in a large area and were detailed in the retrospective application. The operations of the original application had continued past the 2007 expiry date and were seeking to be extended within the period stated through this application.

Resolved: -

That the retrospective application be approved for the reasons stated in the report and in accordance with the conditions outlined.

9. **C6/22/00809/CMA - Planning application for the variation of condition no's 19 & 20 of Planning Permission C6/500/109/F/CMA to enable Asphalt Operations to continue until 21:00 hours Monday to Friday for a temporary period on land at Pateley**

NYCC Planning and Regulatory Functions Committee -
Minutes – 26 July 2022/10

Bridge Quarry (Coldstones), Greenhow Hill, Pateley Bridge, Harrogate

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application for the variation of condition no's 19 & 20 of Planning Permission C6/500/109/F/CMA to enable Asphalt Operations to continue until 21:00 hours Monday to Friday for a temporary period on land at Pateley Bridge Quarry (Coldstones), Greenhow Hill, Pateley Bridge, Harrogate.

The application was subject to 6 objections having been raised in respect of the proposal on the grounds of residential amenity and highway impact and was, therefore, reported to this Committee for determination.

A representative of the Chief Planner presented the Committee report, highlighting the proposal, the site description, the consultations that have taken place, the advertisement and representations, planning guidance and policy and planning considerations. The report also provided a conclusion and recommendations

Detailed plans, photographs and visual information were presented to complement the report.

Members undertook a discussion of the application and the following issues and points were highlighted during that discussion:-

- A Member noted that the previous consent, which was identical to the application, had operated until 31 December 2021. In response it was stated that the previous consent had run out, therefore, this was a renewal of that. It was asked whether the application was likely to continue to be submitted on an annual basis and it was clarified that, should this be the case, it would still be determined by officers and Members.
- It was noted that there had been no previous complaints regarding the process.
- A Member raised concerns in respect of the number of vehicle movements proposed, noting that these would be over 100 days, but with no limits set, in or out. It was noted that the applicant had indicated that there would be 15 vehicle movements per day, however, if Members wished, this could be put into the Conditions. A Member with local knowledge suggested that the extension of time being sought for vehicle movements (18:00 – 21:00) could operate through the junction at Meaghill Lane, rather than Hardisty Hill, as there were no residential properties there and this would provide some respite from the traffic for local residents.. It was also noted that Condition 6 was the most appropriate to be altered to encompass the wishes of Members, and it was suggested that delegated authority be given to the Chief Planner, to agree an appropriate amendment with the agent to take account of Members requests in relation to vehicle movements and routing. If these were not accepted the application would be resubmitted to Members for further consideration.

Resolved: -

That the application be approved for the reasons stated in the report and in accordance with the conditions outlined subject to a Deed of Variation to the Section 106 legal agreement to bind this consent and subject to the necessary amendments to Condition 6 within the report being delegated to the Chief Planner in respect of vehicle movements limited 15 per day and vehicle routing along

Meaghill Lane between the hours of 18:00 and 21:00, in line with Members suggestions,

10. C6/21/05464/CMA - Planning application for the variation condition no. 1 of planning permission ref. no. C6/27/19/E/CMA to allow for the continuation of tipping and restoration on land at Asenby Quarry Tip, Leckby Palace Farm, Asenby

Considered -

The report of the Corporate Director - Business and Environmental Services requesting Members to determine a planning application for the variation condition no. 1 of planning permission ref. no. C6/27/19/E/CMA to allow for the continuation of tipping and restoration on land at Asenby Quarry Tip, Leckby Palace Farm, Asenby.

The application was subject to one objection having been raised in respect of this proposal on the grounds of residential amenity due to movement of HGVs and was, therefore, reported to the Committee for determination.

A representative of the Chief Planner presented the Committee report, highlighting the proposal, the site description, the consultations that have taken place, the advertisement and representations, planning guidance and policy and planning considerations. The report also provided a conclusion and recommendations

Detailed plans, photographs and visual information were presented to complement the report.

Members undertook a discussion of the application and the following issues and points were highlighted during that discussion:-

- It was clarified that the objection was submitted anonymously.

Resolved: -

That the application be approved for the reasons stated in the report and in accordance with the conditions outlined.

11. Items dealt with under the Scheme of Delegation – 11 May 2022 to 29 June 2022, inclusive.

Considered –

A report by the Corporate Director, Business and Environmental Services, which listed Items dealt with under the Scheme of Delegation. The Items had been determined during the period 11 May 2022 to 29 June 2022, inclusive.

Resolved –

That the report be noted

12. Publication by Local Authorities of Information about the handling of Planning Applications – 1 January to 31 March 2022 – Quarter 4

Considered –

A report by the Corporate Director, Business and Environmental Services, which outlined the County Council's performance in the handling of "County matter" and County Council development planning applications for Quarter 4 (the period 1 January to 31 March 2022).

Resolved –

That the report be noted.

13. Appointment of Planning and Regulatory Functions Sub-Committee

Considered –

A report of the Assistant Chief Executive (Legal and Democratic Services) requesting Members to appoint a Sub-Committee of the Planning and Regulatory Functions Committee, from its Membership, to carry out the functions outlined in the report. It was noted that the Sub-Committee would consist of 7 Members, would be politically proportionate and would be current Members of the main Committee.

To reflect proportionality the Sub-Committee will be divided as follows:-

4 Conservative Members
1 Labour Member
1 Lib Dem/Liberal Member
1 NY Independent Member

Should any Members from the Labour, Lib Dem/Liberal or NY Independent Groups not wish to have a place on the Sub-Committee, this can then be offered to representatives of the Green Group or an unaffiliated Independent Member.

Previously the Chairman and Vice-Chairman of the main Committee have been Members of the Sub-Committee.

Resolved –

That the following be appointed to the Planning and Regulatory Functions Sub-Committee:-

4 Conservative Members – The Chairman (County Councillor Andy Paraskos – the other three appointments to be referred to the Group Leader for nomination)
1 Labour Member – The Vice-Chairman (County Councillor Bob Packham)
1 Lib Dem/Liberal Member – County Councillor Pat Marsh
1 NY Independent Member - to be referred to the Group Leader for nomination

Any subsequent vacancies to be offered to representatives of the Green Group or an unaffiliated Independent Member.

The meeting concluded at 12.50 pm

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North Yorkshire County Council

Planning and Regulatory Functions Committee

15 November 2022

Items Dealt with under the Scheme of Delegation

Report of the Corporate Director – Business and Environmental Services

The Items reported below have been determined between:
18 August 2022 to 18 October 2022 Inclusive

A. County Council Development

NY/2022/0191/73 (C3/22/01053/CPO) **Amotherby CP School, Meadowfield,
Amotherby, Malton, North Yorkshire,
YO17 6TG**

Decision Notice: 18 Oct 2022

Retention of prefabricated classroom unit 1084 for a further 6 years

PLANNING PERMISSION GRANTED subject conditions

NY/2022/0187/FUL (C2/22/02103/CCC) **South West Block, County Hall,
Racecourse Lane, Romanby, North
Yorkshire, DL7 8AD**

Decision Notice: 10 Oct 2022

Installation of 2no. pedestal electric vehicle charging points

PLANNING PERMISSION GRANTED subject conditions

NY/2022/0165/73 (C6/22/03381/CMA) **Harrogate Town, Harrogate South &
Starbeck Childrens Centre, (Willow Tree
Community Primary School), 71
Wetherby Road, Harrogate, North
Yorkshire, HG2 7SG**

Decision Notice: 02 Sept 2022

Retention of prefabricated unit 1315 for a further 6 years

PLANNING PERMISSION GRANTED subject conditions

NY/2022/0152/73 (C3/22/00806/CPO) **Pickering Junior School, Middleton
Road, Pickering, North Yorkshire, YO18
8AJ**

Decision Notice: 24 Aug 2022

Retention of prefabricated classroom unit 1035 for a further 6 years

PLANNING PERMISSION GRANTED subject conditions

NY/2022/0147/FUL (C6/22/02665/CMA)

**Nidderdale Resource Centre, Ripon
Road, Killinghall, North Yorkshire, HG3
2AY**

Decision Notice: 02 Sept 2022

Installation of 3 no. air source heat pumps with 1.8 metre high timber fence compound

PLANNING PERMISSION GRANTED subject conditions

NY/2022/0072/FUL (C3/22/00521/CPO)

**Langton CP School, Main Street,
Langton, Malton, North Yorkshire, YO17
9QP**

Decision Notice: 19 Aug 2022

Erection of a single storey extension (39sq.m). Modification to existing boundary wall including re-location of existing steps, wall mounted external lights

PLANNING PERMISSION GRANTED subject conditions

NY/2022/0161/PAA

**Overdale CP School, Hawthorn Walk,
Eastfield, Scarborough. North
Yorkshire, YO11 3HW**

Decision Notice: 18 Aug 2022

Request for Prior Approval under Part 11 of the General Permitted Development Order 2015 for the demolition of an existing school building

APPROVAL GRANTED subject conditions

NY/2022/0036/PAA (C2/22/01804/CCC)

**NYCC Depot, Ellerbeck Court,
Stokesley, TS9 5PT**

Decision Notice: 26 Sept 2022

Application for prior notification for the installation of a 16m high telecommunication mast with 1no. 50 cm white/ grey omnidirectional antenna, 1no. ground based equipment cabinet and associated ancillary works

APPROVAL GRANTED subject conditions

NY/202200034/PAA (C3/22/00905/CPO)

**North Yorkshire Highways Units 7,
Beansheaf Industrial Park, Tofts Road,
Kirby Misperton, Malton, North
Yorkshire, YO17 6BG**

Decision Notice: 26 Sept 2022

Application for prior notification for the installation of a 16m high telecommunication mast with 1no. 50 cm white/ grey omnidirectional antenna, 1no. ground based equipment cabinet and associated ancillary works

APPROVAL GRANTED subject conditions

B. County Matter Development

NY/2022/0189/FUL (C4/22/01779/CC)

**Sandfield House Farm, Sandsend Road,
Sandsend, North Yorkshire, Whitby,
YO21 3SR**

Decision Notice: 07 Oct 2022

Removal of conservatory and construction of single storey stone built extension. various internal works to main house. Installation of 4 No heritage roof lights. Additional gable end single storey stone built extension (both extensions will have pitched roof's to match existing property)

PLANNING PERMISSION GRANTED subject conditions

NY/2022/0185/NMT

**Land adjacent to and to the west and
north of the current Escrick Quarry to
the south west of Escrick, North
Yorkshire, YO19 6ED**

Decision Notice: 18 Aug 2022

Application for Non Material Minor Amendment to amend condition 45 of planning permission Ref. C8/2019/0917/CPO to amend the details of the approved site layout of Escrick Quarry (the Escrick Site) to allow development within 9 metres of the top of the northern bank of Bentley Park Drain (BPD)

Details APPROVED

NY/2022/0178/SCR

**Burythorpe Quarry, Burythorpe, Malton,
YO17 9LY**

Decision Notice: 23 Aug 2022

Request for a formal Screening Opinion for a proposed 3.3 hectare extension to the existing quarry

Scoping Opinion ISSUED

NY/2022/0164/A27

**Newthorpe Quarry, Newthorpe,
Sherburn in Elmet**

Decision Notice: 29 Aug 2022

Application for the approval of details reserved by condition No.18 of Planning Permission C8/2017/1230/CPO which relates to a Detailed Method of Working

Details APPROVED

NY/2022/0163/A27

**Newthorpe Quarry, Newthorpe,
Sherburn in Elmet**

Decision Notice: 29 Sept 2022

Application for the approval of details reserved by condition No. 35 of Planning Permission Ref. C8/2017/1230/CPO which relates to Restoration & Aftercare

Details APPROVED

To access the planning application details, consultation responses and a copy of the report and decision notice containing any planning conditions relevant to the development please access 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).

KARL BATTERSBY
Corporate Director – Business and Environmental Services

Author of Report: Steph Christon

Background Documents: None

NORTH YORKSHIRE COUNTY COUNCIL

Planning and Regulatory Functions Committee

15 November 2022

Conferment of the Title of Honorary Alderman

1.0 PURPOSE OF THE REPORT

- 1.1 For the Committee to consider whether it would wish to make a recommendation to the County Council to confer the title of Honorary Alderman on former Members of the Council.

2.0 POWERS AND CRITERIA

- 2.1 Section 249 of the Local Government Act 1972 provides that the title of Honorary Alderman may be conferred by the County Council on persons who have, in its opinion, rendered eminent service to the Council as past Members of this Council, (or a predecessor Council), but who are no longer Councillors. The title is to be conferred by a resolution passed by not less than two thirds of the Members voting on it at a meeting of the County Council specially convened for the purpose.
- 2.2 A number of long serving Members ceased to be County Councillors, following the elections on 5 May 2022. Of those retiring Members, 5 had served as Members of the County Council for more than 20 years - (20 years' service on the County Council or any of its three predecessor County Councils, the York County Borough Council and the pre-1974 Borough Councils of Harrogate and Scarborough is the criterion for previous service agreed by the County Council, in 1985, for the conferment of the title of Honorary Alderman). Those retiring Members (with their years of service in brackets following their name) are Val Arnold (21), Helen Swiers (21), Caroline Patmore (25), Peter Sowray (33) and Cliff Trotter (25).
- 2.3 In view of the length of service provided by former County Councillor John Blackie (this was 22 years of continuous service up until his death in July 2019) the Committee is asked to consider that he be conferred with the title of Honorary Alderman, posthumously.
- 2.4 Although the title of Honorary Alderman must be conferred by the County Council, at a special meeting set up for the purpose, the County Council's constitution delegates, to this Committee, the power to make recommendations to the Council on the matter.

3.0 FORMER MEMBERS OF THE COUNCIL WHO SATISFY THE CRITERIA

- 3.1 The Committee is asked whether it wishes to invite the former Members of the County Council, identified at paragraphs 2.2 and 2.3 above, to accept conferment of the title of Honorary Alderman, of North Yorkshire County Council, and whether it wishes to take the action identified at paragraph 2.4, and, if so, is asked to make the necessary recommendations to the County Council.
- 3.2 In the past, arrangements have been made for the Extraordinary meeting of the County Council, which is required to confer the title of Honorary Alderman, to be held on the day of an ordinary meeting of the County Council, thereby maximising the number of Members of

the Council able to be present. It has been customary to present each new Honorary Alderman with a framed illuminated address and Honorary Alderman's badge.

3.3 A date and time of 1.30pm on 16 November 2022 has been arranged for the Extraordinary meeting of the County Council.

4.0 FINANCIAL IMPLICATIONS

4.1 There is a cost associated with the purchase of the Honorary Alderman medals, which is met by the Chairman's office.

5.0 LEGAL IMPLICATIONS

5.1 There are no significant legal implications.

6.0 EQUALITIES IMPLICATIONS

6.1 There are no significant equalities implications.

7.0 CLIMATE CHANGE IMPLICATIONS

7.1 There are no significant climate change implications.

8.0 RECOMMENDATION

8.1 That the Committee decides what, if any, recommendation it wishes to make to the County Council about the conferment of the title of Honorary Alderman on past Members of the County Council.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer
County Hall
NORTHALLERTON

Report author:

Daniel Harry
Democratic Services and Scrutiny Manager
North Yorkshire County Council

7 November 2022

Background Papers

The County Council Constitution - [New Council Constitutions \(northyorks.gov.uk\)](http://northyorks.gov.uk)

North Yorkshire County Council

Business and Environmental Services

Planning and Regulatory Functions Committee

15 NOVEMBER 2022

**C1/19/00587/CM - PLANNING APPLICATION FOR THE PURPOSES OF THE PART
RETROSPECTIVE PROPOSED RETENTION OF QUARRY ACCESS UNTIL 31ST
DECEMBER 2025 ON LAND AT PALLETT HILL QUARRY, LEEMING LANE NORTH,
CATTERICK VILLAGE, DL10 7JX
ON BEHALF OF BREEDON NORTHERN
(RICHMONDSHIRE DISTRICT) (CATTERICK BRIDGE ELECTORAL DIVISION)**

Report of the Corporate Director – Business and Environmental Services

1.0 Purpose of the report

- 1.1 To determine a planning application for the part retrospective proposed retention of quarry access until 31st December 2025 on land at Pallett Hill Quarry, Leeming Lane North, Catterick Village, DL10 7JX on behalf of Breedon Northern.
- 1.2 This application is subject to an objection having been raised by a local resident in respect of this proposal on the grounds of noise from quarrying and dirt on highway from vehicle movements and is, therefore, reported to this Committee for determination.

2.0 Background

Site Description

- 2.1 Pallett Hill Quarry is located 200 metres towards the north-west of Catterick village, where the nearest residential properties are located on the southern boundary of the site, and 200 metres towards the south-east of Catterick Racecourse. The total quarry site area amounts to 61.85ha of which the plant site occupies 9.2ha and the extraction area 52.65ha. The plant site and extraction areas are divided by the A6136.
- 2.2 The quarry site extracts sand and gravel and is split over two sides of the A6136 (Leeming Lane) road. On the southern side of the site there is the plant area and associated development in relation to this, including a wheel wash facility. This side of the site also has a concrete and bagging plant which is currently not operational. North of the road located 350 metres north-west of the entrance to southern entrance to Pallett Hill Quarry, on the adjacent side of Leeming Lane, is the entrance to Bridge Farm, where the larger area of the site is located, along with the new area for extraction.
- 2.3 The extraction area is bounded to the north by the River Swale whilst the eastern boundary is formed by mature woodland planting, restored gravel workings and the River Swale. The southern boundary is formed by a mature woodland screening belt, arable land and the suburban edge of Catterick. To the west, the site is bounded by a mature woodland screening belt and the A6136, the Bridge Farm extraction area with the restored pond area in the south and small further pond to the north.

- 2.4 The plant site is bounded by the Catterick racecourse to the north, the A6136 to the east, and mature woodland screen planting and residential housing to the south. To the west lies former mineral workings, now restored to grassland, agriculture and woodland. Further west lies the A1 motorway. North of the application site there is a waste operation including the operation a mobile crusher and mobile screen for the purpose of recycling and reclamation of land through landfill by disposal of construction, demolition and excavation waste.
- 2.5 Planning Permission for mineral extraction was refused by the County Council in November 1993; however, this was appealed by the applicant and upheld in November 1994. The development allowed the extraction of 4.9 million tonnes of sand and gravel at Bridge Farm until December 2017, with the restoration of the site to a lake and agriculture, and the retention of the existing plant and machinery at Pallett Hill Quarry.
- 2.6 A Section 73 planning application ref. NY/2017/0326/ENV (C1/18/00013/CM) was submitted to the County Council in December 2017 to extend this period and it was determined on 8 March 2022 at the Planning and Regulatory Functions Committee subject to planning conditions and completion of a S106 Legal Agreement.
- 2.7 However, the site access of the quarry was granted under a separate planning permission, ref. C1/15/227A/PA/F, dated 13 March 1997 that has now expired. This current planning application has been submitted to regularise the retention of the site access and extend the period of use to coincide with the period being sought under the Section 73 application ref. NY/2017/0326/ENV (C1/18/00013/CM).
- 2.8 The relevant planning constraints to this application are that it is within the SSSI impact zone for the Swale Lakes. There are also multiple sites of nature conservation interest in the area which are of local to district level importance which include Bolton on Swale Lake SNCI, Catterick Gravel Pits (Complex) SNCI, How Hill Riverside SNCI, Pallett Hill SNCI and Scorton Quarry SNCI. The quarry site is inside the Bedale and Upper Swale Internal Drainage Board Area and within the Environment Agency's Flood Zones 2 and 3 as is within the River Swale flood plain.
- 2.9 A plan showing the application site is attached to this report.

Planning History

- 2.10 The planning history relating to the proposed development site relevant to the determination of this application is as follows: -
- Planning permission was refused in November 1993 for the extraction of sand and gravel with restoration to a lake and agriculture and retention of the existing processing plant at Bridge Farm, Catterick (ref. C1/15/250/PA/F). The Applicant appealed this decision (Ref. APP/D2700/A/93/231272) and in November 1994 the appeal was allowed.
 - C1/15/227A/PA/F, dated 13 March 1997, Relocation of site access, quarry yard and stock piling area and construction of screening bund. Granted and implemented.
 - C1/13/00295/CM, dated 11 February 2015, Use of land for the siting and operation of a mobile crusher and mobile screen for the purpose of recycling and reclamation of land through landfill by disposal of construction, demolition and excavation waste. Granted and implemented.
 - NY/2016/0141/SCR, dated 19 September 2016, Request for a formal Screening Opinion for extension of sand and gravel extraction operations which was issued stating an Environmental Statement was required with the proposed further application. No scoping opinion was submitted before this proposal was received by the County Planning Authority.
 - C1/18/00013/CM (NY/2017/0326/FUL), awaiting completion of S106 Agreement, 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 2024 and the restoration of the site from 31st December

2018 to 31st December 2025. This application was recommended for approval on 8 March 2022 at the Planning and Regulatory Functions Committee subject to planning conditions and completion of S106 Agreement.

3.0 The proposal

- 3.1 Planning permission is sought for the part retrospective proposed retention of quarry access until 31st December 2025 on land at Pallett Hill Quarry, Leeming Lane North, Catterick Village, DL10 7JX on behalf of the Breedon Northern.
- 3.2 The proposal is for the retention of the existing quarry access road until 2025, the access road permission ref. C1/15/227A/PA/F, dated 13 March 1997 expired on 31 December 2017. The proposal would not change the existing access and would match the proposed extension of time for the time period the application is proposed for the Section 73 application ref. NY/2017/0326/ENV (C1/18/00013/CM).

4.0 Consultations

- 4.1 The consultee responses summarised within this section of the report relate to responses to consultation undertaken on the 16 August 2019 and the subsequent re-consultation (on 4 October 2022) following the receipt of amended information relating to amended description of the proposal.
- 4.2 **Richmondshire District Council (Planning)** – No response received to date to either of the consultations.
- 4.3 **Environmental Health Officer (Richmondshire)** – A response was received on 23 August 2019 stating no objections in regards to the proposal. A further response was received on 20 October 2022 stating no comments to make.
- 4.4 **Catterick Parish Council** – A response was received on 9 September 2019 stating no objections to the planning application. No response received to date to the re-consultation.
- 4.5 **Swale & Ure Drainage Board** – No response received to date to either of the consultations.
- 4.6 **Historic England** – A response was received on 22 August 2019 stating no comments in relation to the application. A further response was received on 17 October 2022 stating no comments in relation to the application.
- 4.7 **Yorkshire Wildlife Trust** – No response received to date to any of the consultations.
- 4.8 **Highway Authority** – A response was received on 29 August stating no local highway authority objections to the proposed development. A further response was received on 12 October 2022 stating a transport statement submitted refers to an earlier application however the highway authority is still comfortable with the information provided. Further stating *'It has demonstrated that the quarry traffic does operate without any road safety concerns and therefore the Local Highway authority is comfortable that the quarry will operate in this manor. The developer advises that no increase in traffic will occur and therefore the operation of the site will continue at levels that have been experiences over a long period of time until 2025.'* Finally stating that the local highway authority has no objections to the proposed development.
- 4.9 **National Highways** – A response was received on 4 September 2019 stating no objection to the application. A further response was received on 18 October 2022 stating no objection to the application.

- 4.10 **Natural England** – A response was on 23 August 2019 stating no objection to the application. No response received to date to the re-consultation.
- 4.11 **Environment Agency York** – A response was received on 6 September 2019 raising a holding objection to the application due to a lack of information in regards to groundwater. It is noted that the Environment Agency's objection was dealt with under the Section 73 application ref. NY/2017/0326/ENV (C1/18/00013/CM) and the objection was resolved. However, at the time Environment Agency were not reconsulted on this application and therefore no further response received withdrawing the holding objection. Nonetheless, a further response was received on 24 October 2022 stating no objection to the proposal.
- 4.12 **NYCC Heritage – Ecology** – A response was received on 19 August 2019 stating no comments to offer from an ecology point of view. A further response was received on 10 October 2022 stating no ecological comments or concerns to raise.
- 4.13 **NYCC Heritage - Principal Landscape Architect** – A response was received on 30 August 2019 stating no landscape comment or objection. A further response was received on 19 October 2022 stating no landscape objection and recommended a condition is imposed to ensure removal of the access.
- 4.14 **NYCC Arboricultural Officer** – No response received to date to either of the consultations.

Notifications

- 4.15 **County Cllr. Carl Les** – Was notified on 16 August 2019 and further on 4 October 2022 at the time of the re-consultation.

5.0 Advertisement and representations

- 5.1 This application has been advertised by means of 3 Site Notices posted on 2 October 2019 (responses to which expired on 23 October 2019). The Site Notices were posted in the following locations: one at the site entrance, one at the bridge farm entrance and one in Bishops Way south of the application site. A Press Notice appeared in the Darlington and Stockton Times on 4 October 2019 (responses to which expired on 18 October 2019).
- 5.2 Due to an update in regards to the dates for the proposed development to take place a further full re-consultation was completed. The proposal has been re-advertised by means of 3 Site Notices posted on 12 October 2022 (responses to which expired on 26 October 2022). The Site Notices were posted in the following locations: one at the site entrance, one at the bridge farm entrance and one in Bishops Way south of the application site. A Press Notice appeared in the Darlington and Stockton Times on 14 October 2022 (responses to which expired on 28 October 2022).
- 5.3 Neighbour Notification letters were sent on 25 September 2019 and the period in which to make representations expired on 16 October 2019. Re-consultation neighbour notification letters were sent on 4 October 2022 and the period in which to make representations expired on 18 October 2022. The following properties were sent a neighbour notification letter:
- 1-12, 14-38, 40, 42-47, 49, 51, 53, 55, 64, 66, 68, 70 Bishops Way, Catterick, Richmond, DL10 7UA;
 - 1-9, 11, 15, 17, 19, 21 St Paulinus Crescent, Catterick, Richmond, DL10 7UB;
 - Catterick Racecourse, Leeming Lane North, Catterick Bridge, Richmond, DL10 7PE;
 - Field House, Leeming Lane North, Catterick Bridge, Richmond, DL10 7PG;
 - Grandstand Cottage, Leeming Lane North, Catterick Bridge, Richmond, DL10 7PF;

- Racecourse Lodge, Leeming Lane North, North Yorkshire, DL10 7PF; and
- The Bridge House Hotel, Leeming Lane North, Catterick Bridge, Richmond, DL10 7PE.

- 5.4 One letter of representation has been received raising objections on the grounds of:
- Noise from quarrying and
 - Dirt on the road through the village by the trucks going to and from the quarry.

6.0 Planning policy and guidance

The Development Plan

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In this instance, therefore, the *Development Plan* consists of policies contained within a number of planning documents. These documents include:
- any extant planning policies contained within Plan(s) adopted by the County and District (or Borough) Councils 'saved' under direction of the Secretary of State; and,
 - any planning policies contained within *Development Plan Documents* adopted under the Local Development Framework regime.
- 6.2 The *Development Plan* for the determination of this particular application comprises the following:
- The extant policies of the Richmondshire Local Plan (adopted 2014);
 - Minerals and Waste Joint Plan (MWJP) (adopted 16 February 2022).
- 6.3 Due to the age of the Richmondshire Local Plan policies, they have to be assessed against the more up to date National Planning Policy Framework 2021 (NPPF) to determine whether they are consistent with the NPPF and what weight should be attached to them.

Richmondshire Local Plan (2014)

- 6.4 The Richmondshire Local Plan Core Strategy (adopted 2014) has particular relevance in the determination of this application and the policies most relevant include:
- Policy CP1, Planning Positively;
 - Policy CP3, Achieving Sustainable Development;
 - Policy CP4, Supporting sites for Development;
 - Policy CP7, Promoting a Sustainable Economy.
- 6.5 **Core Policy CP1** advises that a positive approach is required reflecting a presumption of sustainable development, working pro-actively with applicants to find solutions. Wherever possible development should improve economic, social and environmental conditions in the plan area. Further stating planning applications which accord to the local plan policies would be approved without delay unless material considerations indicate otherwise. Where there are no relevant policies the Council would grant permission unless material considerations indicate otherwise, taking into account any adverse impacts which would significant and demonstrably outweigh the benefits when assessed against the NPPF as a whole and secondly specific policies within the NPPF which states developments should be restricted.
- 6.6 This policy is consistent with paragraph 11 of the NPPF in that it aligns with the objectives as referred within Chapter 2 in regards to Achieving Sustainable Development. Therefore full weight can be given to this policy.
- 6.7 **Core Policy CP3**, in part advises that support will be given for sustainable development. Support would be given for sustainable development which promotes the health, economic and social well-being, amenity and safety of the population. The

policy also states support is given for promoting the quality of natural resources including water, air, land and biodiversity minimising the impacts of airborne pollution, with the protection of best and most versatile land. Development should also promote the natural drainage of surface water mitigating the effecting of flash flooding of rivers, drains and draught and promotes the character and quality of local landscapes and the wider countryside. The use and development of land should be assessed against the communities housing, economic and social requirements, with the sustainability and enhancement of the natural and built environment, minimisation of the energy consumption and need to travel also being key factors. Development which would significantly harm the natural and built environment or generate a significant adverse traffic impact without appropriate mitigation would not be permitted.

- 6.8 This policy is consistent with paragraphs 174, 180 and 185 of the NPPF in that it aligns with the objectives as referred within Section 15 Conserving & Enhancing the Natural Environment. Therefore full weight can be given to this policy.
- 6.9 **Core Policy CP4** Supporting Sites for Development states proposals must be of an appropriate scale and nature to secure the sustainability of a settlement from the hierarchy within Policies SP2 and SP3. Proposals should reflect and deliver an effective response to climate change, develop the social and economic needs of the community and is proportionate to the settlement size. Point 2 states the location of any development proposal should be consistent with the Development Plan, and is required to be accessible and well related to existing facilities and within the capacity of existing infrastructure. Point 3 states the development should not impact adversely on the character of the settlement, important views, lead to the loss of or adverse impact on or cause deterioration of important nature conservation, be located in areas of flood risk or contribute to flood risk or cause significant adverse impact on amenity or highways safety.
- 6.10 This policy is consistent with the NPPF in that it aligns with the objectives as referred within paragraph 185 within Chapter 15 (Conserving and enhancing the natural environment). Therefore full weight can be given to this policy.
- 6.11 **Core Policy CP7**, advises that “*support will be given to (those relevant):*
a. the development of employment activities that diversify the current offer in Richmondshire, and in particular those activities that will provide high quality jobs which can capitalise on and/or enhance the skills of the resident population; and
b. development which promotes the sustainable growth of the key economic sectors within the area, particularly agriculture, food, military, retail, tourism, leisure and equine enterprises”.
- 6.12 This policy is consistent with the NPPF in that it aligns with the objectives as referred within paragraph 8 of the NPPF. Therefore full weight can be given to this policy.

Minerals and Waste Joint Plan (MWJP) (2022)

- 6.13 The plan was adopted on the 16th February 2022 and is relevant to the determination of this application. The document is a joint local plan between North Yorkshire County Planning Authority, the City of York Council and North York Moors National Park Authority. As the Joint Plan has been produced post-publication of the NPPF, there is no requirement to include herein NPPF-consistency statements in respect of the MWJP policies that follow below. The relevant policies are listed below.

Minerals and waste supporting infrastructure policies

- IO1 Minerals and waste transport infrastructure

Development Management Policies

- D01 Presumption in favour of sustainable minerals and waste development;
- D02 Local amenity and cumulative impacts;

- D03 Transport of minerals and waste and associated traffic impacts.
- 6.14 **MWJP Policy I01** - Minerals and waste transport infrastructure states the use of existing infrastructure would be encouraged and permitted for the transport of minerals, with proposals to require to take account of key sensitives and incorporate the necessary mitigation measures set out in Appendix 1 of the MWJP.
- 6.15 **MWJP Policy D01** - Presumption of sustainable development. The policy states there is a presumption in favour of sustainable minerals development and that the authorities will always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- 6.16 **MWJP Policy D02** - Local amenity and cumulative impacts. The policy seeks to safeguard communities from any unacceptable impacts on the amenity of local communities and residents, businesses and users of the public rights of way network as a result of:
- *noise,*
 - *dust,*
 - *vibration,*
 - *odour,*
 - *emissions to air, land or water,*
 - *visual intrusion,*
 - *public health and safety,*
 - *disruption to the public rights of way network,*
 - *cumulative effects arising from one or more of the above at a single site and/or as a result of a number of sites operating in the locality.*

Part 2) states applicants are encouraged to conduct early and meaningful engagement with local communities and to reflect the outcome of those discussions in the design of proposals as far as practicable.

- 6.17 **MWJP Policy D03** - Transport of mineral and associated traffic impacts encourages the use of alternatives to road transport where practicable. It permits proposals where road transport is necessary, where there is capacity within the existing network for the level of traffic, and there would not be an unacceptable impact on local communities, businesses or other users of the network or any such impacts can be appropriately mitigated. It also requires suitable access and on-site parking and manoeuvring, and requires a transport assessment or green travel plan where significant levels of traffic are created.

Other policy considerations:

National Planning Policy Framework (2021)

- 6.18 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. The overriding theme of the NPPF is to apply a presumption in favour of sustainable development. For decision-making, this means approving development proposals that accord with the development plan without delay (if plans are up-to-date and consistent with the NPPF). The Government defines sustainable development, in paragraph 8, as that being which fulfils the following three roles: an economic objective; a social objective or an environmental objective. When the development plan is absent, silent or the relevant policies are out of date, planning permission should be granted without delay unless there are clear reasons for refusing the development proposal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole (paragraph 11).

- 6.19 NPPF paragraphs 55 - 57 regarding 'planning conditions and obligations' requires local planning authorities to consider if development can be made acceptable by using conditions or planning obligations with planning obligations only used where it is not possible to address impacts through planning conditions. Planning conditions should be kept to a minimum and only imposed where they are met the test for condition and likewise planning obligations must only be sought where they meet all the tests for being necessary to make the development acceptable in planning terms; being directly related to the development; and fairly and reasonably related in scale and kind to the development.
- 6.20 Paragraph 104 within Chapter 9 (Promoting sustainable transport) of the NPPF requires potential impacts on transport networks to be considered from the earliest stages of development proposals (c), and the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account including appropriate opportunities for avoiding and mitigating any adverse effects and for net environmental gains (d). Paragraph 110 requires safe and suitable access can be achieved (b), and any significant impacts from development on highway safety can be mitigated (c). Paragraph 111 states *"development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.
- 6.21 Paragraph 113 within Chapter 9 (Promoting sustainable transport) of the NPPF states development with significant HGV movements would require a travel plan and a transport statement so that the likely impacts can be assessed.
- 6.22 Paragraph 174 within Chapter 15 (Conserving and enhancing the natural environment) of the NPPF sets out a number of principles for determining planning applications which aims to conserve and enhance biodiversity. These include protecting and enhancing valued landscapes including sites of biodiversity, recognising intrinsic character and beauty of the countryside, minimising impacts on and providing net gains for biodiversity, preventing new and existing development to contribute to unacceptable levels of soil, air, water or noise pollution or land instability.
- 6.23 Paragraph 180 within Chapter 15 (Conserving and enhancing the natural environment) of the NPPF states the principles including if there is significant harm to biodiversity which cannot be avoided, adequately mitigated or as a last resort compensated for planning permission should be refused. Development which is likely to have an impact on a SSSI should not normally be permitted, with the exception of where the benefits of the development in the location clearly outweighs the impact of the features itself or the broader impacts of SSSI.
- 6.24 Within Paragraph 185 of the Framework it is noted that decision should ensure developments are appropriate for their location taking into account pollution on health, living conditions, the natural environment, and sensitivity of the site and wider impacts of the development. In considering this noise should not have a significant adverse impact on health and quality of life and also limit the impact of light pollution form artificial light on local amenity.
- 6.25 Chapter 17 of the NPPF is about facilitating the sustainable use of minerals. Paragraph 209 states *"it is essential there is sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found best use needs to be made of them to secure their long-term conservation"*.
- 6.26 Paragraph 211 of the NPPF is relevant to the proposed development, which states that *"great weight should be given to the benefits of minerals extraction"*. Minerals extraction should as far as possible be provided outside AONB's and ensure no unacceptable

adverse impact on the natural and historic environment or human health taking into account the cumulative impacts from sites in the locality. Unavoidable noise, dust and particle emissions including blasting vibrations are controlled or mitigated, establishing appropriate noise limits for extraction in proximity to noise sensitive properties. Minerals site should provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through appropriate conditions.

- 6.27 Paragraph 213 states that *“Minerals planning authorities should plan for a steady and adequate supply of aggregates”*. This is to be completed through annual Local Aggregate Assessments, using landbanks as a principle indicator of the security of minerals supply and the additional provision required for new aggregate extraction, maintaining landbanks of at least 7 years for sand and gravel and ensuring that large landbanks bound up in very few sites do not stifle completion and calculating and maintaining separate landbanks for any aggregate.

National Planning Practice Guidance (PPG) (2014)

- 6.28 On 6th March 2014 the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (PPG) web-based resource. This was accompanied by a *Written Ministerial Statement* which includes a list of the previous planning practice guidance documents cancelled. The NPPG supports the national policy contained within the NPPF. The guidance relevant to the determination of this application is contained within the following sections: -

Air Quality

- 6.29 This section provides guiding principles on how planning can take account of the impact of development on air quality. It states *“Mitigation options where necessary will be locationally specific, will depend on the proposed development and should be proportionate to the likely impact. It is important therefore that local planning authorities work with applicants to consider appropriate mitigation so as to ensure the new development is appropriate for its location and unacceptable risks are prevented. Planning conditions and obligations can be used to secure mitigation”*.

Minerals

- 6.30 This provides planning guidance for mineral extraction and the application process and focuses on the environmental impacts such as noise, dust and quarry slope stability and the importance of high quality restoration and aftercare of mineral sites.

Noise

- 6.31 The PPG confirms the need for noise to be considered in taking decisions on proposed developments having regard to the effects of potential noise from new developments and on existing developments. The (Noise) PPG identifies how local planning authorities should determine the impact or effect of noise by considering the following:
- *“whether or not a significant adverse effect is occurring, or likely to occur”;*
 - *‘whether or not an adverse effect is occurring, or likely to occur’; and*
 - *‘whether or not a good standard of amenity can be achieved’.*
- 6.32 In addition to the above the (Noise) PPG also offers guidance on identifying *“whether the overall effect of noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed effect level for the given situation”*. The (Noise) PPG sets out the observed effect levels as being:
- *“significant observed effect level: this being the level of noise exposure above which significant adverse effects on health and quality of life occur”;*
 - *“lowest observed adverse effect level: this being the level of noise exposure above which adverse effects on health and quality of life can be detected”;* and
 - *“no observed effect level: this is the level of noise exposure below which no effect at all on health or quality of life can be detected”.*

- 6.33 The Noise PPG guidance split the mitigation which can be put in place to reduce impact into four categories, these are engineering by reducing the generation of noise at the source, layout optimising the distance between the source and noise sensitive receptor, planning conditions obligations to restrict activities or specify specific levels and finally mitigating the impact on areas like to be affected. A further part of the Noise PPG is in regards to the effect of noise on wildlife, in particular stating consideration needs to be given to the potential effects of noisy development on international, national and locally designated sites of importance for biodiversity.

7.0 Planning considerations

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the *Development Plan* unless material considerations indicate otherwise. In light of the abovementioned policies the main considerations in this instance are as follows:

Principle of the proposed development

- 7.2 The principle of the proposed development has been established by a number of historical planning permissions, and the existence of the quarry access. The previous planning permission for the quarry site access has expired and therefore this current planning application has been submitted to regularise the retention of the site access and extend the period of use to coincide with the period being sought under the Section 73 application ref. NY/2017/0326/ENV (C1/18/00013/CM). The retention of the site access until 31st December 2025 is needed so that the operation at Pallett Hill Quarry can continue and restoration of the whole site can be achieved.
- 7.3 The NPPF (paragraph 209), recognises that a sufficient supply of minerals to support the country's needs are required with minerals being essential to economic growth. The proposed retention of the site access would facilitate continuous operation and transportation of the minerals, whilst also ensuring the completion of the final restoration scheme for the whole site by 31 December 2025. Furthermore, the continuation of quarrying at Pallett Hill would make contribution towards a sufficient supply of sand and gravel in the region. It is therefore considered that the proposed development is consistent with national planning policy contained within the NPPF (paragraphs 209, 211 and 213) which advise MPAs "*great weight should be given to the benefits of mineral extraction, including to the economy*". The proposal is in compliance with Policies CP1, CP4 and CP7 of the Richmondshire Local Plan Core Strategy due to the promotion of sustainable growth of key economic sectors. The proposal is also in compliance with MWJP Policies I01 and D01 in regards to the use of existing infrastructure and supply of sustainable minerals and waste development. The proposal is also consistent with paragraphs 8 and 11 of the NPPF in securing sustainable development. It is therefore considered that the proposed development is acceptable in principle subject to the consideration of other matters.

Local Amenity, Landscape and Visual Impact

- 7.4 The visual amenity will be largely unaffected by the renewal of permission for the quarry site access road. There are no envisaged changes to how the site operates in terms of mineral operations and there is no increase in activity anticipated as a result of this application. Additionally, the quarry site is subject to noise limit conditions imposed on S73 application ref. C1/18/00013/CM in line with PPG for noise and including a requirement for the operator to produce and implement a scheme to monitor and control noise from the operations which is in line with the PPG for mineral development. As such, it is considered that whilst the current proposal represents the second occasion that the operator has sought to extend the length of time within which the development shall be completed, this is considered unlikely to result in an adverse

impact upon the amenity of local residents living in proximity to the site or to any nearby villages. It is therefore considered to be consistent with the principles of the NPPF paragraph 185 in relation to amenity protection, the guidance on noise contained within the PPG, which seek to ensure that there are no significant effects upon amenity arising from developments, adding further weight in support of this application.

- 7.5 It is noted that an objection has been received on the grounds of noise from the quarrying, however, this application currently under consideration solely relates to the retention of the site access. Consideration in relation to noise was undertaken in the determination of the S73 application ref. C1/18/00013/CM. Furthermore, this application has also been subject to consultation with the Richmondshire District Council Environmental Health Officer (EHO) and the District EHO has raised no objection to the proposal. Additionally, the proposal under the S73 application ref. C1/18/00013/CM does not alter the previously approved hours of operation, maximum noise levels or any other operational processes/practises, with the annual output from the site also not increasing. Furthermore, the mitigation measures in place through bunding and the mature tree planting between the plant site and the residential properties is considered sufficient to safeguard residents from any unacceptable impacts from the quarry site.
- 7.6 In light of the above it is considered that predicted noise levels arising from the development at the quarry site would remain within acceptable limits as defined in national planning guidance and the unavoidable noise from the site can be controlled and mitigated to minimise the impact. The proposal is therefore considered to be in compliance with the amenity protection elements of Policy CP3(c) of the Richmondshire Local Plan Core Strategy. It is also considered to be in compliance with MWJP Policy D02 in relation to noise which seeks to safeguard communities and residents from unacceptable impacts from noise.
- 7.7 With regard to the impacts on local air quality from traffic emissions it is noted that the application does not propose an increase in HGV traffic above the existing level and the traffic generated is not considered to be significant in terms of the air quality impact. The potential for dust generating sources have been recognised and assessed and there have been no objections raised by the District EHO. Furthermore, this application seeks the retention of existing site access rather than the formation of a new site access. It is therefore considered that the retention of the site access would not result in additional dust impacts as there would be no construction works required in relation to the site access. It is noted that there would be potential dust arising from the quarrying operation and vehicle movements; however, consideration in relation to dust has been undertaken in the determination of the S73 application ref. C1/18/00013/CM and mitigation measures put in place to ensure there are no significant effects. It is therefore considered that the dust can be sufficiently controlled and mitigated to minimise the impact in compliance with MWJP Policy D02 in regards to local amenity and cumulative impacts which seeks to safeguard communities and residents from unacceptable impacts in regards to dust. It is also considered to be in compliance with Policy CP3(c&e) of the Richmondshire Local Plan Core Strategy in regards to local amenity and is consistent with paragraph 211 of the NPPF.
- 7.8 In regards to visual impact, there are no objections from the County Council's Principal Landscape Architect and overall, there are no significant landscape or visual effects predicted as a result of the continued operation of the site for a further extended period. Additionally, it is not considered that the extension of time until 31st December 2025 for the retention of the site access would significantly alter the impact of the site which has been an established part of the visual landscape for over 20 years. Furthermore, it is considered that there is considerable screening to the quarry site on both the plant site and the extraction site and therefore the extension of time for the retention of site access would allow minerals extraction and restoration of the quarry to be completed.

It is therefore considered that the screening could protect the environment and residential receptors from potential landscape and visual impacts. The proposed retention of the site access would not result in any adverse impact upon the character of the area, and is considered consistent with the principles of the NPPF as outlined within paragraphs 174, 180, 185 and 211, PPG Guidance for the Natural Environment and in compliance with Policies CP3(j) and CP4(a) of the Richmondshire Local Plan Core Strategy.

Highways Matters

- 7.9 This proposal confirms that there would be no changes to the volume, method and direction of traffic flows. The ES for the S73 application, ref. C1/18/00013/CM, included a Transport Assessment (Chapter 8) of the impact of continued quarrying on various transport matters, including access only from Leeming Lane, sheeting of vehicles and HGV noise attenuation. This assessment has also been submitted for the current application for the retention of the quarry site access. The assessment confirms that there would be no changes to the volume, method and direction of traffic flows, with an average of 76 HGV vehicle movements per day at the site. The Highway Authority has not objected to the proposed retention of site access as the proposed development for the S73 application, ref. C1/18/00013/CM, would not increase HGV movements above those already permitted for the quarry site and therefore the proposal for both applications i.e. the S73 application, ref. C1/18/00013/CM, and this application would not have a detrimental impact on the highway network. There are also existing wheel washing facilities on the existing quarry site and a mobile road sweeper, which are proposed to remain. Based upon the information and assessment made within the supporting Transport Assessment, the comments made by the Highway Authority and recommended mitigation, it is considered that the proposed development would not have a detrimental impact upon the highway network. Therefore, it is considered that the proposed development is compliant with the principles of the NPPF as outlined within paragraphs 104, 110 and 111 and the highway network elements of Policies CP3 and CP4 of the Richmondshire Local Plan Core Strategy.
- 7.10 It is acknowledged that an objection has been received on the ground that there is dirt on the road through the village by the trucks to and from the quarry. However, both the Highway Authority and National Highways have assessed the application and have not raised objection to the proposal. Additionally, the County Council has not had any complaints regarding mud or debris on the road from the site other than in the objection. Furthermore, the existing conditions which restrict HGV access to only via the existing access; require the access road to be kept clean and in a good condition; and the implementation of precautions to ensure HGVs leaving the site do not deposit mud or debris on the public highway shall be carried forward with any grant of planning permission (recommended Conditions 4-10 within Section 9.0 of this report refer).
- 7.11 The proposal relates to the existing infrastructure which receives support within MWJP Policy D03 which encourages the use of existing infrastructure and permitted transport of materials. The policy also states proposals for road transport is permitted, where necessary, when there is capacity within the existing network and there would be no unacceptable impact on local communities and businesses. Furthermore, this application would not lead to a material increase in traffic generation over that previously considered acceptable. The planning permission relating to the quarry combines operational controls and mitigation measures in order to ensure that the quarry operations are acceptable in terms of highways and transport and, where relevant, it is proposed to carry those controls forward with any grant of planning permission. In light of the above, it is considered that the traffic generated can be accommodated and would not have an unacceptable impact on highway safety, capacity or amenity. The proposal is considered to be in compliance with MWJP Policy D03 regarding transport and associated traffic impacts and Policy CP4(e) of the Richmondshire Local Plan Core Strategy.

- 7.12 It is noted that a number of conditions were imposed upon planning permission ref. C1/15/250/PA/F, dated 10 November 1993 for the quarry site to limit the impact of vehicle movements generated by the site on the surrounding highway network and upon local amenity, including HGV movements. It is proposed the same conditions are attached to this permission in regards to HGV movements are limited to 80 per day (40 in and 40 out), which is Condition no. 8 in the draft schedule of conditions within Section 9.0 of this report. Other such measures included restrictions on the permitted hours of working; the inclusion of measures to prevent the deposit of material on the highway network and the sheeting of vehicles. Additionally, relevant conditions from planning permission ref. C1/15/227A/PA/F, dated 13 March 1997 for the quarry site access in regards to removal of site access and restoration, visibility splays not obstructed; vehicle wheel washing facilities etc. is recommended to be carried forward should permission be forthcoming. It is considered appropriate that the conditions relating to further highway controls, imposed on the previous planning permissions for the quarry site including the site access which is now expired, are also brought forward. This would ensure that the proposed development does not result in any adverse impacts upon the local highway network in line with the principles of the NPPF paragraphs 104, 110 and 113 in relation to sustainable highway networks, and the highway protection elements of Policy CP4 of the Richmondshire Local Plan Core Strategy; all of which seek to ensure that vehicle movements generated by developments are both capable of being accommodated by, would not have an adverse effect upon the local highway network or prejudice the safety of the highway, adding further weight in support of this application.
- 7.13 For the reasons detailed above, notwithstanding the comments made by the objector to the application, it is considered that the proposal would not have an adverse impact upon the local highway network, which is capable of continuing to accommodate the proposed vehicle movements. Furthermore, it is considered that the impact upon the highway network is unlikely to be exacerbated by the retention of existing site access and therefore is acceptable. It is therefore considered that the proposed development is consistent with the NPPF and in compliance with MWJP Policy D03 and Policy CP4 of the Richmondshire Local Plan Core Strategy in regards to the highway safety.

8.0 Conclusion

- 8.1 There are no material planning considerations to warrant the refusal of this application for the part retrospective proposed retention of quarry access until 31st December 2025.
- 8.2 For the reasons mentioned above, it is therefore considered that, the proposed development is compliant with the policies which comprise the Development Plan currently in force for the area and all other relevant material considerations.

9.0 Recommendation

- 9.1 For the following reason(s):
- i) The development is in accordance with Policies CP1, CP3, CP4 and CP7 of the Richmondshire Local Plan Core Strategy (2014), Minerals and Waste Joint Plan policies I01, D01, D02 and D03 and overall is consistent with the NPPF (2021);
 - ii) The principle of the proposed development has been established through previous grant of planning permissions;
 - iii) The proposed development would not result in an adverse impact upon local amenity, visual or otherwise;
 - iv) The proposed development would not have an adverse impact upon the highway network; and

- v) The imposition of planning conditions would further limit the impact of the development on the environment, residential amenity, the transport network and restoration and aftercare.

That, **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

Conditions:

1. The permission hereby granted authorises the retention of quarry access until 31 December 2025. The quarry access road shall be removed and restored by 31 December 2025, in accordance with the Final Restoration Masterplan Plan Ref. P1/1413/10/6, dated September 2020, submitted for the adjoining mineral extraction site, application ref. C1/18/00013/CM dated 12 December 2017.

Reason: To reserve the rights of control by the County Planning Authority to ensure the restoration of the site in the interests of amenity.

2. The development hereby permitted shall be carried out in accordance with the application details dated 27 September 2022 (as amended) and the following approved documents and drawings:

<u>Ref.</u>	<u>Date</u>	<u>Title</u>
0719/P7/PLTHILL/1 LOC Rev A	Aug 2019	Location Plan
0719/P7/PLTHILL/2 SIT Rev A	Aug 2019	Site Plan – Part 1
0719/P7/PLTHILL/2 SIT Rev A	Aug 2019	Site Plan – Part 2
0819/P7/PLTHILL/3A	Aug 2019	Access Topographical Survey
No Ref.	Not dated	Chapter 8 – Transport Assessment

Reason: To ensure that the development is carried out in accordance with the application details.

3. The use of the site access hereby permitted, including the movement of plant and heavy good vehicles, shall take place except between the following times:
07.00 to 18.00 Monday to Friday;
07.00 to 13.00 Saturdays;
13.00 to 18.00 Saturdays (plant maintenance operations only);
And at no times on Sundays, Bank or Public Holidays.

Reason: To ensure that the development is carried out in accordance with the application details.

4. No vehicular access shall be gained to the plant site west of Leeming Lane except via the existing access onto Leeming Lane.

Reason: In the interests of highway safety.

5. Visibility splays providing clear visibility of 4.5 metres x 160 metres measured down the centre line of the access road and the nearside channel line of the major road shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: In the interests of highway safety.

6. Existing gates shall be kept a minimum distance of 20 metres back from the carriageway of the existing highway and shall open into the site for the duration of the development.

Reason: In the interests of highway safety.

7. Provision shall be made to prevent surface water from the site discharging onto the existing highway.

Reason: In the interests of highway safety.

8. The total number of vehicles carrying waste to the site must not exceed 80 per day (40 in and 40 out). Records of the number of HGV movements per day shall be maintained and made available to the County Planning Authority on request.

Reason: In the interests of highway safety.

9. Vehicle wheel washing facilities at the site shall be kept in place in full working order and available for use whilst the site is operational. All vehicles involved in the transport of waste or finished products from the site shall be thoroughly cleaned before leaving the site so that no mud or waste materials are deposited on the public highway.

Reason: In the interests of highway safety and amenity.

10. All vehicles involved in the transport of mineral to and from the site shall be securely sheeted or otherwise enclosed in such a manner as to prevent dust blowing from materials and to ensure no materials may be spilled onto the public highway.

Reason: In the interests of highway safety to prevent material being spilled onto the public highway and protect the amenities of the area.

11. A copy of the planning permission and any agreed variations and approved details and schemes and programmes for the purposes of the conditions, together with all the approved plans shall be kept available at the site office at all times throughout the operational life of the site and restoration and made known and available to managing and supervising staff on the site.

Reason: To ensure that site personnel are aware of the terms of the planning permission.

Statement of Compliance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant adopting a positive and proactive manner. The County Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose not to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

K BATTERSBY

Corporate Director, Business and Environmental Services
Growth, Planning and Trading Standards

Background Documents to this Report:

1. Planning Application Ref Number: C1/19/00587/CM (NY/2019/0130/FUL) registered as valid on 14 August 2019. Application documents can be found on the County Council's Online Planning Register by using the following web link: <https://onlineplanningregister.northyorks.gov.uk/register/>
2. Consultation responses received.
3. Representations received.

Author of report: Sukaina Devraj

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North Yorkshire County Council

Business and Environmental Services

Planning and Regulatory Functions Committee

15 NOVEMBER 2022

C5/2021/23435/NYCC - PLANNING APPLICATION FOR THE PURPOSES OF THE DEMOLITION OF EXISTING PREFABRICATED BUILDING UNITS AND CORRIDORS (339.7 SQ. METRES), CONSTRUCTION OF A SINGLE STOREY CLASSROOM BUILDING (973.7 SQ. METRES) WITH WALL MOUNTED PERIMETER LIGHTING, ERECTION OF GLAZED AND TIMBER CANOPIES (130.8SQ. METRES), SPRINKLER TANK PLANT BUILDING AND COMPOUND (68.4 SQ. METRES), EXTENDED CAR PARK AREA WITH 4 METRE HIGH LIGHTING COLUMNS, NEW PLAYGROUND, RUNNING TRACK AND FOOTPATHS (1,464.11SQ. METRES), 2 METRES HIGH FENCING AND GATES, TREE REMOVAL AND HARD AND SOFT LANDSCAPING WORKS ON LAND AT GREATWOOD COMMUNITY PRIMARY SCHOOL, PINHAW ROAD, SKIPTON, BD23 2SJ ON BEHALF OF CORPORATE DIRECTOR, CHILDREN AND YOUNG PEOPLE'S SERVICES (CRAVEN DISTRICT) (SKIPTON EAST ELECTORAL DIVISION)

Report of the Corporate Director – Business and Environmental Services

1.0 Purpose of the report

- 1.1 To determine a planning application for the demolition of existing prefabricated building units and corridors (339.7 sq. metres), construction of a single storey classroom building (973.7 sq. metres) with wall mounted perimeter lighting, erection of glazed and timber canopies (130.8sq. metres), sprinkler tank plant building and compound (68.4 sq. metres), extended car park area with 4 metre high lighting columns, new playground, running track and footpaths (1,464.11sq. metres), 2 metres high fencing and gates, tree removal and hard and soft landscaping works on land at Greatwood Community Primary School, Pinhaw Road, Skipton, BD23 2SJ on behalf of Corporate Director, Children and Young People's Services.
- 1.2 This application is subject to an objection from Sport England having been raised in respect of this proposal on the grounds of the loss of playing field and is, therefore, reported to this Committee for determination.

2.0 Background

Site Description

- 2.1 Greatwood Community Primary School is located within a residential area of two storey terraced properties, constructed from yellow brick, with pitched roofs. The site is bounded by the public highways of Pinhaw Road to the south and North Parade to the east. The nearest residential properties are located on Pinhaw Road approximately 10 metres to the west of the application site and 35 metres to the south.
- 2.2 The school site itself consists of the main school building of Greatwood Community Primary School to the south of the site, which is a non-denominational school for students aged between 3 and 11. The school is likely to have been built post World

War II and is constructed of yellow brick and is a single storey property with a flat roof. There are temporary units on site which are single storey wooden construction, finished in brown, with flat roofs, joined by a link corridor, with glass panelling. There is also an area of hard standing to the north of the main school building, which is surrounded by grass playing fields which has a steep gradient to the north.

- 2.3 The boundary to the site to the east is a 2-metre-high mesh fence, with the vehicular access along this boundary with North Parade. To the south, which is the main entrance to the school, along Pinhaw Road there is 2-metre-high mesh fencing, and a 2-metre-high deciduous hedge. To the west the boundary is a 2-metre-high deciduous hedge with the northern boundary having a mixture of 2-metre-high steel palisade and wooden post fencing and a 2-metre-high deciduous hedge.
- 2.4 Planning constraints relevant in the determination of this application, include that the school is located within the Skipton Conservation Area. The application is in the lowest category of Flood Zone which is Flood Zone 1. The site is within the Airfield Safeguarding Zone for Leeds Bradford Airport, the application is within the impact risk zone for SSSI's. There is a public right of way 05.37.46.1 running adjacent to the western boundary of the site which would not be affected by the proposed development.

Planning History

- 2.5 The planning history relating to the proposed development site relevant to the determination of this application is as follows: -
- Planning permission ref. C5/21/2016/17060 granted on the 14 September 2016 for the purposes of retention of prefabricated classroom unit 1320 (126 sq. metres) & prefabricated classroom unit 3928 (86 sq. metres) and link corridor for a further 3 years. Grant of planning permission was implemented and has now expired and replaced by permission C5/2019/20960/NYCC with unit 1320 having been taken off site.
 - Planning permission C5/63/2017/17973, granted on the 14 June 2017 for the purposes of demolition of existing temporary classroom unit (113 sq. metres), erection of double permanent prefabricated classroom unit (177 sq. metres) glazed walkway (19 sq. metres), fan coil units and 5 No. wall mounted external lighting. It was confirmed by a site visit that this grant of planning permission has been implemented.
 - Planning Permission ref. C5/2019/20960/NYCC granted on 31 October 2019 for a part retrospective planning application for the retention of an existing prefabricated classroom unit 3928 (86 sq. metres including link corridor) for a further 3 years which expired on the 12 June 2022. The temporary unit is still on site but would be removed as part of this application.

3.0 The Proposal

- 3.1 Planning permission is sought for the Demolition of existing prefabricated building units and corridors (339.7 sq. metres), construction of a single storey classroom building (973.7 sq. metres) with wall mounted perimeter lighting, erection of glazed and timber canopies (130.8sq. metres), sprinkler tank plant building and compound (68.4 sq. metres), extended car park area with 4 metre high lighting columns, new playground, running track and footpaths (1,464.11sq. metres), 2 metres high fencing and gates, tree removal and hard and soft landscaping works on land at Greatwood Community Primary School, Pinhaw Road, Skipton, BD23 2SJ.
- 3.2 The proposal includes a single storey extension with six classrooms, a multipurpose room, new entrance, and other supporting facilities. The applicant states there is an educational basic need to extend the school facilities to cater for additional pupils

arising from forthcoming housing completions within the Skipton area and the site would go from a single form to a two-form entry. The proposal includes the removal of two existing temporary classroom units and a link corridor from the existing school. The proposed development would be built on the same location as the existing units.

- 3.3 The proposed development also includes an additional Staffroom and associated welfare facilities (WC's) will also be provided. New KS1 entrance lobby and hub linking the existing school building with new classroom wing via stepped and platform lift level transition. The classroom extension would be 20 metres in width and 42.86 metres in length, with a further 11.24 metre connection to the existing building. The proposed extension includes a low-pitched roof with a 2 degree fall in a northern direction. The extension would include 3 roof lights.
- 3.4 Provision for new hardstanding play space to support the new extension with associated fencing, gates, and soft landscaping features. The provision of new hard informal and social areas would be in place around the new extension this would be split up with low level timber close boarded fencing with gates to divide the area between the infant's playground and nursery and reception playground.
- 3.5 The proposal also includes two canopies to the south of the extension building. One canopy over the corner of the new entrance with a flat roof approximately 6.13 metres in width. The canopies would include black colour coated metal rainwater goods; the entrance canopy would also include a circular roof light. Adjacent further west of the new entrance canopy would be a glazed canopy 42.43 metres in length, 4.81 metres in width and have a pitch of 3.8 degrees sloping south. The glazed canopy would be attached to the early years classroom and provide solar shade to the area beneath the canopy, as would be partly enclosed with vertical boarded panelling to provide screening of play equipment. To the west of this there would also be a pergola structure which would be 9.9 metres in length and 4.81 metres in width, it would be formed in dark stained timber framing that would serve as support for the glazed canopy structure. The canopies would be approximately 3 metres in height and significantly less than the height of the proposed school building which is 4.92 metres in height.
- 3.6 The windows of the proposed building and glazed canopy would be white in colour and coated metal; the windows would have opening lights which are top hung for ventilation purposes and interior window blinds. New external door framed set would be glazed and have white colour coated metal frames. The proposal includes external wall mounted lighting around the perimeter of the proposed extension which would be controlled via an internal smart photocell sensor and additional control by a 24/7 digital time clock and override switch.
- 3.7 In regard to landscaping works due to the sites topography level changes would be required, however the proposed extension has been designed to minimise cut and fill across the site and provide a low gradient within the extension and new playing field area. There would be new planting on the southwestern corner of the site to accommodate the new site gradient. A new external staircase and retaining wall structure would be incorporated north of the proposed extension to link between the existing and proposed levels. This would include facing brick walls, paving slab steps and colour coated metal handrails.
- 3.8 In regard to trees the scheme would require the removal of seven trees of these trees four have been assessed to be removed due to the scheme and three due to the poor quality of the trees (T6 ash – to the east of the site and T24 cherry and T28 sweet chestnut on the northern boundary of the site). The four trees to be removed due to the scheme are located in the car parking area on the southeast of the site (T47

beech, T48 oak, T49 cherry and T50 maple). The proposal would include a new planted shrub area to the south of the extension.

- 3.9 The proposal also includes the conversion of the external area currently occupied by the nursery play into additional car parking, the early year's provision play area would be relocated to the new extension. This development will provide an increased onsite parking facility for staff and visitors from the current 8 car parking bays to 20 car parking bay spaces that will include 2 accessible car parking spaces within this provision. The transport assessment stated that the school expansion could be expected to generate up to an additional 88 two-way vehicle trip movements during the respective am and pm periods with 82 associated with pupils and 6 with staff. The transport assessment states the proposed expansion is not expected to have a significant impact on the operation of the local highways network. Pedestrian and vehicular access would remain unchanged following the proposed works on site. The car park would include four lighting columns which are four metres in height with LED heads incorporating smart technology to limit the impact and reduce light levels. All lighting would be set to prevent lighting being on after 8:30pm.
- 3.10 A temporary access road would be formed on site to provide access to the contractor compound area off Pinhaw Road, with a temporary vehicular turning area. The contractor's compound would be enclosed with a 2-meter tall heras style metal fence. The proposed works would include the protection of trees for the duration of the works with a tree protection plan submitted. North of the new extension would be a sprinkler tank and pump compound surrounded by fencing.
- 3.11 The proposal would rise staffing from 30 full time equivalent to 40 full time equivalent staff to cater for the needs of the increased pupil numbers.

4.0 Consultations

- 4.1 The consultees responses summarised within this section of the report relate to responses to the initial consultation on 18th October 2021.
- 4.2 **Craven District Council (Planning)** - A response was received on 22 March 2022 stating views on three options for the mitigation of the loss of playing field through the application, after an objection from Sport England. The three options were option 1 engineering works to provide an on-site all-weather artificial pitch in the northeast of the site, option 2 engineering works to provide a new sports pitch on land to the west of the school site and option 3 which was improvement works to Sandyland Playing Field which is used by the school at present as a sports facility.

Option 1 response

Craven stated the 2016 playing field strategy identified two 5v5 natural turf pitches which were not community accessible but available for educational use by Greatwood School, this was used as a baseline for the 2021 Playing Field Strategy (PPS) update which did not include Greatwood Primary school as a community facility. The response states the FA pitch dimensions guidance for 5v5 (age U7/U8) with run off area is 43x33m, for 7v7 (age U9/U10) 61x43m and for 9 v9 (U11/U12) 79x52m. An artificial pitch has greater carrying capacity however would require a buffer zone around the pitch and it is unclear if the required size pitch would be able to be implemented. The site would also still lose a sports pitch going from two to one.

Option 2 response

The area is known as Upper Sackville Recreation Ground on the CDC Arc GIS mapping and is included in the Open Spaces Strategy 2016 Annex E and is identified as a Skipton Town Council asset as Middletown Recreation Ground and they are responsible for the land. The 2021 Playing Pitch Strategy (PPS) refresh identified there are sufficient football pitches in the district and that the priority is to improve the

quality of pitches. The location stated is not identified as a marked pitch and is classed as closed, with the town council not listing it on its asset register. The pitch is not required to be reinstated as a community asset. Given Greatwood School pitches are only for educational use and there is no need for additional pitches in the PPS is not a realistic option to mitigate the loss of the playing fields.

Option 3 response

Improvements to Sandylands Playing Fields. These pitches are currently available for use by the school as a sports facility. The response states there is a need to make pitch quality improvements at Sandylands and following the PPS 2021 refresh work is being progressed on the actions in relation to this. However, this is early days and at project planning phase with the scope and budget yet to be determined with timescales unknown at present. Therefore, the outcome of the project may not result in an option which would enable Greatwood School to mitigate the loss. Given the unknowns surrounding this, it's timescales and the overall holistic approach to the improvements at Sandylands with a range of stakeholders it also does not present a realistic option to fit with timescales of the Greatwood School development proposals.

- 4.3 **Skipton Town Council** – No response received to date and chased on 27 July 2022.
- 4.4 **Environmental Health Officer (Craven)** - A response was received requesting conditions in regard to noise and dust from the development. Specifically, regarding hours of use for construction and site preparation and a dust management scheme.
- 4.5 **Highway Authority**– A response was received on 25 July 2022 stating the proposed alterations would have little effect on the highway with further parking provided but required a construction phase management plan to be conditioned to any application prior to the commencement of development.
- 4.6 **NYCC Heritage - Principal Landscape Architect** – A response was received stating concerns in regard to external area calculations set against recommendations in BB103 (2014) (this is a non-statutory document giving guidelines on minimum internal and external areas for school's dependant on its pupil numbers) and the quality of this fall short of recommended minimum. In particular the Hard and Soft Outdoor PE space to accommodate the 420 pupils which is double the current 210 pupils. The landscape officer states would be possible to improve the playability of the fields by providing an all-weather playing surface. Updated BB103 calculations have been received (as shown as appendix e and f attached to this report) and after discussion between the agent and the landscape officer an outline landscape scheme is to be provided to show further mitigation for the loss of the playing pitch and outline details of planting proposed on site. A further the Site and Block Plan (Ref. 20031_APP_00_GF_DR_A_421197 Rev DF3, dated 1 September 2022), attached to this report as appendix B shows the mitigation to be provided.
- 4.6.1 After discussions between the agent and the landscape officer and amended plans being submitted a further landscape response was received on 30th September 2022 which states the revised Site & Block Plan (Ref. 20031_APP_00_GF_DR_A_421197 Rev DF5, dated 15 September 2022), provides some improvements to the previously submitted external works scheme, particularly by protecting trees to the west of the site which were originally to be removed and ensuring existing hedgerow is retained to the south of the school site along with additional boundary hedgerow planting. The scheme also includes amendments to the field area to the northeast of the site being amending the layout of the running track and habitat area to allow more general use of grassed area, however the existing cross fall gradients of the field area are approximately 1:13.5 gradient which is steeper than recommended for a formal grass pitch which is recommended to be 1:40 gradient. If feasible the landscape officer states this should be re-graded. The landscape officer requests a condition in regard

to a detailed landscape scheme with the addition of further clarification of the habitat area and that trees to be replaced should be at a ratio of 3:1.

- 4.7 **NYCC Heritage - Ecology** – A response was received on 18th October 2021 stating appropriate ecological surveys have been completed including a bat survey which shows that the affected buildings do not support roosting bats. The ecologist requests the recommendations within the PEA are conditioned in regard to an ecological watching brief, cover excavations overnight to avoid entrapment of wildlife and timing of vegetation clearance to avoid nesting birds. The report also states conditions in regard to bats are required in regard to the removal of roost features and provision of 2 bat boxes. The ecologist also requests the post-construction lighting requires a review as generic guidance is uninformative. Finally stating ornamental ground cover is disappointing but the proposed hedgerow and species mix is appropriate.
- 4.8 **NYCC Arboricultural Officer** – No response received to date and chased on 27 July 2022.
- 4.9 **The Lead Local Flood Authority (SuDS)** - A response was received on 4th November 2021 stating further information was required in regards to flood risk specifically in regards to the implications of splitting an existing overland flow route, run-off destinations demonstrating rationales, infiltration and soakaway testing results, information on if infiltration is unsuitable a connection to the culverted watercourse, drainage calculations are requested detailing the design, a further exceedance plan has been provided and a SuDS maintenance schedule. A further response was received on 14 December after a SuDS maintenance schedule has been submitted however the LLFA stated the information was still insufficient with the same issues outstanding. Further information was submitted on 24th June 2022 and response was received on the 29th of July 2022 stated that the information submitted was still lacking detail and further clarification was still required prior to determination.
- 4.9.1 Discussions between the LLFA and the agent's drainage consultant took place in September 2022 with further information being submitted. The information submitted during this period was not deemed to be acceptable. A meeting to resolve the LLFA issues took place in October 2022 and further information in regard to updated impermeable areas and attenuation solutions. A response was received on the 3 November 2022 stating the principle and the location of the discharge is acceptable and the layout submitted is as it was discussed in the meeting. On this basis the LLFA have no objection to the application subject to a detailed design condition being attached to any permission in accordance with the principles agreed in the Proposed Drainage Plan Attenuation Creates Solution Plan (Ref. 20031 D201 Rev 6, dated 2 November 22).
- 4.10 **Sport England** – Originally Sport England were consulted as a statutory consultee in accordance with the Town and Country Planning (Consultation) (England) Direction 2021 and a response was received on 28th October 2021 objecting to the application, due to the loss of playing field. The proposal is split into three parts the first is the extended car park and frontage of the site which the consultee has no issues with, the second is the single storey classroom extension which results in the loss of playing field and third is the re-provision of that playing field area with the re-configuration of an existing running track. Firstly, it is stated that the running track was constructed without planning permission or Sport England consultation, which has resulted in a significant loss of playing field and does not allow a single pitch of a required standard size for 5v5 (U7/U8 football pitch measuring 43mx31 metres). The proposal does not meet any of the five Sport England exception or NPPF paragraph 97 (corrected to 99) in regard to the loss of playing fields and therefore object to the proposed development. It is considered that a replacement playing field should be considered which has potential to meet exception 4.

- 4.10.1 Further correspondence between Sport England and the County Planning Authority took place regarding the three options stated in the Craven planning response paragraph 4.2. In regard to these Sport England stated:
1. Artificial pitch. Sport England would not support the option of an artificial pitch as would lead to further loss of natural playing turf.
 2. Adjacent Playing pitch. Sport England indicated previously what would be required in terms of this with the removal of the playing equipment. However, it is understood this is not supported by the district council
 3. Sandylands. Sport England confirm that the comments from the district indicate that this would not appear to be appropriate mitigation.
- 4.10.2 In the response from Sport England it states that the application is to be reported to the Planning Committee with the Sport England objection along with all other material considerations and if on balance the proposals are supported following the County Council Assessment then in accordance with The Town and Country Planning (Consultation) (England) Direction 2021, the application should be referred to the Secretary of State, via the National Planning Casework Unit.
- 4.10.3 On the 13 September 2022 the County Planning Authority contacted Sport England stating the authority no longer considered that the development is subject to the Direction in accordance with the definition of “playing field”. Therefore, the consultation was now considered to be non-statutory. Nevertheless, a response was received on the 27 September stating Sport England maintains its objection to the planning application and the representation should be considered as a material consideration in determining the planning application.
- 4.11 **Conservation Officer (Craven District Council)** – No response received to date and chased on 27 July 2022.
- 4.12 **Natural England** – A response was received on 26th October 2021 stating no comments in regard to the application.
- 4.13 **NYCC Public Rights of Way Team** - A response was received don 18th October 2021 stating if the adjacent public right of way is impacted by the development a diversion order would be required, with further information on the process for this in the consultation response.
- 4.14 **Yorkshire Water** – A response was received on 18 November 2021 commenting specific conditions should be attached to any permission in regard to the separate drainage systems for foul and surface water. In regard to wastewater the consultee states that a 150mm foul sewer crosses and gas no objection to the foul water proposals in the application.

Notifications

- 4.15 **County Cllr. Robert Heseltine** was notified of the proposed application on the 18 October 2021.

5.0 Advertisement and Representation

- 5.1 The proposal has been advertised by means of three Site Notices posted on 12 November 2021 (responses to which expired on 3 December 2021). The Site Notices were posted in the following locations: one to southwest of the site on the corner of the site on Pinhaw Road, one at the site entrance on Pinhaw Road and another east of the site on North Parade. A Press Notice appeared in the Craven Herald on 28 October 2021 (responses to which expired on 18 November 2021).

- 5.2 Neighbour Notification letters were sent on 18 October 2021 and the period in which to make representations expired on 17 November 2021. The following properties received a neighbour notification letter:
- 40, 42, 50-66 (Even Numbers) Pinhaw Road, Skipton, North Yorkshire BD23 2SL.
 - 53 Pinhaw Road, Skipton, North Yorkshire BD23 2SL.
 - Greatwood Community Centre, North Parade, Skipton BD23 2SR.
 - 37-51 (Odd Numbers), North Parade, Skipton BD23 2SH.
 - 62-72 (Even Numbers), North Parade, Skipton BD23 2SH.
 - 81, 83, 85, 87, 89 And 91 Rombalds Drive, Skipton, BD23 2SW.
 - A C F, North Parade, Skipton, BD23 2SR.
- 5.3 No representations have been received in response to the abovementioned advertisement of the application.

6.0 Planning policy and guidance

The Development Plan

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In this instance, therefore, the *Development Plan* consists of policies contained within a number of planning documents. These documents include:
- any extant planning policies contained within Plan(s) adopted by the County and District (or Borough) Councils ‘saved’ under direction of the Secretary of State; and,
 - any planning policies contained within *Development Plan* Documents adopted under the Local Development Framework regime.
- 6.2 The Craven Local Plan (adopted 2019) has particular relevance in the determination of this application and the policies most relevant include:
- Policy SD1: The presumption in favour of sustainable development.
 - Policy SD2: Meeting the Challenge of Climate Change.
 - Policy ENV1: Countryside and Landscape.
 - Policy ENV2: Heritage.
 - Policy ENV3: Good Design.
 - Policy ENV4: Biodiversity.
 - Policy ENV6: Flood Risk.
 - Policy ENV9: Renewable and Low Carbon Energy.
 - Policy INF2: Community Facilities and Social Spaces.
 - Policy INF3: Sport, Open Space and Recreational Facilities.
 - Policy INF4: Parking Provision.
 - Policy INF6: Education Provision.
- 6.3 Policy SD1 of the Craven Local Plan in regard to the Presumption In Favour Of Sustainable Development *states: “The Craven local plan provides a positive planning framework for guiding development and change in Craven in line with national planning policy. At the heart of the local plan is the aim to deliver sustainable growth. The council will take a positive and proactive approach to the consideration of development proposals that reflects the presumption in favour of sustainable development that is contained in the national planning policy framework (NPPF). The council will take a proactive approach and will work co-operatively with people and organisations wishing to carry out development and applying for planning*

permission, to find solutions to secure sustainable development that meets relevant plan policies and can be approved wherever possible.

Development that accords with the provisions of the local plan (and neighbourhood plan where applicable) will be approved unless material considerations indicate otherwise.

Where the local plan (or neighbourhood plan where applicable) is silent, or where relevant policies have become out of date, proposals for development will be approved, unless there are sound planning reasons why development should not be approved, taking into account whether:

*a) any adverse impacts of development would outweigh the benefits, when assessed against the national planning policy framework (taken as a whole); or
b) specific policies in the national planning policy framework indicate that development should be restricted.”*

6.4 This policy is in line with paragraph 167 and 169 within Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) of the NPPF and as such full weight can be given to this Policy in the determination of this application.

6.5 Policy SD2: Meeting The Challenge Of Climate Change states *“The Craven local plan adopts proactive strategies to mitigate and adapt to climate change, when guiding developmental change in Craven in line with national planning policy. The local plan supports the move to a low carbon future, and in this regard the local plan:*

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- 1) proposes new development in locations which reduce greenhouse gas emissions and adopts a spatial strategy which provides for such a spatial framework.*
- 2) proposes new development in locations of low flood risk.*
- 3) actively supports energy efficiency improvements to existing buildings, and*
- 4) supports renewable and low carbon technologies.*

The local plan takes account of climate change over the long term, including factors such as flood risk, water supply and changes to biodiversity and landscape. New development will be planned to reduce vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which may be vulnerable, care will be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.”

6.6 This policy is in line with paragraph 11 within Chapter 2 (Achieving Sustainable Development) of the NPPF which deals with the presumption in favour of sustainable development and as such full weight can be given to this Policy in the determination of this application.

6.7 Policy ENV1 in regard to Countryside and Landscape states: *“Sustainable growth will ensure that the quality of Craven’s countryside and landscape is conserved for future generations to enjoy; and those opportunities to restore and enhance the landscape are taken wherever possible. To achieve this, the Council will:*

a) Expect new development proposals, in those areas not subject to national landscape designations, to respect, safeguard, and wherever possible, restore or enhance the landscape character of the area. Proposals should have regard to the relevant Landscape Character Appraisal/Assessment, and specifically to the different landscape character types that are present in the plan area. Regard should also be had to the relevant profiled Natural England Character Areas (listed at para 5.5) and the North Yorkshire and York Landscape Characterisation Project (2011) (or successor documents). Proposals will show how they respond to the particular character area and type they are located within....

e) Support proposals that secure the restoration, preservation, and where possible enhancement of the public rights of way network, including the improvement of

existing public rights of way, the creation of new public rights of way and the promotion of disabled access to the countryside.

f) Exterior lighting proposed as part of any new development should be the minimum required and only appropriate to its purpose, so as to protect the area's natural surroundings and intrinsic darkness. Proposals for exterior lights shall demonstrate there is no significant adverse effect, individually or cumulatively, on; the character of the area; the visibility of the night sky; biodiversity (including bats and light sensitive species); and residents, pedestrians, or drivers.

- 6.8 This policy is in line with paragraph 130 within Chapter 12 (Achieving Well Designed Places) of the NPPF which deals with developments add to the quality of the area and are visually attractive and as such full weight can be given to this Policy in the determination of this application.
- 6.9 Policy ENV2 in regard to Heritage states: *“Craven’s historic environment will be conserved and, where appropriate, enhanced and its potential to contribute towards the economic regeneration, tourism and education of the area fully exploited. This will be achieved through: -*
- a) Paying particular attention to the conservation of those elements which contribute most to the District’s distinctive character and sense of place. These include: -*
- iv) The historic market towns of Skipton and Settle....*
- c) Supporting proposals that would preserve or enhance the character or appearance of a Conservation Area, especially those elements which have been identified in a Conservation Area Appraisal as making a positive contribution to its significance....”*
- 6.10 This policy is consistent with the objectives of Chapter 16 of the NPPF (Conserving and Enhancing the Historic Environment) and therefore full weight should be given to this policy.
- 6.11 Policy ENV3 in regard to Good Design states: *“Good design will help to ensure that growth in Craven results in positive change, which benefits the local economy, environment and quality of life, including health and wellbeing. This will be achieved by following the general design principles set out in broad terms below:*
- Context
- a) Development should respond to the context and proposals should be based on a proper understanding and appreciation of environmental features, including both natural and built elements such as landscape, topography, vegetation, open space, microclimate, tranquillity, light and darkness.*
- b) Designs should respect the form of existing and surrounding buildings including density, scale, height, massing and use of high-quality materials which should be locally sourced wherever possible.*
- c) Development should be legible and create a sense of place by maintaining, enhancing, and creating good townscapes with beneficial elements like views, vistas, enclosures, focal points, public art, backcloths, and landmarks.*
- d) Development should seek to enhance local distinctiveness through maintaining good aspects of the local environment, improving poorer aspects, and adding new aspects that benefit the local environment.*
- e) Development should protect the amenity of existing residents and business occupiers as well as create acceptable amenity conditions for future occupiers.*
- f) Development proposals should be able to demonstrate that they will secure a good standard of amenity for all existing and future occupants of land and buildings,*
- Infrastructure
- g) Designs should anticipate the need for external storage space within new developments, including space for the storage and collection of non-recyclables and recyclable waste.*
- h) Necessary services and infrastructure should be able to be accommodated without causing harm to retained features or result in visual clutter.*

Ensuring Development is Accessible

i) Reasonable provision should be made to ensure that buildings and spaces are accessible and usable and that individuals, regardless of their age, gender or disability are able to gain access to buildings and to gain access within buildings and use their facilities, both as visitors and as people who live and work in them.

j) Development should be permeable and should make getting around easier— especially for pedestrians, cyclists, and people with disabilities— by improving existing routes, adding new ones, and creating connections to enhance the local network....

l) Schemes should seek to incorporate secure storage for bicycles to encourage sustainable modes of travel.

Art And Culture

m) Development should promote socialising, recreation, art, health, and wellbeing, by maintaining and improving existing public spaces and by creating new public spaces, such as parks, squares, and other areas of public realm.

Designing Out Crime

o) The design of all new developments will be required to promote safe living environments, reduce opportunities for crime and the fear of crime, disorder, and anti-social behaviour.

6.12 This Policy is considered to be consistent with the NPPF's objectives in terms of section 12 which relates to the importance of achieving a good quality of design to ensure a good quality and standard of amenity for all existing and future occupants. Therefore, full weight can be given to this policy in the determination of this application.

6.13 Policy ENV4 in regard to Biodiversity states: "Growth in housing, business and other land uses on allocated and non-allocated sites will be accompanied by improvements in biodiversity. This means that:

a) Wherever possible, development will make a positive contribution towards achieving a net gain in biodiversity and in particular will:

.... ii) Ensure that there is no adverse impact on any national or local designated sites and their settings, unless it has been demonstrated to the satisfaction of the local planning authority that the benefit of and need for the development clearly outweighs the impact on the importance of the designation.

iii) Avoid the loss of, and encourage the recovery or enhancement of ecological networks, habitats, and species populations (especially priority habitats and species as identified in the Craven Biodiversity Action Plan, 2008 or any subsequent update) by incorporating beneficial biodiversity features in the design (i.e., through landscaping or SuDS).

iv) Conserve and manage the biodiversity and/or geodiversity value of land and buildings within the site.

v) Increase trees and woodlands by incorporating appropriate planting, using native and locally characteristic tree and plant species where possible, and retaining and integrating existing mature and healthy trees and hedgerows that make a positive contribution to the character, appearance and setting of an area.

vi) Ensure there is no deterioration in the Water Framework Directive ecological status of surface or ground waterbodies as a result of the development.

vii) Enable wildlife to move more freely and easily throughout the local environment, including both the natural and built elements.

b) Development proposals should achieve benefits in biodiversity that are equal to, or where possible exceed the biodiversity value of the site prior to development. Where improvements in biodiversity are achievable these should be on site; however, if this

is not possible or practical, an equivalent) improvement should be provided off-site by way of mitigation; ideally, this should be as close to the site as possible.

c) Development proposals that result in a significant loss in, or harm to, biodiversity on site, and where no compensatory measures are proposed, will be resisted.

d) Would-be developers should be aware that compensation through replacement of biodiversity assets may not be practical or realistic in every case (e.g., recreating ancient woodland or ancient wood pastures) and that any development scheme based on such impractical or unrealistic proposals will not be acceptable.

- 6.14 This policy is in line with Chapter 15 (Conserving and enhancing the natural environment) of the NPPF which deals with biodiversity and as such full weight can be given to this Policy in the determination of this application.
- 6.15 Policy ENV6 in regard to Flood Risk states: “*Growth in Craven will help to avoid and alleviate flood risk in the following ways:*
- a) Development will take place in areas of low flood risk wherever possible and always in areas with the lowest acceptable flood risk, by taking into account the development ‘s vulnerability to flooding and by applying any necessary sequential and exception test.*
- b) Development will safeguard waterways and benefit the local environment (aesthetically and ecologically) by incorporating sustainable drainage systems (SuDS); where the use of SuDS is not possible, feasible or appropriate other means of flood prevention and water management should be used. All surface water drainage systems (SuDS or other) should be economically maintained for the lifetime of the development....*
- ...d) Development will avoid areas with the potential to increase flood resilience and seek to enhance as far as possible the natural capacity of soils, vegetation, river floodplains, wetland, and upland habitats to reduce flood risk.*
- e) Development will minimise the risk of surface water flooding by ensuring adequate provision for foul and surface water disposal in advance of occupation (as per standards set out by the Environment Agency and subsequent updates to the standards, see Appendix C). Surface water should be managed at the source and not transferred, and every option should be investigated before discharging surface water into a public sewerage network.*
- f) Development will maximise opportunities to help reduce the causes and impacts of flooding by ensuring adequate sufficient attenuation and long-term storage is provided to accommodate storm water on site without risk to people or property and without overflowing into a watercourse (as per standards set out by the Environment Agency and subsequent updates to the standards, see Appendix C).*

In all of the above, it will be important to refer to the latest and best flood risk information from Craven ‘s strategic flood risk assessment and any relevant site-specific flood risk assessment, plus advice from the Environment Agency and the contents of the NPPF.”

- 6.16 This policy is in line with Chapter 9 (climate change, flooding and coastal change) of the NPPF which deals with the presumption in favour of sustainable development and as such full weight can be given to this Policy in the determination of this application.
- 6.17 Policy INF2 in regard to Community Facilities and Social Spaces states: “*Craven’s community facilities will be improved, and new ones will be created, to meet the needs of the local community as it grows and changes over time. This will help to promote health, wellbeing and equality and will be achieved in the following ways: Where new community facilities or improvements to existing community facilities are proposed and it can be demonstrated that there is a local need for the facility, encouragement and support will be given to: -*

- a) *Development proposals that are of a scale that is in keeping with the location; the proposed facilities or spaces are well located and accessible and there would be no significant adverse impact on residential amenity.*
- b) *Innovative schemes for sustaining or improving community facilities, including opportunities to secure benefits from locating new community assets with or alongside other forms of development....”*

- 6.18 This policy is in line with Chapter 9 (Promoting Health and Safe Communities) of the NPPF which deals with planning positively for community facilities and as such full weight can be given to this Policy in the determination of this application.
- 6.19 Policy INF3 in regard to Sport, Open Space and Recreational Facilities states:
“Craven's growth will promote health, wellbeing, and equality by safeguarding and improving sport, open space and built sports facilities. This will be achieved in the following ways.
- a) *Supporting proposals for the provision of new sport, open space and built sports facilities, or for the improvement of existing sport, open space and built sports facilities, including facilities for temporary events, provided the proposals are of a scale in keeping with the location, are well located and accessible by different modes of transport including walking, cycling and public transport and accord with all relevant local plan policies and any relevant neighbourhood plan policies....*
 - c) *New provision or contributions towards improving existing spaces and facilities must cater for the needs arising from the development. Where a quantity deficiency exists in a location, the Council will seek, where possible, on-site provision of facilities and will expect appropriate arrangements to be made for their on-going maintenance. Where the locality has a deficiency in the quality of existing open space or sports and recreation facilities, the Council will require a contribution to be made to address that qualitative deficiency off-site. Deficiencies are identified in the Playing Pitch Strategy, Open Space Assessment and Built Sports Facilities Strategy 2016 and any subsequent updates when compared against minimum standards. The requirement for either on-site or off-site provision will be calculated by applying the standards and formula set out in Appendix A*
 - d) *Safeguarding existing sport, open space and built sports facilities from unnecessary and avoidable loss.*
This means that development proposals involving the loss of sport, open space or built sports facilities will only be supported in the following limited circumstances.
 1. *A surplus in the relevant type of sport, open space or built sports facility has been identified, in the locality, by the Playing Pitch Strategy, Open Space Assessment and Built Sports Facilities Strategy 2016 (or any subsequent updates), and the site cannot be reused or adapted to meet an identified deficit in another type or form of sport, open space or recreational facility; or*
 2. *An equivalent replacement sport, open space or built sports facility, the benefit of which will be at least equal to that being lost, is to be provided on the site or in an accessible location nearby; or*
 3. *If specific sites are identified in an up to date Playing Pitch Strategy, Built Sports Facilities Strategy or Open Space Assessment as being partially surplus, and therefore can be developed in return for improvements, the partial loss of a site may be justified where evidence is provided and where a proposal is supported by the relevant National Governing Bodies for Sport.*
- 6.20 This policy is in line with Chapter 9 (Promoting Health and Safe Communities) of the NPPF which deals with planning positively for community facilities and as such full weight can be given to this Policy in the determination of this application. Specifically, in regard to paragraph 99 of the NPPF it is considered that Policy INF3 complies with the national framework by safeguarding existing sport facilities, open space and built sports facilities from unnecessary and avoidable loss. Although policy INF3 gives slightly more flexibility in part (d)(2) with the addition of the phrase *“the benefit of*

which will be at least equal to that being lost” meaning that the loss can be acceptable if the benefit is equal to the loss instead of the NPPF wording of *“equivalent or better provision in terms of quantity and quality in a suitable location”*. Although there is a slight difference, the thrust of the development plan policy is compliant with the NPPF and therefore significant weight can be given to the policy.

- 6.21 Policy INF4 in regard to *Parking Provision* states: *“New developments will help to minimise congestion, encourage sustainable transport modes and reduce conflict between road users by ensuring proper provision and management of parking for cars and other vehicles. This will be achieved in the following ways:*
- a) The provision of safe, secure, and convenient parking of an appropriate quantity including the need for parking or secure storage for cars, cycles, and motorcycles, and where relevant, coaches and lorries.*
 - b) The provision of appropriate parking space for cars, motorised two-wheel vehicles, disabled parking and operational service requirements having regard to the nature and circumstances of the proposed development. The Council will adopt a flexible approach with each case being determined on its own merits, enabling good design solutions to be achieved.*
 - c) In areas where anti-social parking is a recognised problem or potentially exists for a problem to arise impacting on the quality of life or vitality of an area, the Council will work with developers to ensure existing problems are not made worse or new problems created.*
 - d) In drawing up and determining proposals for new development, relevant consideration will be given to any likely impacts on public off-street parking and parking on the public highway (on-street parking).*
 - e) Encouragement will be given to the increased use of low emission vehicles, including where appropriate the provision of electric vehicle charging points.*
 - f) The incorporation of sustainable drainage systems (SuDS), permeable surfacing materials and means of protecting water quality in drainage schemes for example through oil interceptors should be ensured.*
- 6.22 This policy is in line with Chapter 9 (Promoting Sustainable Transport) of the NPPF which deals with creating appropriate and safe parking and as such full weight can be given to this Policy in the determination of this application.
- 6.23 Policy INF6 in regard to *Education Provision* states: *“Craven’s growth will ensure that a sufficient choice of school places is available to meet the needs of existing and new residents. This will be achieved in the following ways:*
- a) Supporting proposals for the provision of new, replacement and extended or altered schools which are of a scale in keeping with the location, are accessible and accord with all relevant local plan policies and any relevant neighbourhood plan policies.*
 - b) Unless the educational need is met elsewhere in Skipton, 1.8 hectares of land will be safeguarded for new primary school provision in Skipton within the following sites allocated in the Local Plan, in accordance with Policy SP5: i. SK0081, SK0082, and SK0108: Land north of Gargrave Road and west of Park Wood Drive and Stirtonber, and ii. SK089 and SK090: Land to the north of Airedale Avenue and Elsey Croft and east of the railway line.*
- 6.24 Chapter 8 of the National Planning Policy Framework (NPPF), entitled ‘Promoting Healthy Communities’, emphasizes the role that the planning system can have in achieving healthy, inclusive communities. Specifically, paragraph 92 states that planning policies and decisions should *‘plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments*. As well as paragraph 95 of the NPPF which attaches great importance to ensuring that a choice of school places is available to meet the needs of existing communities, and that great weight

should be given to the need to expand and alter schools in order to meet that need. Policy INF6 is considered to be consistent with the NPPF objectives as it relates to the delivery of facilities related to the provision of education and therefore full weight can be applied in determining this application.

- 6.25 **Policy INF7:** Sustainable Transport And Highways states: *“The minimisation of greenhouse gases and congestion, and the provision of safe and accessible travel facilities will be supported by maximising the opportunities for travel by sustainable transport modes; avoiding severe residual cumulative impacts of development relating to transport; and the design of safe and convenient access to transport facilities. This will be achieved through:*
- a) working in partnership with the local highway authority, other authorities, local enterprise partnerships, transport providers, developers, and local groups to implement Policies SP5 (Site SK140), ENV3 i to l), ENV11 and 12, INF4e) and SP2c) of the Local Plan, and*
 - i. promote a sustainable and improved transport system which is safe, reliable, and convenient,*
 - ii. improve transport connectivity with the rest of North Yorkshire, the wider Leeds City Region, Lancashire, Cumbria, and Greater Manchester.*
 - b) maintaining a pattern of growth which reflects the spatial strategy and settlement hierarchy set out in Policy SP4 of the Local Plan.*
 - c) ensuring that all developments maximise opportunities to travel by non- car modes of transport through the location and design of new developments and developer contributions for off-site transport facilities, including securing access to transport facilities by walking and cycling.*
 - d) ensuring all developments that generate significant amounts of movement are supported by appropriate sustainable travel assessments, such as a Transport Statement, or Transport Assessment and a Travel Plan as reasonably required by the local highway authority, North Yorkshire County Council.*
 - e) providing safe, suitable, and convenient access to all development sites for all modes of transport and all people, including vulnerable users of the highway, and wheelchair-users, people with limited mobility and people with other disabilities.*
- 6.26 This policy is in line with Chapter 9 (Promoting Sustainable Transport) of the NPPF which deals with creating appropriate and safe transport and as such full weight can be given to this Policy in the determination of this application.

Other policy considerations:

- National Planning Policy Framework (2021)
- 6.27 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these are expected to be applied.
- 6.28 The overriding theme of Government policy in the NPPF is to apply a presumption in favour of sustainable development. For decision-making this means approving development proposals that accord with the development plan without delay (if plans are up-to-date and consistent with the NPPF). The Government defines sustainable development as that which fulfils the following three roles:
- a) “**an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.*
 - b) **a social objective** – to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

- 6.29 Within the NPPF, paragraph 11 of the Framework advises that when making decisions, development proposals that accord with the development plan should be approved without delay and when the development plan is absent, silent, or relevant policies are out of date, permission should be granted unless:
- i.) ‘the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii.) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole’.*
- 6.30 This national policy seeks to ensure that there are positive improvements in people’s quality of life including improving the conditions in which people live, work, travel and take leisure.
- 6.31 **Paragraph 55** states that *“Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition”.*
- 6.32 **Paragraph 92** within Chapter 9 (Promoting healthy and Safe Communities) of the NPPF states that *“Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*
- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages.*
 - b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear, and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas; and*
 - c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”*
- 6.33 **Paragraph 95** within Chapter 8 (Promoting healthy and safe communities) of the NPPF states that *“It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive, and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*
- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
 - b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.*
- 6.34 **Paragraph 99** within Chapter 8 (Promoting healthy and safe communities) of the NPPF states that *“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) an assessment has been undertaken which has clearly shown the open space, buildings, or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”

- 6.35 **Paragraph 104** within Chapter 9 (Promoting sustainable transport) of the NPPF states “Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:
- a) the potential impacts of development on transport networks can be addressed.
 - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated.
 - c) opportunities to promote walking, cycling and public transport use are identified and pursued.
 - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed, and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
 - e) patterns of movement, streets, parking, and other transport considerations are integral to the design of schemes and contribute to making high quality places.”
- 6.36 **Paragraph 110** within Chapter 9 (Promoting sustainable transport) of the NPPF states: “In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.
 - b) safe and suitable access to the site can be achieved for all users.
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”
- 6.37 **Paragraph 111** within Section 9 (Promoting sustainable transport) of the NPPF states: ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe,’
- 6.38 **Paragraph 112** within Chapter 9 (Promoting sustainable transport) of the NPPF states that “within this context, applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – as far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport.
 - c) create places that are safe, secure, and attractive – which minimise the scope for conflicts between pedestrians, cyclists, and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations.

- 6.39 **Paragraphs 130** within Chapter 12 (Achieving Well Designed Places) of the NPPF states Planning policies and decisions should ensure that developments:
- 'A) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.*
 - b) are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping.*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work and visit.*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*
- 6.40 **Paragraphs 131** within Chapter 12 (Achieving Well Designed Places) of the NPPF states “*Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.*”
- 6.41 **Paragraphs 167** within Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) of the NPPF states “*Planning policies and decisions should ensure that developments: When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location.*
 - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment.*
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate.*
 - d) any residual risk can be safely managed; and*
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”*

- 6.42 **Paragraphs 169** within Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) of the NPPF states: *“Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*
- a) take account of advice from the lead local flood authority.*
 - b) have appropriate proposed minimum operational standards.*
 - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
 - d) where possible, provide multifunctional benefits.”*
- 6.43 **Paragraph 174** within Chapter 15 (Conserving and enhancing the natural environment) of the NPPF sets out a number of principles for determining planning applications which aims to conserve and enhance biodiversity. These include:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).*
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.*
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate.*
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.*
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
 - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*
- 6.44 **Paragraph 180** within Chapter 15 (Conserving and enhancing the natural environment) of the NPPF states *“When determining planning applications, local planning authorities should apply the following principles:*
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.*
 - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.*
 - c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists; and*
 - d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*

- 6.45 Within **Paragraph 183** within Chapter 15 (Conserving and enhancing the natural environment) of the NPPF sets out a number of principles for determining planning applications which aims to conserve and enhance biodiversity. These include: *‘planning policies and decisions should also ensure that:*
“a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation).
b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.”
- 6.46 Within **paragraph 185** within Chapter 15 (Conserving and enhancing the natural environment) of the NPPF sets out a number of principles for determining planning applications which aims to conserve and enhance biodiversity. These include: *“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*
a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.
b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation.
- 6.47 **Paragraph 192** within Chapter 15 (Conserving and enhancing the natural environment) of the NPPF states that *“Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:*
a) assess the significance of heritage assets and the contribution they make to their environment; and
b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.”
- 6.48 **Paragraph 194** within Chapter 15 (Conserving and enhancing the natural environment) of the NPPF states that *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”*
- 6.49 **Paragraph 195** within Chapter 15 (Conserving and enhancing the historic environment) of the NPPF states that *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking*

account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

- 6.50 **Paragraph 197** within Chapter 15 (Conserving and enhancing the historic environment) of the NPPF states that "In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness."
- 6.51 **Paragraph 199** within Chapter 15 (Conserving and enhancing the historic environment) of the NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."
- 6.52 **Paragraph 200** within Chapter 15 (Conserving and enhancing the historic environment) of the NPPF states that "*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*
- a) *grade II listed buildings, or grade II registered parks or gardens, should be exceptional.*
 - b) *assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional".*
- 6.53 **Paragraph 202** within Chapter 15 (Conserving and enhancing the historic environment) of the NPPF states that ". Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. "
- 6.54 **Paragraph 206** within Chapter 15 (Conserving and enhancing the historic environment) of the NPPF states that "*Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*
- 6.55 **Paragraph 207** within Chapter 15 (Conserving and enhancing the historic environment) of the NPPF states that ". *Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole."*

7.0 Planning Considerations

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In light of the abovementioned policies the main considerations in this instance are principle of the proposed development, design and visual impact, local amenity, historic environment, highways and flood risk and drainage.

Principle of the proposed development

7.2 The proposed development seeks to improve and increase the existing classroom capacity and teaching facilities at the school from the current level at 210 pupils to 420 pupils in a two-form school. This would be a six-classroom extension, which also demolishes two prefabricated classroom units which are currently on site. The applicant states this is required due to predicted future demand for the school resulting from a general population increase in the local area and within the school's catchment area. It is also considered likely that increases in the construction of residential dwellings in the area will also contribute to an increased demand for school places. The proposal therefore seeks to improve existing facilities in order to meet the needs of the school and continue to function at the required level in terms of delivering services and facilities. The proposed scheme will address the needs of the existing pupils and staff, providing them with a more suitable means of teaching environment.

7.3 Policy INF2 of the Craven Local Plan is relevant to the determination of this application as a school is included with Craven local plan as a community facility. This policy requires where improvements to an existing community facility are proposed it must be demonstrated that there is a local need for the facility and encouragement would be given to developments where they are of a scale that is in keeping with the location, are well located and accessible and would have no adverse impact on residential amenity. It also states support would be given to innovative schemes for improving community facilities. The proposed development would be of a similar scale to the units being removed and the scale of the existing school building. It is also considered that the proposed building would be in keeping in terms of design with the rest of the school site and would not be overbearing on Pinhaw Road being set back a similar distance to the existing school site. This is further supported by the topography of the site which means the proposed building would be screened from view by the boundary treatment and it being at a higher level than Pinhaw Road. In regard to residential amenity this will be discussed in more detail further in the report, but it is not considered that this proposal would have a significant adverse impact on residential amenity.

7.4 The other relevant policy in regard to the principle of the development is Craven Local Plan policy INF6 in regard to Education Provision. The policy states a sufficient choice of school places is required to be achieved by in point a) supporting proposals for the provision of new, replacement and extended or altered schools which are of a scale in keeping with the location, accessible and accord with all relevant local plan policies. It goes onto state that unless educational provision is met elsewhere two primary school sites in Skipton are to be safeguarded sites which have named site 1 and 2 for ease in this report:

- Site 1 - SK0081, SK0082, and SK0108 Land north of Gargrave Road and west of Park Wood Drive
- Site 2 - SK089 and SK090 Land to the north of Airedale Avenue and Elsey Croft and east of the railway line.

At present there are no applications which are moving forward for either site 1 or site 2. Site 1 is located in the northwest of Skipton approximately 1.1 miles (1.8km) northwest of the application site. Site 2 is northeast of the application site approximately 0.6 miles (1.1km) northeast of the application site. Both sites are greenfield land and shown on Appendix D. In paragraph 8.59 of the Craven Local Plan in the text supporting the policy it states, *“It is possible that the educational need for one or both of the two potential primary schools in Skipton and the school extension in Bentham will be met elsewhere in Skipton and Bentham respectively.”* At present Children’s and Young Peoples Service (CYPS) consider that the six-classroom extension to the Greatwood site would facilitate the need of the area in terms of school places. CYPS have stated that pupil forecasts show an additional need for school places in Skipton by 2025 which could not be achieved on the two safeguarded sites, due to timescales. The need has arisen in advance of the two sites being brought forward for development. If there is continued pressure on school places in the Skipton area the CYPS have stated, the safeguarded sites would be brought forward in accordance with the Craven Local Plan which is extant until 2032.

- 7.5 It is therefore considered in regard to point a) of INF6 that the Greatwood School site would be acceptable in terms of the provision of a six-classroom extension, replacing the current two temporary classroom units on the site to give a modern facility. The proposed one storey extension is an acceptable design in terms of fitting in with the school site due to its scale and also fits into the wider community as is not overbearing on the landscape. In addition to this the topography of the site would further limit its impact as well as the existing boundary trees and proposed shrubbery.
- 7.6 The proposal is required to be weighed on balance with the loss of the playing field with the school being a community facility and paragraph 95 of the NPPF which seeks to ensure that the development of schools is considered positively and should be given great weight when being determined. This is further supported by Policy SD1 of the Craven Local Plan which states that development that accords with the provisions of the local plan will be approved unless material considerations indicate otherwise. The Policy also seeks to ensure that development proposals are determined in accordance with the presumption of sustainable development contained in Paragraph 11 of the NPPF which states that for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay. The principle of improving school facilities receives support within the NPPF in both securing sustainable development and supporting the need to alter/enhance schools, hence this element of the proposed development is considered to be consistent with the NPPF paragraph 95.
- 7.7 In this instance it is considered that the need for school places outweighs the loss of the playing field, which will be discussed in more detail in the next section of the report. It is therefore considered the principle of the development is acceptable as the proposal is in compliance with Craven Local Plan Policies SD1, INF2 and INF6 in regards delivering facilities related to the provision of education by supporting proposals for the provision of extended or altered schools which are of a scale in keeping with the location. It is also consistent with the NPPF in regard to paragraph 95 and ensuring great weight is given to the need to expand schools. It is therefore considered that the proposed development is acceptable in principle, subject to the consideration of other matters.

Loss of Playing Field

- 7.8 Sport England have objected to the proposed development due to the loss of playing field and the lack of compliance with any of Sport England’s five exceptions in regard to playing field loss as a material consideration. The five Sport England exceptions are:
1. An up-to-date assessment which shows an excess of playing field provision,

2. The development being for ancillary facilities supporting the principle use as a playing field,
3. The proposal only affects land incapable of forming a playing pitch,
4. The area lost would be replaced prior to the commencement of development
5. The proposed development is for a sports facility which would be of sufficient benefit to outweigh the detriment caused by the loss.

Sport England have stated that mitigation proposed of moving the playing field to another part of the site was not sufficient to meet the tests as this area was already classed as playing field.

- 7.9 The applicant initially provided information stating the playing field would be replaced on another part of the site, with the running track re-configured around it to meet the Sport England exceptions to mitigate the loss. However, the proposal provided was not classed as mitigation by Sport England as this was not replacing the loss, as the additional pitch was already on site for use by the school (although at present is obstructed by a running track with no planning permission). After discussions between the applicant and planning authority, three alternative arrangements for mitigation were discussed and sent to Craven District Council as local Planning Authority to be considered and also sent to Sport England. These options are outlined in paragraphs 4.2 and 4.10. However, it was considered that none of these options were viable by Craven District Council who stated there were no requirements for an additional artificial pitch on the primary school site, the adjacent land was owned by the parish council and there was no need for the playing pitch to be reinstated as there was no need for additional playing pitches in the district and that the Sandyland works were not at a stage where it would be considered if any contribution would be mitigation for this loss of playing field. Sport England's response is that if members are minded granting the proposal including the loss of playing field and a conflict with NPPF paragraph 99 the application should be referred to the Secretary of State, via the National Planning Casework Unit as required by the Town and Country Planning (Consultation) (England) Direction 2021 point 7 (b) (iii). Within this direction there are three grounds for an objection from Sport England which require an application to be referred to the Secretary of State these are:

“(i) that there is a deficiency in the provision of playing fields in the area of the local authority concerned.

“(ii) that the proposed development would result in such a deficiency; or

“(iii) that where the proposed development involves a loss of a playing field and an alternative or replacement playing field is proposed to be provided, that alternative or replacement does not match (whether in quantity, quality or accessibility) that which would be lost.”

In regard to these three points (iii) is relevant to this application as Sport England state that the mitigation provided for the loss of the playing field does not match the loss. Sport England state that an on-balance recommendation would be required to be made by the County Planning Authority on the need for the school extension works and if minded approving it should be referred to the Secretary of State.

- 7.10 Whilst Sport England were consulted on the application as a statutory consultee, it is now considered that the land to be built upon does not meet the definition of playing field within the Development Management Procedure Order (DMPO). A playing field is defined in the interpretation table of the DMPO as
- “(i) “playing field” means the whole of a site which encompasses at least one playing pitch;*
- “(ii) “playing pitch” means a delineated area which, together with any run-off area, is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, Softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo;”*

Under this definition the application site would not be classed as a playing pitch as the net site area of soft P.E space is 1638m². The proposed development building footprint is 973.7m² in addition the additional hard informal & social area of 1004m². Therefore the proposed whole site area is 1973.8m² but as part of the development, two temporary units 339.7m² already located on part of the development site would also be removed resulting in a site area of 1638m². The calculation of area does not therefore equate to the definition within the DMPO, bringing the application into the remit of the Town and Country Planning (Consultation) (England) Direction 2021. On the 5 September the County Council made Sport England aware the consultation on the application was as a non-statutory consultee. A response was received on 27th September 2022 confirming that it was understood that the consultation was non-statutory, however notwithstanding a reconsideration of the area of development, Sport England wish to maintain their objection to the proposed development as non-statutory consultees. Paragraphs 7.11 to 7.21 consider the proposal further in light of the Sport England objection in regard to the loss of the playing field.

- 7.11 When taking into account the Sport England objection and the development plan policies, the NPPF is also relevant including paragraph 99 of the promoting healthy and safe communities' chapter which is stated "existing open space...including playing fields should not be built on other unless:
- a) *"an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - b) *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - c) *the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."*

In terms of the point (a) although the school site has been taken out of playing pitch strategy (PPS) for Craven District Council it is not considered to be surplus with no specific assessment showing this, therefore the proposal is not compliant with this element of the paragraph. Point (b) of Paragraph 99 is in regard to the replacement facilities to mitigate the loss of the playing field which Sport England state is not possible on this site. The three options for mitigation previously stated which had potential to replace the loss have been considered in detail and were not found to be viable. Therefore, on site mitigation would not meet the equivalent standard required in the NPPF and the site is not consistent with point (b), furthermore off-site mitigation in this instance has not been deemed acceptable. In regard to the final point (c) this requires the proposal to be for alternative sports and recreational provision the benefits of which clearly outweigh the loss. In this instance the proposal also includes recreation provision. A significant proportion of the existing playing field would be utilised as hard informal play area for the new infant and nursery playgrounds for the school, which is considered to be recreational provision. Therefore, in regard to point (c) the benefit of the hard informal play area should clearly outweigh the loss of playing field. It is considered that the benefit of the hard standing play area clearly outweighs the loss of the playing field as at present the school is significantly lacking in hard informal space on site, which will be discussed in more detail in paragraphs 7.12-7.15. However, part of the development is a building which is not alternative sports provision, so it is considered that the application does not fully comply with point c within paragraph 99 of the NPPF, hence it is considered this application is in conflict with national policy.

- 7.12 To justify the need for the development, the applicant has submitted a plan showing the current and proposed site areas and matched this to the BB103 guidance (2014) (a non-statutory document giving guidelines on minimum internal and external areas for school's dependant on its pupil numbers), attached to this report as appendix "e" and "f". The two plans and analysis compare the school site against the guidance in regard to the required different forms of space on a school site, being adjusted from

210 pupils (present numbers) to 420 pupils (proposed numbers). The plans show how the proposal would improve the different types of external spaces at the school. The plan demonstrates how although there would be a loss of the playing field, the proposal would have benefits for sport and recreation for the school, which would clearly outweigh the loss of the playing field. However, is unable to be fully consistent with point c of paragraph 99 of the NPPF due to the proposed building, which is not for sport or recreational use.

- 7.13 The BB103 analysis shows the current site, and the proposal are both significantly lower than the requirements of the guidance document in terms of soft outdoor PE space. It is worth noting though that this is a non-statutory guidance document. This guidance also gives information on small sites with limited space such as this which do not meet the requirements and states that in these instances a flexible approach to the management of the site would be required. The document priorities:
- 1) *“first hard informal space and social area’s especially outside nursery and reception classrooms,*
 - 2) *then some hard outdoor PE space to allow PE or Team games to be played without going off site,*
 - 3) *the soft informal and social area for a wider range of educational opportunities.”*

All of these first three priorities on this site are satisfactorily covered in the development proposal being over the 100% amount requirement. In regard to the top priority point one the proposal significantly improves the site from it being currently inadequate for hard informal space at 101.2m² (24.7% of the recommended in the guidance) to 1004m² (161.9% of the recommended guidance), with further space outside nursery and reception classrooms. Paragraph 7.18 gives further detail on the percentage of increased informal hardstanding against the guidelines. It is considered this would be a considerable improvement for how the school is able to operate and although doesn't fully mitigate the loss of the playing field the County Planning Authority believe this provides significantly better provision for the school. The proposed development would have positives for the school with the hard informal space providing alternative sports and recreation provision which would clearly outweigh the loss as the school is currently lacking in this type of external space. Therefore, in regard to the proposed hard informal space this would outweigh the loss of the playing field, due to its benefit to the school. In regard to NPPF 99(c) the proposed building, would not give an alternative sports and recreational provision which would clearly outweigh the loss, so the proposed development is not considered fully consistent with paragraph 99 of the NPPF. Because of this, the County Planning Authority's planning judgement is that the development, despite not entirely complying with NPPF paragraph 99, would benefit the school and be acceptable in this instance due to the substantial amount of new informal hardstanding, which is considered to be recreational space. This benefit to the school, as well as the need for further school places in the area is considered to outweigh the loss of the playing field due to the proposed extension in this instance.

- 7.14 The fourth priority in regard to restricted small school sites from the BB103 guidance is some soft outdoor PE area being provided. In this instance at present there are two areas of soft outdoor PE space however the proposed development would decrease the amount available to one available area in the Northeast of the site. Currently the applicant states there is 718.8m² of soft outdoor PE space, as the space to the northeast of the site is not currently used as soft PE Space due to a running track which has been implemented without planning permission. BB103 states schools should have 20m² per pupil at a primary school which would mean Greatwood Primary school at present should have 4,200m² Soft PE space and after the proposed development should have 8,400m² which is not achievable on this site. The existing running track has limited this area with the soft PE space in the centre being too small for a standard size playing field. As part of the mitigation for the application the

applicant has stated they would re-configure the running track to create a larger playing field within it, therefore re-creating the pitch which would be lost through the development at 718.8m². Although Sport England have not been able to accept this as one of their exceptions it is still considered that the amending of the running track, which is to be conditioned through the hard and soft landscaping works (condition 5), would have a positive impact on the site and allow the use of Soft PE space on site with being able to create a similar size pitch to what is being lost. In addition to this the applicant has stated that there is off-site pitch provision which currently can be utilised by the school at the Sandyland playing fields, which is 20,882m². It is considered that the school's potential for use of the Sandyland fields mitigates the loss of the schools current playing field, although is not a formal requirement of this application. Children's and Young Peoples Services in addition to this have also stated they would give further funding to the Sandyland development to improve and secure improvements to this site although again this would not be secured through this development. It is considered that while this is positive for the school and benefits the site, as this is an informal agreement not secured through this application little weight can be given to the potential use of Sandylands in planning terms to support this application or a material consideration why the conflict with the NPPF paragraph 99 is acceptable.

- 7.15 To conclude the analysis on paragraph 99 of the NPPF it is considered that the proposed development is not wholly consistent and is therefore in conflict with the NPPF paragraph 99 which is a material consideration in planning decisions. However, on balance the proposal is deemed acceptable as although the loss of an area of playing field is not mitigated to the level requested by Sport England through their exceptions or the requirements of paragraph 99 it is considered the proposal includes sufficient mitigation to benefit the school, its pupils by following the BB103 guidance. The proposed development is compliant with the non-statutory guidance (BB103) in regards all outdoor space requirements, other than soft outdoor P.E which is not achievable on this site as stated in paragraph 7.14. The proposal would resolve the issue the school has in regard to hard informal and social area specifically for nursery and reception classrooms through this six-classroom extension and moving these classrooms to a purpose-built area. In addition to this the other mitigation on the site in regard to the reconfiguring of the running track giving further flexibility to the use of the grass pitch, re-located habitat to allow for the existing habitat area to be utilised as further playing field area and a significant increase in hard informal play space on the site when taken as a whole would significantly improve the site and is considered to be acceptable in terms of the needs of the school. Paragraph's 7.16 to 7.19 give the justification for why the proposal is in compliance with the development plan and paragraphs 7.11-7.14 give the material considerations why this application should be determined otherwise than in accordance with the NPPF paragraph 99.
- 7.16 Craven Local Plan Policy INF3 is in regard to sport, open space and recreational facilities and its aim is to help maintain the current level of pitch provision. Greatwood school is on the policies map in support of the Craven Local Plan and is included in the category Open Space, Civic Space, Sport and Recreation Facilities with reference to Policy INF3(d). The policy gives the requirement in criterion (d) to safeguarding existing sport and open space from unnecessary and avoidable loss and gives the circumstances where this loss may be acceptable. The three limited circumstances for where the loss of open space would be supported are:
"1. A surplus in the relevant type of sport, open space or built sports facility has been identified, in the locality, by the Playing Pitch Strategy, Open Space Assessment and Built Sports Facilities Strategy 2016 (or any subsequent updates), and the site cannot be reused or adapted to meet an identified deficit in another type or form of sport, open space or recreational facility; or

2. An equivalent replacement sport, open space or built sports facility, the benefit of which will be at least equal to that being lost, is to be provided on the site or in an accessible location nearby; or
3. If specific sites are identified in an up to date Playing Pitch Strategy, Built Sports Facilities Strategy or Open Space Assessment as being partially surplus, and therefore can be developed in return for improvements, the partial loss of a site may be justified where evidence is provided and where a proposal is supported by the relevant National Governing Bodies for Sport.”

- 7.17 In regard to the first and third points the Craven Playing Field Strategy (PPS) was accepted by the Craven Spatial Planning Sub Committee, as an update to the 2016 PPS on 31 January 2022 as part of the evidence base in regard to Open Space and Sports. The primary school site is not included in the up-to-date PPS, which states Greatwood Primary School is not included in the Sport England database of playing pitches. The Craven Sport Officer response received as part of the consultation in regard to this application states that at present there is not considered to be a need for further playing fields in Craven. The focus of the updated playing field strategy is now to improve current facilities in the district. The Greatwood School site has therefore not been identified in the PPS as having playing fields which contribute to community use being a primary school with not out of hours use. Furthermore, in regard to point one in 7.16 above, the PPS states in paragraph 8.6 that there is no evidence to suggest that there is a surplus of pitches therefore this point is not relevant in the circumstances. In regard to point three, the proposal is not supported by the National Governing Body for Sport (Sport England) or identified as surplus in the PPS refresh so is also not relevant.
- 7.18 Point two of INF3 is the most relevant in this instance, initially mitigation in the form of an equivalent playing field on site or off site was pursued. However, after further discussions providing an additional new playing field has not been possible in this instance. The proposal due to the arrangement of the site makes it harder to provide mitigation for the loss of the playing field on site. The current playing field to be lost is 718m² which through this application would be replaced with a six-classroom extension surrounded by the 902.8m² of additional hard informal play space on the site. In addition to this through an amended running track layout and re-located habitat area a further playing pitch would be achieved in the northeast of the site, which would give further flexibility to the school sites use of its outdoor space. Sport England do not class this reconfiguration as an additional pitch due to it being part of the current school site and have objected to the application. These two separate parts of mitigation for the loss taken as a whole for the site are considered to provide an equivalent replacement the benefit of which is considered to be at least equal to that being lost in this instance. Firstly, although Sport England class the running track area as playing pitch at present, this is not seen as viable playing field by the school and this proposal would bring this playing field back into viable use for team games with the same size pitch as to be lost through this application. Secondly, as at present the site has only 24.7% of the required hard informal external space for a 210-pupil school, which this proposal would bring to up to 161.9% of the required space for a 420-pupil school. The development plan policy INF3 states the replacement in any loss of playing field must have equal ‘benefit’ to that being lost which is a more flexible approach than the national policy. It is considered that the amount of mitigation provided would sufficiently benefit the school to at least equal to the loss due to the 902.8m² of additional hard informal space and the reinstating a 718m² pitch where the running track currently is. As a result, it is determined that the proposal is acceptable in regard to Craven Local Plan Policy INF3.

Town and Country Planning (Consultation) (England) Direction 2021

- 7.19 As Sport England responded that the Direction applied to the application consideration is given to the relevant sections. In respect of paragraph 7 (b) (I) the Craven PPS states there is not a surplus of pitches at present and the focus is on improving current pitches in Craven, therefore this point is not considered relevant as there is not currently a deficiency in the provision of playing fields. In regard to paragraph (ii) of the Direction Greatwood School is not included in the PPS strategy as detailed above so the proposal is not considered to result in a deficiency to the local area. In regard to paragraph 7 (b) (iii) there is a conflict in regard to the playing field replacement not matching that which would be lost which is why Sport England have objected to the proposed development and there is a requirement to refer the application to the Secretary of State.
- 7.20 Paragraph 11 (e) of the Direction requires the County Planning Authority to give material considerations which indicate a departure application should be determined otherwise than in accordance with s.38(6) of the Planning and Compulsory Purchase Act 2004. This application is not considered a departure from the Craven Local Plan 2019 but is in conflict with the NPPF paragraph 99 due to the loss of playing field. A relevant material consideration is the extension to the school would provide a needed school facility which provides an enhanced learning environment for pupils on a site restricted by size, in an area with a growing population and significant housebuilding. This is supported by compliance with Craven Local Plan policy INF2 and INF6 and the application being consistent with NPPF paragraph 95, which have been discussed in detail in paragraphs 7.3-7.5. A further material consideration is the mitigation put forward by the applicant and the information regarding the BB103 calculation discussed in paragraphs 7.12-7.14. Although this mitigation is not sufficient to be consistent with NPPF paragraph 99 it is considered the mitigation is sufficient to meet the requirements of Craven local policy INF3 as its benefit to the school would be at least equal to that being lost. This is as the school currently are unable to use the area of the running track as a team game playing field and the current provision of informal hardstanding being significantly below required standards. It is considered that the design and layout of the proposed development are also a material consideration which outweighs the loss of the playing field as this development would allow for an enhanced modern school facility which would provide the nursery and receptions classrooms with sufficient linked outdoor space, this is in compliance with Craven local plan policy ENV3, INF2 and INF6, as stated in paragraphs 7.21-7.25. The proposal would also have no significant impacts on residential amenity as is in compliance with Craven local plan policy ENV3 points (e) and (f), as stated in paragraphs 7.32-7.34. The proposed development would not have any impact on the Skipton Conservation Area or its setting and is also in compliance with the Craven Local Policy ENV2 in regard to heritage, as stated in paragraphs 7.26-7.31. The proposal includes the loss of seven trees which would be mitigated with a 3:1 replacement scheme and an amended habitat area which would be re-located to further utilise the playing pitch area on the site, which is considered in compliance with craven local policy ENV4 in regard to biodiversity, as stated in paragraphs 7.35-7.37. Therefore, it is considered that the proposal should be determined otherwise than in accordance with the NPPF paragraph 99.

Design and visual impact

- 7.21 The proposed extension would be located towards the southwest of the application site, which is currently bounded by a fence separating the school site from the public footpath and a public right of way. The proposed building itself would be of a modern design and appearance and it is noted that the proposed construction materials represent a similar style to that of a number of modern built school buildings. The design, materials and external finish of the buildings would include a contemporary external design with light and dark facing brickwork. These materials are considered to be both in-keeping and sympathetic to the area and are considered similar to what

is utilised for schools in the local area at present. The proposed extension is considered to be of a similar scale to the school's main building due to it being single storey structure and the height being lower than the main building due to a very low-pitched roof, hence it would not be seen as a dominant or unsympathetic addition to the existing building.

- 7.22 Furthermore the scale and proportions of the proposed school fit within the character of the area. The school would have a ridge height of 5.38 metres for the link building between the existing and new school, but the majority of the new building would be 4.92m in height, which at no point would be higher than the existing school building. It is considered that the low-pitched roof with canopies is an appropriate height in relation to the proposed properties east of the school site. The form of the roof is also considered acceptable being a lower height than the main building. Furthermore, the orientation of the building, continuing the line of the school building further west is considered to be in keeping with the local surroundings and not overbearing on the locality. It is therefore considered that the proposed development would not have a significant detrimental impact on amenity of the street scene, which is in compliance with policy INF2 of the Craven Local Plan. Furthermore, the proposed building material would respect the character of the surrounding built environment. Although the design does not ensure that all aspects which contribute to the Conservation Area, in this instance mainly in regard to the loss of trees, any harm to the Conservation Area in terms of design is outweighed by the need to provide adequate facilities for schools and this loss of trees would be mitigated by further tree planting and biodiversity improvements on the site. The impact of the proposal on the Conservation Area is considered in further detail in the heritage impacts section of this report, from paragraph 7.26. It is therefore considered that the proposal is acceptable in terms of design, appearance, and scale as it will be proportionate to the main school building and will not detract from the character of the local area in which it will be located.
- 7.23 The proposal is considered to be in keeping with and in context with the existing school site and in compliance with criterion a) of Policy ENV1 through respecting and restoring the character of the landscape area through the scale and design of the building and responding to characteristics within Skipton and the Conservation Area. Policy ENV1 of the Craven Local Plan also acknowledges that human and natural activity evolves over time and landscape character will also change over time and this is essential to maintaining the quality, distinctiveness, and vitality of the local environment. The policy states that the council should enable settlements to grow, in this case, the proposal is being considerate to the design of the local area whilst meeting the local need to enhance the school facilities. Criterion g) of Policy ENV1 specifically states that settlements should be able to grow in ways that respect their form, distribution and landscape setting the proposed extension buildings design and scale are considered to be justified and is not considered to be 'demonstrably poor', with the proposal being appropriate in relation to the current scale, height, and external appearance of the surrounding buildings. This is further supported through Policy ENV3 of the Craven Local Plan and criteria b), e), f), g) and t) through providing design that responds to particular local characteristics, respecting the existing and surrounding buildings and promotes positive change in areas which benefit local communities and quality of life.
- 7.24 This scheme includes the loss of seven trees, none of which are considered veteran trees; however, mitigation is proposed and would be managed by condition at a replacement planting ratio of 3:1 through draft condition number five in the schedule which is for a detailed landscape management plan condition to improve the biodiversity of the site. Three trees proposed to be removed are deemed to be dead or of poor quality according to the applicant's arboricultural expert and the other four are required to be removed to facilitate the development and the NYCC Arboricultural

officer has not commented in regard to the application. In terms of the loss of trees Craven local plan policy ENV4 in regard to biodiversity improvements in point a) v) states for proposals to increase the numbers of trees using native and locally characteristic tree and plant species retaining healthy trees where possible. In this instance with the loss of trees there is a requirement for compensation which policy ENV4 states at point b) states should be equal to or where possible exceed the biodiversity of the site prior to the development and if there are no compensatory measures then the proposal would be resisted. On this site the mitigation of the ratio of 1:3 for tree replacement and the landscape management plan would allow for biodiversity benefits to be to a sufficient standard for the proposal to be in compliance with this policy. The mitigation would also accord with Section 197 of the 1990 Town and Country Planning Act for compensation in respect of requirements as to replanting trees as well as paragraphs 131 of the NPPF in regard to trees being incorporated into developments and paragraph 180 in regard to mitigating the loss of trees and biodiversity.

- 7.25 It is considered that the proposal is acceptable in terms of design, appearance, and scale as it would be proportionate to the main school building and will not detract from the character of the local area. Furthermore, on balance, it is considered that the proposed development would not have a significant detrimental impact on the appearance of the street scene as the visual impacts are limited and it is deemed acceptable in terms of the location, which is consistent with Policy INF2 of the Craven Local Plan. Any harm to the Conservation Area in terms of design is outweighed by the need to provide adequate facilities for schools and is discussed in further detail in the heritage impact section below. The proposed extension and associated works are therefore considered to be in compliance with Policies ENV2 and ENV3 of the Craven Local Plan, which seek to ensure that developments are sympathetic to historic forms of design and construction. Additionally, it is consistent with Paragraphs 130 of the NPPF due to it being of an appropriate design, optimising the use of the site and an enhancement to the school sites general amenity.

Designated Heritage Impact in relation to the Conservation Area

- 7.26 The site is within the designated Skipton Conservation Area. Craven Local Plan Policy ENV2 in regard to heritage states the historic environment should where possible be conserved specifically paying close attention to elements which contribute to the historic market town of Skipton and supporting proposals which would preserve or enhance elements which have been identified as making a positive contribution in a Conservation Area Appraisal. In the Skipton 2008 Conservation Area Appraisal it shows that there are no significant heritage assets such as listed buildings in proximity to the site and the school is not listed in the schools and colleges section of the appraisal. The Conservation Area Appraisal 2008 extended the Conservation Area to include Greatwood school, the allotments north of the site and the open space recreational ground to the west of the site stating it was *“important open ground part of open views from the town centre; open space amenity value; railway line provides a green ‘corridor’*.
- 7.27 The proposal would not cut off the any views of open space within the Conservation Area due to its topography and there would continue to be open space on the school site linking from the allotments to the north to the recreational fields to the west, so no loss of the green corridor stated in the Conservation Area Appraisal. On this basis, the balance between protecting designated assets and encouraging and supporting development for community facilities is a fundamental part of the determination of this proposal.
- 7.28 The provisions of Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 are also engaged in the determination of this particular application within the Skipton Conservation Area which requires the authority to *‘pay special attention to the*

desirability of preserving or enhancing the character or appearance of a conservation area". The safeguarding against the potential adverse impacts upon interests of cultural and/or historic importance and/or heritage value from the effects associated with proposed development is embedded within the core principles of the NPPF. Safeguarding of the historic landscape and interests of heritage value can be found within Paragraph 194 which ensures applicants have regard to the historic environment assessing both its setting and significance and wherever possible avoid or minimise a proposal's impacts on designated heritage assets which includes Conservation Areas. Paragraph 195 of the NPPF requires local authorities to identify and assess the particular significance of any heritage asset which may be affected by a proposed development and take this into account when considering the impact of the proposal.

- 7.29 The assessment of the potential effects of the proposed development upon designated assets and their settings concluded there are no historic buildings or housing found in the Conservation Area in proximity to the site. NPPF paragraph 199 requires that the impact of a proposed development on the significance of a designated heritage asset is considered in any application and great weight should be given to that asset's conservation. In this instance there is no loss of any element which positively contributes to the designated heritage asset which is the Conservation Area. The topography of the site limits the impact of the extension, and its location does not break up the corridor of open space from the east to the allotments to the Northwest. The outcome of public consultation and the seeking of expert views through consultation on the application revealed no contrary views against the conclusions of the assessment of visual impacts upon the Conservation Area. In regard to paragraph 207 of the NPPF not all elements of a Conservation Area contribute to its significance and with this application there would be no harm on the conservation area from the proposal apart from the loss of trees, which is considered to be adequately mitigated.
- 7.30 Paragraph 202 further states that where a proposal will lead to less than substantial harm this harm should be weighed against the public benefits of the proposed development. Having paid special regards to preserving the Conservation Area this proposal would not result in any significant harm to its setting or result in a significantly detrimental impact upon the character of the designated Conservation Area. On balance, the proposal is considered to be in-keeping with the principles of the NPPF in regard to a Conservation Area. Here it is worth noting that the proposed development does aim to alter the appearance of the area with the proposed extension to the school which will alter the outlook of the Conservation Area. However, the design, scale and materials being proposed are deemed sympathetic to the area ensuring that the local distinctiveness of the character of the area is protected and visual impact managed.
- 7.31 It is not considered that the proposed development would cause any significant harm to the Conservation Area or any heritage assets within the Conservation Area and would replace the existing buildings on site with a more modern building. The proposal would also include a landscaping scheme which would improve the biodiversity of the site, it is therefore considered that the proposed extension would be supported by providing further use for the site, which is supported policies ENV2, INF2 and INF6 of the Craven Local Plan. Overall, the proposal is considered to be acceptable in terms of design, appearance, and scale and in regard to the NPPF's aims and objectives in this respect and the applicable test of Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and therefore it is considered, it been satisfied in this particular instance.

Local amenity

- 7.32 The proximity of local residential properties to the west of the site is acknowledged. However, no objections from the occupants of any neighbouring properties have been received in relation to this proposal. The closest residential properties to the application site are on Pinhaw Road approximately 35 metres to the south of the Greatwood School boundary and one property 10 metres to the west of the site's boundary. Due to the topography of the site the proposed development would be at a higher level than the residential properties on Pinhaw Road as the land slopes south, there is also a steep tree lined embankment which borders the site lessening the impact of the site on the area. There is currently a 2-metre-high green palisade fence as the boundary of the school site. The proposal also includes further screening for bungalows on the northeast of the site which currently have a view of the school playing field through a 2-metre-high green palisade fence, the hedgerow and further planting would lessen the impact of the school site on the residential properties. The proposal is not considered to detrimentally impact the amenity of the neighbouring properties due to the siting, nature of the proposed development and topography of the site. The proposal would extend the school building further west and increase the capacity of the school, however, there have been no responses from any statutory consultees in objecting to the proposal in regard to the impact on residential amenity visual. To limit the impact on the amenity of local resident's conditions 3, 4, 7 and 8 would be added to the proposed development in regard to hours of operation, site access and dust management.
- 7.33 The potential for light pollution from the proposed development has been taken into consideration the application includes wall mounted lights on the proposed school extension and four, four-metre-tall lighting columns in the updated car parking area. The environmental health officer has not raised any concerns regarding the implementation of this lighting; however, it is considered appropriate to condition the mitigation stated in the application documents regarding the use of a smart photocell sensor and additional control by a 24/7 digital time clock and override switch to prevent any lighting being on after 8:30pm. In regard to lighting the Ecologist has requested the lighting for post construction is required to be reviewed and it is considered appropriate that this is added as a condition for the final external lighting details to be discharged prior to the building being brought into use, which is condition 14 of the draft schedule.
- 7.34 Overall the proposal is in compliance with the protection of amenity elements of Policy ENV3 (e) and (f) of the Craven Local Plan which seeks to ensure that developments protect the amenity of existing residents and business occupiers as well as create acceptable amenity conditions for future occupants. This is due to the location and orientation of the proposal being set back from the existing properties on Pinhaw Road with conditions to be attached to any permission to limit the impact of any lighting on site and working hours during the construction period. NPPF Paragraph 130 emphasises decisions should ensure a high standard of amenity for existing and future users and in this instance the applicant has provided an acceptable landscape scheme to help the proposal fit in with the character of the area, where possible maintaining boundary trees and establishing further planting on the boundary to screen the site. The proposal also provides a safe and secure school site which has a layout which is more appropriate for a modern school which is accessible for all. It is therefore considered this proposal is consistent with NPPF paragraph 130.

Habitats, nature conservation and protected species

- 7.35 Consideration of biodiversity, habitats, nature conservation and protected species has been taken into account in consultation with NYCC Ecology. It is acknowledged that the proposed development would have an impact upon the southern boundary treatment vegetation, shrubs, and trees. However, the NYCC Ecology consultation

response has stated it is satisfied the proposed mitigation measures within the PEA in regard to an ecological watching brief, cover excavations overnight to avoid entrapment of wildlife, timings of vegetation clearance to avoid nesting birds, the installation of two bat boxes which were requested to be added and is condition nine of the draft schedule. On the southern boundary of the site adjacent to the new car parking arrangements a hedgerow outside of the current fence line of the site which is in the ownership of the school and is to be retained. Retaining this hedgerow would lessen the impact of the scheme and make sure that there is some habitat/landscaped space in the vicinity of the school's entrance, with this existing hedge line continued along the south eastern corner of the site. In regard to compensatory planting the Ecologist states that the ornamental ground cover is disappointing, but the proposed hedgerow and species mix is appropriate. The agent has prepared a further plan the Site and Block Plan (Ref. 20031_APP_00_GF_DR_A_421197 Rev DF5, dated 15 September 2022) attached to this report as appendix B, which shows the outline landscaping for the site. It is considered that a condition would be added to any permission for final details which would include confirmation of all planting and landscaping works on site.

- 7.36 The landscape scheme would mitigate the loss of the seven trees on site, three due to the poor quality of the trees (T6 ash – to the east of the site and T24 cherry and T28 sweet chestnut on the northern boundary of the site), the other four trees are to be removed to facilitate the development around the site, none of which are deemed to be veteran trees. The four trees are in the southeast corner of the site so the car parking area can be implemented (T47 beech, T48 oak, T49 cherry and T50 maple). Originally a further four trees were to be removed on the western boundary of the site (T31 rowen, T32 oak, T33 oak and T34 weeping willow), however after discussions with the applicant these have been able to be retained. The site has further areas of trees in the northwest of the site and the east of the site that won't be affected by the development. The applicant has stated that the scheme has been designed to have the least impact possible on existing trees. In regard to the car parking area extending this to the east would have required the loss of a significantly higher number of trees. In regard to the temporary access the loss of trees has been avoided. To mitigate the loss of trees compensatory planting has been requested with a replacement ratio of three trees for every one removed, within the condition it has been requested that some fruit trees are included in this. Paragraphs 180 and 185 require for the development to minimise the impact as much as possible in this instance the applicant has where possible such as the temporary access retained trees and put in further tree protection measures. Where trees have not been able to be retained this, it has been requested that further planting in addition to tree replacement with the hedges and shrubs be put in place to screen the site and especially on the boundary to the site. This is also in compliance with Craven Local Plan policy ENV4 in regard to biodiversity as it would implement native and locally characteristic tree and plant species and would compensate for the loss of the seven trees.
- 7.37 The site at present has a habitat area in the northeast corner of the site, the proposal includes re-locating this further west along the northern boundary so the current area could be utilised as playing field. This is due to the contours on the current habitat area being more even. The school currently has over 580m² of habitat area which is significantly higher than the guidance on habitat areas in guidance BB103 for the proposed pupil numbers at the site. It is considered that the detailed landscaping scheme would be required to keep this amount on site in any new re-located area with further planting to supplement this. It is considered that the new updated habitat area, the planting scheme and the replacement fruit and native trees would provide further biodiversity benefits for the site. Although the biodiversity net gain matrix has not been implemented on this site, as is not currently a statutory requirement, it is still considered to be in compliance with Craven Local Plan policy ENV4 as it would have

no impact on any designated sites, conserve and manage biodiversity land within the site, increase trees and woodland on site, retain mature trees where possible and retain the hedgerow on the southern boundary of the site which makes a positive contribution to the area. It is considered that the proposed outline landscape management plan and condition requiring further detailed design would be in compliance with Craven Local Plan Policy ENV4 and consistent with paragraphs 180 and 185 of the NPPF due to the limited impact the proposed development would have upon the biodiversity, habitats, nature conservation and protected species.

Highways matters

- 7.38 The impact of the proposed development upon the public highway has been considered and the proposed scheme does not alter the existing vehicular and pedestrian site access arrangement, however, would improve the car parking provision at the site in line with the required need due to the expansion of the school. This would involve the conversion of external area formally occupied by Nursery play into additional car parking, the early year's provision play area would be relocated to the new extension. This development would provide an increased onsite parking facility for staff and visitors from the current eight car parking bays to 20 car parking bay spaces that will include two accessible car parking spaces within this provision. The transport assessment stated that the school expansion could be expected to generate up to an additional 88 two-way vehicle trip movements during the respective am and pm periods with 82 associated with pupils and 6 with staff. In regard to limiting the impact of the site and ensuring the safety of the school no vehicles exceeding 7.5 tonnes would be permitted to arrive, depart, and be loaded or unloaded during school term time between the hours of 8:30-9:30, 12:00-13:00 and 15:15-16:00 Monday to Friday. The highways authority was consulted on the application and stated the alterations proposed would have little effect on the highway with further parking provision introduced, requesting construction management plan to be submitted prior to the commencement of the development, which is draft condition 9 in the schedule.
- 7.39 In regard to the additional car parking provision the relevant policy in the Craven Local Plan is Policy INF4 which states there is a requirement for developments to include the appropriate provision for car and disabled parking which is safe and secure. In this instance it is considered that the new parking provision would be acceptable and would provide the necessary provision for the additional staff and visitors to the site, including appropriate disabled parking bays. It is considered that the parking at the school would provide appropriate and safe access to the site by staff and visitors. Furthermore, the proposal would provide provision for the storage of cycles. With the NYCC highways authority not stating any issues with the impact of the proposal in regard to public off street parking. INF7 is also relevant in regard to sustainable transport this policy requires developments with significant numbers of movements to provide a transport statement, the applicant has provided a transport statement with this application which the NYCC highways authority have stated no issues with. It is considered that the proposed development is in compliance with INF7 as it would provide a safe and suitable access for all the proposed development providing a new level accessible for all pedestrian access to the site separated from the parking provision for increased safety. It is also considered that the proposal is consistent with the NPPF in regard to promoting sustainable transports in paragraphs 104 and 110-112 as the proposals would not have an unacceptable impact on highways safety.
- 7.40 The proposed development would also require a temporary access to be provided off Pinhaw Road to a constructor's compound with a temporary vehicular turning area. In regard to the temporary access condition eight of the draft schedule has been added in regard to the construction management plan would be attached to any permission to control any vehicles associated with the construction works and would require the

temporary access to be removed and the land reinstated. The draft condition is a prior to commencement condition which would require further details of the arrangements of the temporary construction access to the site to be submitted before any works began.

Flood risk and drainage

- 7.41 Greatwood School is located in within flood zone 1 which is defined as being the lowest risk category for flooding and the site area is not historically known to flood. The application is a major scheme being over 1,000 square metres and therefore included a Flood Risk Assessment and sustainable drainage designs (SuDS) with the application. The application has also therefore been required to be consulted on by the Local Lead Flood Authority. The flood risk assessment concludes the requirements for managing surface water refers where necessary to the NYCC LLFA standards, this includes on site attenuation for all storm values up to and including the 100 years, plus 30 climate changes, plus 10% urban creep event which would be able to be accommodated on site. The document states there would be no increase to flood risk to third parties and the proposal would offer an improved position for drainage downstream by capturing and controlling flows. The drainage is designed to demonstrate no surcharge of pipes in a 1 in 2 rainfall event, no surface flooding in a 1 in 30-year event and no flooding to buildings and adjacent properties occurs in a 1 in 100-year rainfall event. Foul water would be discharged without restriction into the existing foul water manhole to the west of the site.
- 7.42 The proposal includes a drainage impact assessment and Yorkshire Water commented stating no objections in principle but requested a condition requiring separate drainage systems for foul and surface water and that the proposal should be carried out in compliance with the details shown on the Flood Risk Assessment and Drainage Strategy'. Both of these conditions are attached to the draft set of conditions 13 and 14. The LLFA initially requested further information in regard to the application as the scheme did not demonstrate sufficient detail in the drainage of the site in regard to flood risk, run off destinations, peak flow control and volume control, designing for exceedance, climate change and urban creep, construction, maintenance, and a SuDS maintenance plan. This further information was submitted including an updated Flood Risk Assessment and a SuDS maintenance plan. This information demonstrated that the surface water drainage systems are designed in accordance with the standards detailed in North Yorkshire County Councils SuDS design guidance and therefore was deemed acceptable by the LLFA. The LLFA were satisfied with the further information submitted, which they deemed a reasonable approach to the management of surface water on site requesting conditions in regard to detailed drainage design, requirements maintenance, runoff rate, storage, and exceedance flow routes. The LLFA requested a condition for detailed design with the principles agreed in the Proposed Drainage Plan Attenuation Creates Solution Plan (Ref. 20031 D201 Rev 6, dated 2 November 22), this is draft condition 12 in the attached schedule. It is considered due to the statutory consultees having stated the approach is acceptable this proposal is considered acceptable in regard to policy ENV6 in regard to flood risk as the proposal would provide development in a low flood risk location, has provided appropriate Sustainable Drainage Systems for the site in line with NYCC policy and would successfully manage surface water with adequate attenuation. This is also consistent with the NPPF paragraph 167 and 169 as the site-specific Flood Risk Assessment and the SuDS systems provided have been deemed acceptable by the LLFA and are too an appropriate proposed operational standard.
- 7.43 The proposal is also in compliance with Policy SD2 in regard to meeting the needs of climate change as would provide a modern replacement for the temporary classroom units which would be more energy efficient, and the development is located in an area of low flood risk. It is considered that the proposed works would not increase the

risk of flooding and the proposed development would improve the drainage of the site with further attenuation. Paragraph 11 of the NPPF promotes mitigating climate change as part of the presumption in favour of sustainable development, therefore it is considered that this proposal is acceptable in terms of flood risk and climate change.

8.0 Conclusion

- 8.1 The proposed development includes an objection from Sport England in regard to the loss of playing field which requires an alternative replacement field to match the loss and is not fully consistent with NPPF paragraph 99 in regard to the loss of playing field. Whilst the County Planning Authority do not consider that the Direction strictly applies by virtue of the area of the Playing field and the definition within the DMPO it is considered that to the application be referred to the Secretary of State. Paragraph 11 (e) of the Town and Country Planning (Consultation) (England) Direction 2021 requires the County Planning Authority to give material considerations which indicate why an application should be determined otherwise than in accordance with the s.38(6) of the Planning and Compulsory Purchase Act 2004.
- 8.2 It is considered on balance this proposed development for a six-classroom extension to the school is acceptable as is required to provide sufficient pupil places in the Skipton local area before 2025 and is in consistent with NPPF paragraph 95 to “*give great weight to the need to ...expand or alter schools...*”. It is considered that in this instance the principle of the development is acceptable as there is a need to for the six-classroom extension to provide a modern teaching facility with sufficient school places, replacing two temporary classroom units which are not viable long term uses, which outweighs the loss of the playing field. This is further supported by Craven Local Plan Policies INF2 and INF6 in regard to delivering school facilities which are in keeping with the location and are of an acceptable scale, meeting the needs of an area. It is considered that on balance the mitigation provided would sufficiently benefit the school on this restricted site and would provide adequate outdoor space for the school to utilise. This mitigation includes an amended running track giving further flexibility to the use of the playing pitch area, re-located habitat area so the playing pitch area can be further extended and a significant increase in hard informal play space which would be located as required directly off the nursery and reception classrooms and is therefore considered in accordance with Craven Local Plan Policy INF3.
- 8.3 In regards to the design, layout, impact on the landscape, impact on biodiversity and residential amenity are no material planning considerations to warrant the refusal of this application for the Demolition of existing prefabricated building units and corridors (339.7 sq. metres), construction of a single storey classroom building (973.7 sq. metres) with wall mounted perimeter lighting, erection of glazed and timber canopies (130.8sq. metres), sprinkler tank plant building and compound (68.4 sq. metres), extended car park area with 4 metre high lighting columns, new playground, running track and footpaths (1,464.11sq. metres), 2 metres high fencing and gates, tree removal and hard and soft landscaping works.
- 8.4 For the reasons mentioned above, it is therefore considered that, the proposed development is recommended for approval and if members are minded to approve the application the proposal will be referred to the Secretary of State (SoS) as per the Town and Country Planning (Consultation) (England) Direction 2021 as required under section 12, due to the Sport England objection. The 21-day consideration period starts from the date the County Council are notified in writing that the Secretary of State have received the required information. If before the end of this

period, the Secretary of State has notified the authority that they do not intend to issue a direction under Section 77 of the Town and Country Planning Act 1990 in respect of this application the County Council would be able to determine the application issuing any decision.

Obligations under the Equality Act 2010

- 8.5 The County Planning Authority in carrying out its duties must have regard to the obligations placed upon it under the Equality Act and due regard has, therefore, been had to the requirements of Section 149 (Public Sector Equality Duty) to safeguard against unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act. It also requires public bodies to advance equality of opportunity between people who share a protected characteristic and people who do not share it; and foster good relations between people who share a protected characteristic and people who do not share it. It is considered that the proposed development would not give rise to significant adverse effects upon the communities in the area or socio-economic factors, particularly those with '*protected characteristics*' by virtue that the impacts of the proposal can be mitigated so that they will not have a significant impact on groups with '*protected characteristics*'.

Obligations under the Human Rights Act

- 8.6 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.
- 8.7 Having had due regard to the Human Rights Act, the relevant issues arising from the proposed development have been assessed as the potential effects upon those living within the vicinity of the site namely those affecting the right to the peaceful enjoyment of one's property and the right to respect for private and family life and homes and considering the limited interference with those rights is in accordance with the law, necessary and in the public interest.

9.0 Recommendation

- 9.1 For the following reasons:

- i. the principle of the proposed development improves the facilities and amenity of the school and on balance the need for the extension outweighs the loss of the playing field.*
- ii. the proposed development would not adversely impact upon neighbouring amenity, biodiversity, the landscape of the area or the historic environment.*
- iv. the proposed development is in compliance with paragraphs 55, 92, 95, 99, 104, 110, 111, 112, 130, 131, 167, 169, 174, 180, 183, 185, 192, 194, 195, 197, 199, 200, 202, 206, 207 of the National Planning Policy Framework (2021) and the Craven Local Plan (2019) Policy SD1: The presumption in favour of sustainable development; Policy ENV1: Countryside and Landscape; Policy ENV2: Heritage; Policy ENV3: Good Design; Policy ENV4: Biodiversity; ENV6 Flood Risk Policy ENV9: Renewable and Low Carbon Energy; Policy INF2: Community Facilities and Social Spaces; Policy INF3: Sport, Open Space and Recreational Facilities; Policy INF4: Parking Provision; Policy INF6: Education Provision.*

That, the County Planning Authority are minded to **RESOLVE TO GRANT PLANNING PERMISSION** subject to consultation with the SoS in accordance with the Town & Country Planning (Consultation) England) Direction 2021 (the purpose of which is for the SoS to consider using the power to call in the application under section 77 of the Town & Country Planning Act 1990) and subject to the following conditions:

1. The development to which this permission relates must be implemented no later than the expiration of three years from the date of this Decision Notice.

Reason: To comply with Section 91 of Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the application details dated 11 October 2021 and the following approved documents and drawings:

Ref.	Date	Title
20031 APP 00 GF RP A 421190 Rev DF2	6.10.21	Design and Access Statement
20031 APP 00 GF DR A 421193 Rev DF2	14.9.21	Site Location Plan
20031 APP 00 GF DR A 421197 Rev DF5	15.9.22	Site and Block Plan as Proposed
20031 APP 00 GF DR A 421204 Rev DF1	13.9.21	Proposed Planning Floor Plan
20031 APP 00 GF DR A 421205 Rev DF1	13.9.21	Proposed Elevations
20031 APP 00 GF DR A 421207 Rev DF1	13.9.21	Proposed Roof Plan
20031 APP 00 GF DR A 421201 Rev DF3	13.9.21	Typical Building Sections
20031 APP 00 GF DR A 421206 Rev DF1	13.9.21	Proposed Building illustrative views
20031 APP 00 GF DR A 421198 Rev DF1	20.8.21	Proposed Site Access Plan
20031 APP 00 GF DR A 421300 Rev DF1	1.7.21	Proposed sprinkler tank plant and fencing details
20031 APP 00 GF RP A 421190 Rev DF1	15.9.21	Demolition Plan
054_21RE01 Rev V1	6.8.21	Preliminary Ecological Appraisal report
054-21-RE02 Rev V1	24.9.21	Bat Survey Report
Rev 01	30.6.21	Topographical Underground Services Survey Part 1
Rev 01	30.6.21	Topographical Underground Services Survey Part 2
BA10735TS Rev A	22.7.21	Tree Survey and Constraints
KRS/FRADS/20013 Rev V5	18.10.22	Flood Risk Assessment and Drainage Strategy
BA10735TPP Rev A	22.9.21	Tree Survey and Constraints - proposed temporary site access tree protection plan
LTP/21/4690	5.10.21	Transport Statement

2021-09-26	26.9.21	Landscape Plan Palette
2016-R-001-V01	30.11.21	Ground Investigation Report
Ref. 20031/KRS/SuDS Rev. V2	7.9.21	SUDS Maintenance Plan
Ref. 20031 D203 Rev 1	18.3.22	Private Drainage Schedule
Ref. 20031 D205 Rev 4	2.11.22	Impermeable Areas
Ref. 20031 D701 Rev 2	15.3.22	Drainage Construction Details

Reason: To ensure that the development is carried out in accordance with the application details.

3. No site preparation, delivery of materials or construction works, shall take place other than between:
0800 –1800hrs Monday to Friday.
0800 – 1300hrs Saturdays
And no operations shall take place on Sundays or Bank/Public Holidays.

Reason: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise.

4. During construction works there shall be no vehicles exceeding 7.5 tonnes permitted to arrive, depart, and be loaded or unloaded during school term, between the hours of 08:30-09:30, 12:00-13:00 and 15:15–16:00 on Mondays to Fridays.

Reason: To avoid conflict with vulnerable road users during school hours.

5. Within six months of the date of this decision details of hard and soft landscape works, and a management and maintenance scheme shall be submitted to and approved in writing by the County Planning Authority. These details shall include the works on the Site and Block Plan (Ref. 20031_APP_00_GF_DR_A_421197 Rev DF5, dated 15 September 2022) with Hard landscape works:

- (a) proposed finished levels and/or contours,
- (b) proposed grading and mounding of land showing relationship of surrounding land
- (c) boundary details and means of enclosure,
- (d) hard surfacing layouts and materials, including the running track,
- (e) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
- (f) proposed and existing functional services above and below ground (e.g. pitch drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).

Soft landscape works:

- (g) planting plans including the quantity, size, species, and positions or density of all trees to be planted, how they will be planted and protected and the proposed time of planting.
- (h) compensatory tree planting at a ratio of three replacement trees for every one tree removed (a proportion of these trees should be fruit trees).
- (i) schedules of plants noting species, planting sizes and proposed numbers/densities, means of support and protection.
- (j) Further external habitat area to replace the area to be removed, with the site amount on site in total being at least 589.1m². The further habitat area details should include layout of paths, planting beds / activity and growing areas, planting and boundary treatments.

All works must be undertaken in accordance with the approved details and shall thereafter be managed and maintained in accordance with the approved maintenance and management scheme.

Reason: To protect the amenity of the area and to ensure the provision and establishment of acceptable landscaping.

6. No equipment, machinery or materials shall be used, stored, or burnt within any tree protected area. Ground levels within these areas shall not be altered, nor any excavations undertaken including the provision of any underground services unless agreed in writing with the County Council in consultation with the Arboricultural Officer.

Reason: To ensure the protection and preservation of trees, hedges, bushes, and other natural features during construction works.

7. Once the temporary access has been created only vehicles associated with on-site construction works are permitted to access the site via the approved temporary access as shown on the Proposed Site Access Plan (Ref. 20031 APP 00 GF DR A 421198 Rev DF1, dated 20 August 2021) with the temporary access only to be used by vehicles associated with the construction works. Upon completion of the construction works the temporary access road and access point off Pinhaw Road shall be removed and the land reinstated to its previous condition, including any tree planting as replacements following removal to create the access off Pinhaw Road.

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

8. Prior to the commencement of development, a Construction Management Plan has been submitted to and approved in writing by the County Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited, to arrangements for the following in respect of the works:
1. details of any temporary construction access to the site including measures for removal following completion of construction works.
 2. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway.
 3. the parking of contractors' site operatives and visitor's vehicles.
 4. areas for storage of plant and materials used in constructing the development clear of the highway.
 5. details of site working hours.
 6. details of the measures to be taken for the protection of trees; and
 7. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
 8. a dust Management Plan shall identify all areas of the site and the site operations where dust may be generated and further identify control measures to ensure that dust does not travel beyond the site boundary. Once in place, all identified measures shall be implemented, retained, and maintained for the duration of the approved use. Should any equipment used to control dust fail, the site shall cease all material handling operations immediately until the dust control equipment has been repaired or replaced.

Reason: This is a pre-commencement condition and is required given the particular circumstance and imposed to In the interest of public safety and amenity.

9. The development hereby permitted, shall, at all times, be undertaken in accordance with the ecological mitigation measures stated within the Preliminary Ecological Appraisal (054_21RE01 Rev V1, dated 6 August 21) which are:

- an ecological watching brief.
- cover excavations overnight to avoid entrapment of wildlife.
- timings of vegetation clearance to avoid nesting birds.
- the installation of two bat boxes.

Reason: In the interests of protecting biodiversity and ecological sensitive areas.

10. No removal of trees, hedgerows or shrubs or the demolition of buildings that have the potential to be used by breeding birds shall take place between the 1st March and 31st August inclusive, unless an appropriately qualified ecologist has undertaken a detailed check of vegetation for active birds' nests and written confirmation is provided to the County Planning Authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to the County Planning Authority in advance of vegetation clearance works.

Reasons: To protect the interests of breeding birds in the area.

11. No works shall commence until all existing trees, hedges, bushes shown to be retained on the approved plans are fully safeguarded by protective fencing and ground protection in accordance with approved plans and specifications and the provisions of British Standard 5837 (2012) Trees in relation to design, demolition and construction. Such measures shall be retained for the duration of any demolition and/or approved works.

Reason: to protect habitats and the local environment.

12. Prior to the commencement of development a detailed design scheme for foul and surface water drainage shall be submitted to and approved in writing by the County Planning Authority. These details shall be in accordance with the principles agreed in the Proposed Drainage Plan Attenuation Creates Solution Plan (Ref. 20031 D201 Rev 6, dated 2 November 22). Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved scheme. No part of the development shall be brought into use until the drainage works approved for that part or phase has been completed.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk.

13. The site shall be implemented with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge.

Reason: In the interest of satisfactory and sustainable drainage.

14. The development shall be carried out in accordance with the details shown on the submitted plan, Flood Risk Assessment and Drainage Strategy (Ref. KRS/FRADS/20031 Rev V5, dated 18 October 2022).

Reason: In the interest of satisfactory and sustainable drainage.

15. Prior to the development being brought into use a scheme of external lighting is to be submitted to and approved in writing by the County Planning Authority. All works must be undertaken in accordance with the approved details and shall thereafter be managed and maintained in accordance with the approved scheme.

Reason: To protect the amenity of the area and ensure the provision of acceptable lighting.

Statement of Compliance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant adopting a positive and proactive manner. The County Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

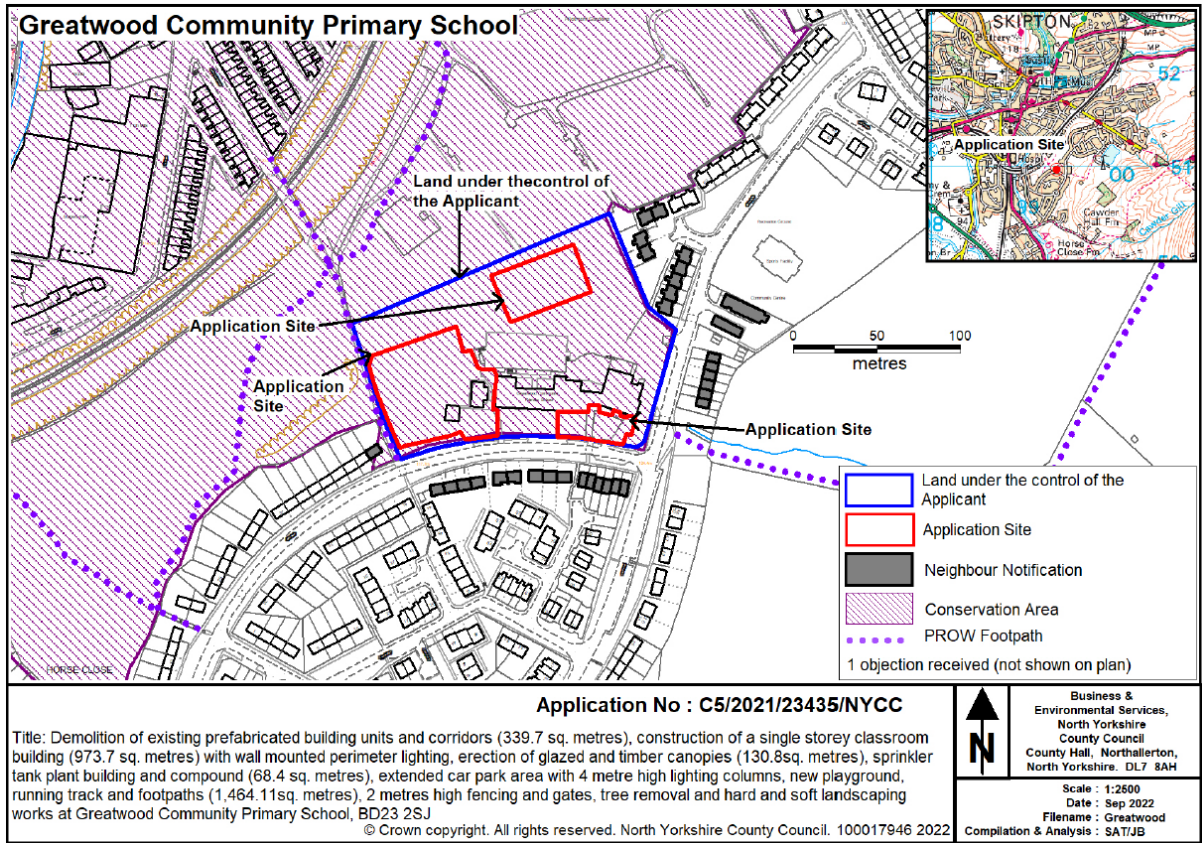
K BATTERSBY
Corporate Director, Business and Environmental Services
Growth, Planning and Trading Standards

Background Documents to this Report:

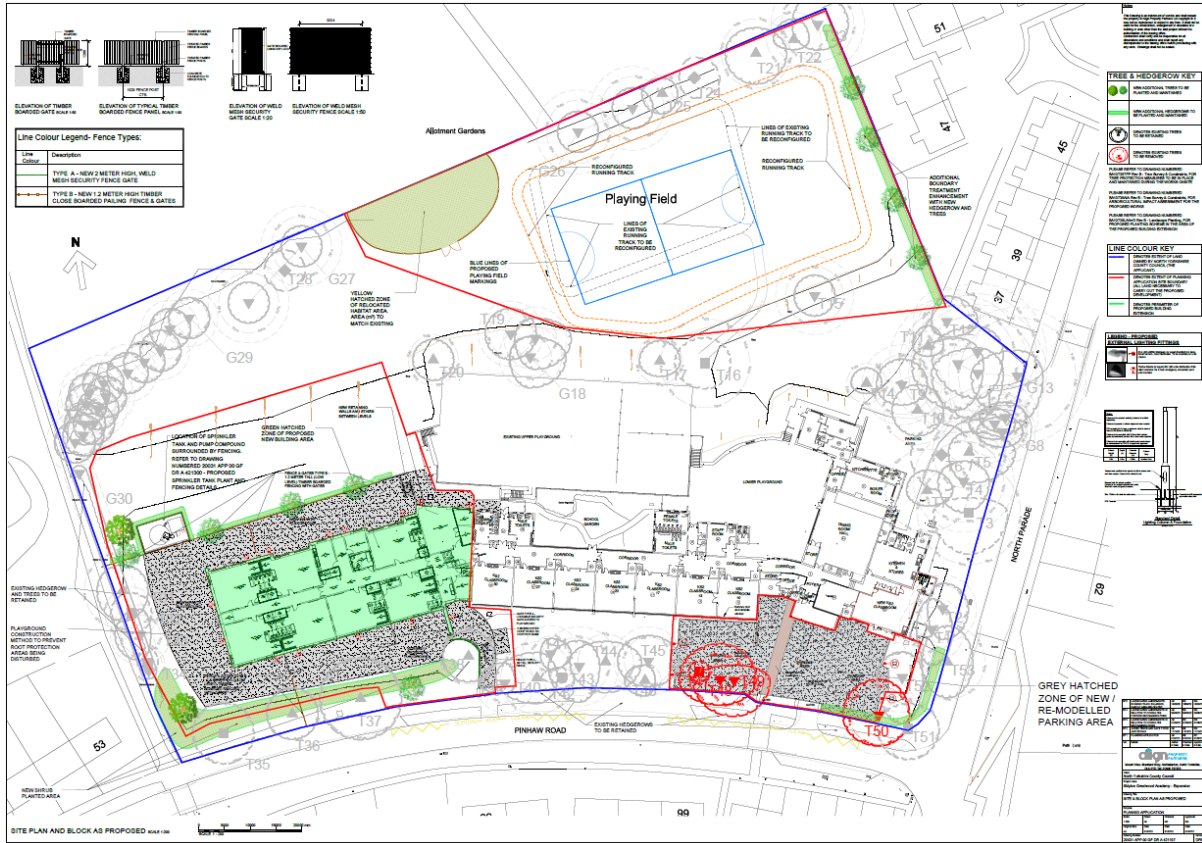
1. Planning Application Ref Number: C5/2021/23435/NYCC (NY/2021/0244/FUL) registered as valid on 10th October 2021. Application documents can be found on the County Council's Online Planning Register by using the following web link:
2. Consultation responses received.
3. Representations received.

Author of report: Sam Till

Appendix A – Committee Plan



Appendix B – Proposed Site Plan



Appendix D – Craven Local Plan Allocations

INSET MAP 1
SKIPTON (1:20,000)
CRAVEN LOCAL PLAN
 Adopted
 12th November 2019

Based on Ordnance Survey Mapping
 © Crown Copyright and Database right 2017
 Ordnance Survey 100024804
 Date first issue: 12th January 2017

Inset Maps should be read in conjunction with the Written Statement

Key Notation and Relevant Policies

Landscape

- Variable Dales National Park (ENV1, ENV9)

Nature Conservation

- Site of Importance for Nature Conservation (SINCS) (ENV4)
- Ancient Woodland (ENV5)

Towns and Villages

- Open Space, Civic Space, Sport and Recreation Facilities (SP1)
- Local Green Space Designation (ENV10)
- Conservation Area (ENV1, ENV11, ENV12, ENV13, ENV14, ENV15, ENV16, ENV17, ENV18, ENV19, ENV20, ENV21, ENV22, ENV23, ENV24, ENV25, ENV26, ENV27, ENV28, ENV29, ENV30, ENV31, ENV32, ENV33, ENV34, ENV35, ENV36, ENV37, ENV38, ENV39, ENV40, ENV41, ENV42, ENV43, ENV44, ENV45, ENV46, ENV47, ENV48, ENV49, ENV50, ENV51, ENV52, ENV53, ENV54, ENV55, ENV56, ENV57, ENV58, ENV59, ENV60, ENV61, ENV62, ENV63, ENV64, ENV65, ENV66, ENV67, ENV68, ENV69, ENV70, ENV71, ENV72, ENV73, ENV74, ENV75, ENV76, ENV77, ENV78, ENV79, ENV80, ENV81, ENV82, ENV83, ENV84, ENV85, ENV86, ENV87, ENV88, ENV89, ENV90, ENV91, ENV92, ENV93, ENV94, ENV95, ENV96, ENV97, ENV98, ENV99, ENV100)
- Listed Buildings (ENV1, ENV2, ENV3, ENV4, ENV5, ENV6, ENV7, ENV8, ENV9, ENV10, ENV11, ENV12, ENV13, ENV14, ENV15, ENV16, ENV17, ENV18, ENV19, ENV20, ENV21, ENV22, ENV23, ENV24, ENV25, ENV26, ENV27, ENV28, ENV29, ENV30, ENV31, ENV32, ENV33, ENV34, ENV35, ENV36, ENV37, ENV38, ENV39, ENV40, ENV41, ENV42, ENV43, ENV44, ENV45, ENV46, ENV47, ENV48, ENV49, ENV50, ENV51, ENV52, ENV53, ENV54, ENV55, ENV56, ENV57, ENV58, ENV59, ENV60, ENV61, ENV62, ENV63, ENV64, ENV65, ENV66, ENV67, ENV68, ENV69, ENV70, ENV71, ENV72, ENV73, ENV74, ENV75, ENV76, ENV77, ENV78, ENV79, ENV80, ENV81, ENV82, ENV83, ENV84, ENV85, ENV86, ENV87, ENV88, ENV89, ENV90, ENV91, ENV92, ENV93, ENV94, ENV95, ENV96, ENV97, ENV98, ENV99, ENV100)
- Designated Rural Area (R2)

Housing and Employment

- Housing Allocation (ENV1, ENV2, ENV3, ENV4, ENV5, ENV6, ENV7, ENV8, ENV9, ENV10, ENV11, ENV12, ENV13, ENV14, ENV15, ENV16, ENV17, ENV18, ENV19, ENV20, ENV21, ENV22, ENV23, ENV24, ENV25, ENV26, ENV27, ENV28, ENV29, ENV30, ENV31, ENV32, ENV33, ENV34, ENV35, ENV36, ENV37, ENV38, ENV39, ENV40, ENV41, ENV42, ENV43, ENV44, ENV45, ENV46, ENV47, ENV48, ENV49, ENV50, ENV51, ENV52, ENV53, ENV54, ENV55, ENV56, ENV57, ENV58, ENV59, ENV60, ENV61, ENV62, ENV63, ENV64, ENV65, ENV66, ENV67, ENV68, ENV69, ENV70, ENV71, ENV72, ENV73, ENV74, ENV75, ENV76, ENV77, ENV78, ENV79, ENV80, ENV81, ENV82, ENV83, ENV84, ENV85, ENV86, ENV87, ENV88, ENV89, ENV90, ENV91, ENV92, ENV93, ENV94, ENV95, ENV96, ENV97, ENV98, ENV99, ENV100)
- Green Infrastructure Provision on Housing Allocation (ENV1, ENV2, ENV3, ENV4, ENV5, ENV6, ENV7, ENV8, ENV9, ENV10, ENV11, ENV12, ENV13, ENV14, ENV15, ENV16, ENV17, ENV18, ENV19, ENV20, ENV21, ENV22, ENV23, ENV24, ENV25, ENV26, ENV27, ENV28, ENV29, ENV30, ENV31, ENV32, ENV33, ENV34, ENV35, ENV36, ENV37, ENV38, ENV39, ENV40, ENV41, ENV42, ENV43, ENV44, ENV45, ENV46, ENV47, ENV48, ENV49, ENV50, ENV51, ENV52, ENV53, ENV54, ENV55, ENV56, ENV57, ENV58, ENV59, ENV60, ENV61, ENV62, ENV63, ENV64, ENV65, ENV66, ENV67, ENV68, ENV69, ENV70, ENV71, ENV72, ENV73, ENV74, ENV75, ENV76, ENV77, ENV78, ENV79, ENV80, ENV81, ENV82, ENV83, ENV84, ENV85, ENV86, ENV87, ENV88, ENV89, ENV90, ENV91, ENV92, ENV93, ENV94, ENV95, ENV96, ENV97, ENV98, ENV99, ENV100)
- Existing Green Infrastructure Commitment (ENV1)
- Existing Housing Commitment (ENV1)
- Employment Allocation (ENV1, ENV2, ENV3, ENV4, ENV5, ENV6, ENV7, ENV8, ENV9, ENV10, ENV11, ENV12, ENV13, ENV14, ENV15, ENV16, ENV17, ENV18, ENV19, ENV20, ENV21, ENV22, ENV23, ENV24, ENV25, ENV26, ENV27, ENV28, ENV29, ENV30, ENV31, ENV32, ENV33, ENV34, ENV35, ENV36, ENV37, ENV38, ENV39, ENV40, ENV41, ENV42, ENV43, ENV44, ENV45, ENV46, ENV47, ENV48, ENV49, ENV50, ENV51, ENV52, ENV53, ENV54, ENV55, ENV56, ENV57, ENV58, ENV59, ENV60, ENV61, ENV62, ENV63, ENV64, ENV65, ENV66, ENV67, ENV68, ENV69, ENV70, ENV71, ENV72, ENV73, ENV74, ENV75, ENV76, ENV77, ENV78, ENV79, ENV80, ENV81, ENV82, ENV83, ENV84, ENV85, ENV86, ENV87, ENV88, ENV89, ENV90, ENV91, ENV92, ENV93, ENV94, ENV95, ENV96, ENV97, ENV98, ENV99, ENV100)
- Green Infrastructure Provision on Employment Allocation (ENV1, ENV2, ENV3, ENV4, ENV5, ENV6, ENV7, ENV8, ENV9, ENV10, ENV11, ENV12, ENV13, ENV14, ENV15, ENV16, ENV17, ENV18, ENV19, ENV20, ENV21, ENV22, ENV23, ENV24, ENV25, ENV26, ENV27, ENV28, ENV29, ENV30, ENV31, ENV32, ENV33, ENV34, ENV35, ENV36, ENV37, ENV38, ENV39, ENV40, ENV41, ENV42, ENV43, ENV44, ENV45, ENV46, ENV47, ENV48, ENV49, ENV50, ENV51, ENV52, ENV53, ENV54, ENV55, ENV56, ENV57, ENV58, ENV59, ENV60, ENV61, ENV62, ENV63, ENV64, ENV65, ENV66, ENV67, ENV68, ENV69, ENV70, ENV71, ENV72, ENV73, ENV74, ENV75, ENV76, ENV77, ENV78, ENV79, ENV80, ENV81, ENV82, ENV83, ENV84, ENV85, ENV86, ENV87, ENV88, ENV89, ENV90, ENV91, ENV92, ENV93, ENV94, ENV95, ENV96, ENV97, ENV98, ENV99, ENV100)
- Existing Employment Area (ENV1, ENV2)
- Mixed Use Opportunity Regeneration Area (ENV1, ENV2, ENV3, ENV4)
- Primary Retail Area for Skipton (ENV1, ENV2, ENV3, ENV4, ENV5, ENV6, ENV7, ENV8, ENV9, ENV10, ENV11, ENV12, ENV13, ENV14, ENV15, ENV16, ENV17, ENV18, ENV19, ENV20, ENV21, ENV22, ENV23, ENV24, ENV25, ENV26, ENV27, ENV28, ENV29, ENV30, ENV31, ENV32, ENV33, ENV34, ENV35, ENV36, ENV37, ENV38, ENV39, ENV40, ENV41, ENV42, ENV43, ENV44, ENV45, ENV46, ENV47, ENV48, ENV49, ENV50, ENV51, ENV52, ENV53, ENV54, ENV55, ENV56, ENV57, ENV58, ENV59, ENV60, ENV61, ENV62, ENV63, ENV64, ENV65, ENV66, ENV67, ENV68, ENV69, ENV70, ENV71, ENV72, ENV73, ENV74, ENV75, ENV76, ENV77, ENV78, ENV79, ENV80, ENV81, ENV82, ENV83, ENV84, ENV85, ENV86, ENV87, ENV88, ENV89, ENV90, ENV91, ENV92, ENV93, ENV94, ENV95, ENV96, ENV97, ENV98, ENV99, ENV100)
- Town Centre Boundary for Skipton (ENV1, ENV2, ENV3, ENV4, ENV5, ENV6, ENV7, ENV8, ENV9, ENV10, ENV11, ENV12, ENV13, ENV14, ENV15, ENV16, ENV17, ENV18, ENV19, ENV20, ENV21, ENV22, ENV23, ENV24, ENV25, ENV26, ENV27, ENV28, ENV29, ENV30, ENV31, ENV32, ENV33, ENV34, ENV35, ENV36, ENV37, ENV38, ENV39, ENV40, ENV41, ENV42, ENV43, ENV44, ENV45, ENV46, ENV47, ENV48, ENV49, ENV50, ENV51, ENV52, ENV53, ENV54, ENV55, ENV56, ENV57, ENV58, ENV59, ENV60, ENV61, ENV62, ENV63, ENV64, ENV65, ENV66, ENV67, ENV68, ENV69, ENV70, ENV71, ENV72, ENV73, ENV74, ENV75, ENV76, ENV77, ENV78, ENV79, ENV80, ENV81, ENV82, ENV83, ENV84, ENV85, ENV86, ENV87, ENV88, ENV89, ENV90, ENV91, ENV92, ENV93, ENV94, ENV95, ENV96, ENV97, ENV98, ENV99, ENV100)

Educational Provision

- Primary School Provision (ENV1)
- Primary School Provision (new primary school to be provided on 1.1ha of the total site area) (ENV1)

Tourism

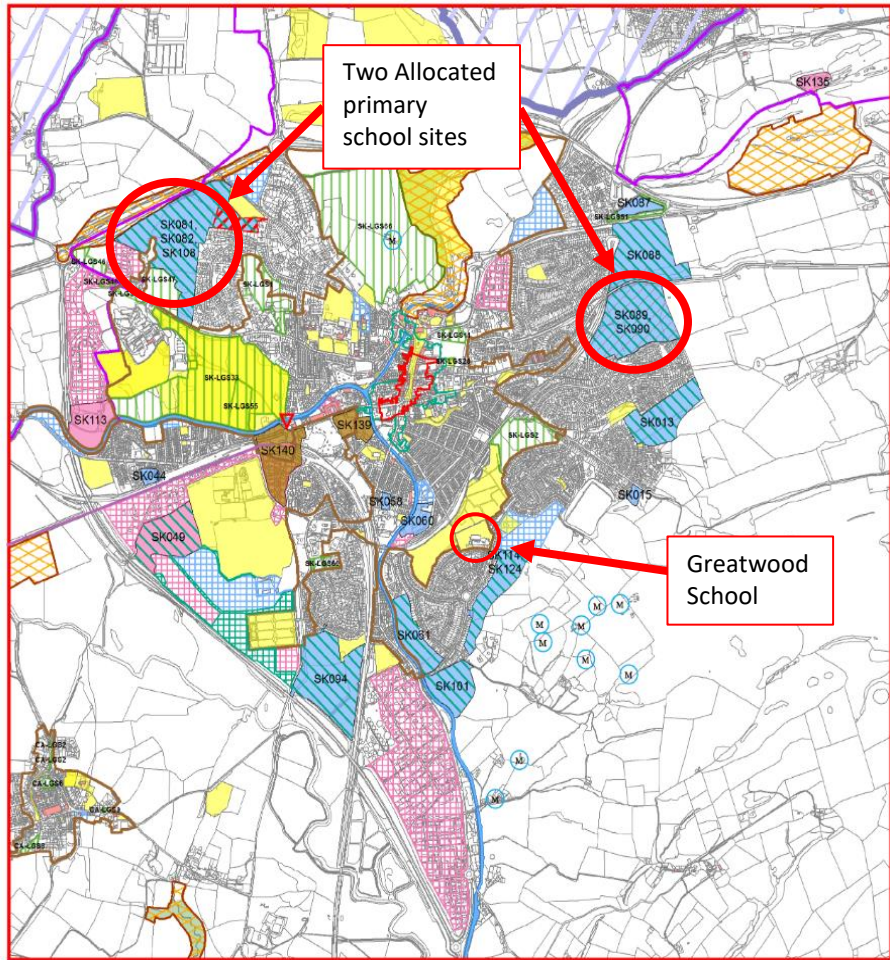
- Key Locations for Tourism Development (ENV1)

Safeguard Land and Transport

- Leeds - Liverpool Canal Corridor (ENV1, ENV11)
- Protection of Railway Trackbeds and Infrastructure (ENV1)

Other

- Scheduled Ancient Monument (ENV1, ENV2, ENV3, ENV4, ENV5, ENV6, ENV7, ENV8, ENV9, ENV10, ENV11, ENV12, ENV13, ENV14, ENV15, ENV16, ENV17, ENV18, ENV19, ENV20, ENV21, ENV22, ENV23, ENV24, ENV25, ENV26, ENV27, ENV28, ENV29, ENV30, ENV31, ENV32, ENV33, ENV34, ENV35, ENV36, ENV37, ENV38, ENV39, ENV40, ENV41, ENV42, ENV43, ENV44, ENV45, ENV46, ENV47, ENV48, ENV49, ENV50, ENV51, ENV52, ENV53, ENV54, ENV55, ENV56, ENV57, ENV58, ENV59, ENV60, ENV61, ENV62, ENV63, ENV64, ENV65, ENV66, ENV67, ENV68, ENV69, ENV70, ENV71, ENV72, ENV73, ENV74, ENV75, ENV76, ENV77, ENV78, ENV79, ENV80, ENV81, ENV82, ENV83, ENV84, ENV85, ENV86, ENV87, ENV88, ENV89, ENV90, ENV91, ENV92, ENV93, ENV94, ENV95, ENV96, ENV97, ENV98, ENV99, ENV100)
- Plan Area Boundary
- Inset Map Area



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

15 November 2022

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 1 (the period 01 April to 30 June 2022).

Information on Enforcement Cases is attached as an Appendix.

Recommendation: That the reported be noted.

KARL BATTERSBY
Corporate Director, Business and Environmental Services

Author of Report: Jo Brownless

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 1 (the period 1 April to 30 June 2022).

Total number of applications determined		5	
Number of delegated/committee decisions		Delegated: 4	Committee: 1
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
1	1	1	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%)

2022/23	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)	60% (No 3/5)	% (No /)	% (No /)	% (No. /)
No. of 'County Matter' applications determined within 13/16 weeks discounting Extension of Time agreements (EoT)	40% (No 2 /5)	% (No /)	% (/)	% (/)

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

2022/23	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	01/07/20 to 30/06/22 87% (No.40/46)			

** Under section 62A of the TCPA 1990 LPAs making 60% or fewer of decisions on time are at risk of designation ("Special Measures")

Table 2: County Council’s own development planning applications determined during quarter 1 (the period 1 April to 30 June 2022)

Total number of applications determined		6		
Minor¹/Major²/EIA³		Minor: 6	Major: 0	EIA: 0
Number of delegated/committee decisions		Delegated: 6		Committee: 0
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
4	0	0	2	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%)

2022/23	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.6/6)	% (No. /)	% (No./)	% (No. /)
No. of County Council’s own development minor applications determined within 8 weeks discounting Extension of Time agreements (EoT)	66.7% (No. 4/6)	% (No. /)	% (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 Q1 i.e. 30th June

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
Blubberhouses Quarry, Kex Gill NY/2011/0465/73 (C6/105/6C/CMA)	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	06.12.11	Committee	Further environmental information from the Applicant expected to be received this Autumn (2022); requiring to be consulted upon thereafter.	No
Land to the west of Raincliffe Grange Farm, Main Street, Seamer NY/2017/0267/ENV (C4/17/02418/CC)	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, stockpile area and restoration to agriculture and lake	25.10.17	Committee	Application presented to Members on 26 th July 2022 with a resolution to grant subject to the completion of a S106 Legal Agreement which is currently in progress.	Requested until 31.8.22
Pallett Hill Quarry, Catterick Village, Nr Richmond NY/2017/0326/ENV (C1/18/00013/CM)	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 2024 and the restoration of the site from 31st December 2018 to 31st December 2025	20.12.17	Committee	Awaiting completion of legal agreement.	No – to be requested upon confirmation of legal agreement
Old London Road Quarry, Stutton, Tadcaster NY/2018/0009/FUL (C8/2018/0180/CPO)	Extraction of 30,000 tonnes of limestone and importation of 600,000 tonnes of construction waste to complete restoration and export of 300,000 tonnes of secondary aggregate	9.2.18	Committee	ES being prepared by applicant, to be submitted in September/October 2022.	Extension of Time 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
Whitewall Quarry, Welham Road, Norton on Derwent, North Yorkshire, YO17 9EH NY/2018/0167/FUL (C3/18/00967/CPO)	Retrospective application for a 2.4 hectare extension to an inert and demolition recycling area.	30.8.18	Committee	Application presented to Members on 26 th July 2022 with a resolution to grant subject to the conditions as per the recommendations.	Yes until 30.09.22
Pallett Hill Quarry, Leeming Lane North, Catterick Village, DL10 7JX NY/2019/0130/FUL (C1/19/00587/CM)	Proposed retention of quarry access until 31st December 2023	14.8.19	Delegated	Requires amendment of description of development	No - Extension of Time to be requested
Land to the rear of Unit 6 Skipton Old Airfield, Sandhutton, Thirsk, North Yorkshire, YO7 4EG NY/2019/0026/FUL (C2/19/02210/CCC)	Change of use of land to a roadstone recycling plant, to include the erection of a concrete holding bay 2.4 metres high, erection of a green palisade perimeter fence with a sliding access gate 2.4 metres high, siting of a mobile crushing plant, (14.79) sq. metre portable cabin for office/wc/welfare facilities & the provision of 2 car parking spaces. The erection of an acoustic wall of 5m in height to the south and east boundaries of the development.	21.8.19	Committee	Reported to January Committee 2020, resolved to grant subject to a S106 agreement. Applicant has decided as of September 2020 to complete on the land purchase first and then complete on the Section 106 thereafter. The completion of the Agreement remains pending.	No
Birdsall Estates Company Ltd, Birdsall to Leavening Brow, Birdsall, Malton, YO17 9NU NY/2020/0182/FUL - C3/20/00287/CPO	Digging of trenches and excavation for the laying of a piped communal waste disposal system including installation of package treatment plant (30 sq. meter) and associated manholes to connect 33 properties, erection of 1.2 metre high fence around the perimeter of proposed	11.3.20	Delegated	Finally disposed of on 17 August 2022 following notice sent to Applicant/Agent on 2 August 2022 due to lack of correspondence and additional information required to progress	N/A

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
	treatment plant and formation of access track/hard-standing area (37.5 sq. meters)				
Barton Quarry, Barton, Richmond, DL10 6NF – NY/2020/0051/73 (C1/20/00277/CM)	Variation of Condition No's 2 & 20 of Planning Permission Ref. C1/93/113C/CM to allow a revision of the approved restoration scheme and an associated extension of the area into which it is permitted to place imported inert material	14.4.20	Delegated	Chased a response to NYCC Legal advice to Applicant on 8 July 2022, awaiting a response.	No.
Munford's Haulage Yard, Tollerton Road, Tollerton, YO61 1RB NY/2020/0105/FUL (C2/20/01935/CCC)	Change of use of land and buildings (Class B8) to form a waste transfer station with the erection of a site office (20.5 sq. metres) and the storage of skips	25.8.20	Committee	Finally disposed of on the 1 st August 2022 following notice sent to agent on 8 th July 2022 due to lack of correspondence and information provided to progress	N/A
Seamer Carr Waste Management Site, Dunslow Road, Eastfield, Scarborough, YO12 4QA NY/2020/0101/73	Variation of condition No. 1 of Planning Permission Ref. C4/9/33L/FL to allow for the continuation of composting and recycling after December 2020	6.10.20	Delegated	After draft conditions exchanged in July 2022 with Agent, application progressing toward conclusion under delegation.	No.
Seamer Carr Waste Management Site, Dunslow Road, Eastfield, Scarborough, YO12 4QA NY/2020/0103/73	Variation of Condition No. 2 of Planning Permission Ref. C4/06/01274/CC to allow for the permanent retention of the gatehouse and the weighbridge.	6.10.20	Delegated	After draft conditions exchanged with Agent in July 2022, application progressing toward conclusion under delegation.	No.
Former Watergarth Quarry, Rawfield Lane, Fairburn, Selby, WF11 9LD NY/2020//0162/FUL (C8/2020/1204/CPO)	Infilling and restoration of the former Watergarth Quarry with excavated materials, erection of a temporary single storey site cabin, formation of temporary site access, car parking area and associated hardstanding	29/10/20	Committee	Application presented to Members on 26 th July 2022 with a resolution to grant subject to the conditions. Granted on 26.7.22 (Yes until 29.7.22

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
Eggborough Sand Pit, Weeland Road, Hensall, Selby, DN14 0RL NY/2020/0184/73 (C8/2020/1248/CPO)	Variation of condition No's 2, 3 & 22 of Planning Permission C8/2018/0563/CPO to allow for the extraction of sand for a further two years until 31st December 2022, revise the restoration contours and a Restoration Aftercare Management Plan	9/11/20	Delegated	NY/2020/0183/FUL determined at 26 July committee, so this linked variation application can now be determined. To be completed by the end of August 2022.	No – to be requested
Land to the west of Eggborough Sandpit, Weeland Road, Goole Hensall, DN14 0PT NY/2020/0183/FUL	Proposed infilling and restoration of former mineral workings on land adjacent to Eggborough Sandpit	9/11/20	Committee	Granted on 26.7.22	Yes until 2.8.22
Middleton Lodge, Kneeton Lane, Middleton Tyas, DL10 6NJ NY/2021/0012/73 (C1/21/00118/PLANYC	Variation of conditions 1,6, 7, 10, 14, 20, 24, 26, 27, 30 of planning permission C1/14/00747/CM which relates to site access arrangements at Middleton Lodge, Kneeton Lane, Middleton Tyas, Richmond, DL10 6NJ	21.1.21	Committee	Application approved by Committee and Chief Executive on 22 February 22, waiting for S106 to be completed.	Yes – until 30.9.22
Hensall Quarry Inert Waste Landfill Site, off Heck Lane/New Road, Hensall NY/2021/0050/73 C8/2021/0345/CPO	Variation of condition No's 2, 3 & 22 of Planning Permission Ref. C8/2013/1219/CPO to allow for the continuation of site operations and restoration	10.2.21	Delegated	Granted on 26.7.22 (to stay on list as granted outside Q1)	EoT was agreed before determination.
Low Grange Quarry, West Lane, Melsonby, DL10 5PN NY/202/0059/73	Variation of condition No. 9 of Planning Permission Ref. C1/15/00326/CM to increase the vehicle movements from 24 per day up to 60 vehicle movements per day (30 in and 30 out)	7.4.21	Committee	As of 15 th August 2022, a draft S106 Legal Agreement regarding lorry routeing from the Agent is awaited.	EoT agreement to be subject to a request to extend due to awaiting receipt of draft legal agreement.

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
Low Grange Quarry, West Lane, Melsonby, DL10 5PN NY/2021/0060/73	Variation of condition No. 47 of Planning Permission Ref. C1/32/153-/CM to increase the vehicle movements from 24 per day up to 60 vehicle movements per day (30 in and 30 out)	7.4.21	Committee	As of 15 th August 2022, a draft S106 Legal Agreement regarding lorry routeing from the Agent is awaited.	EoT agreement in place to be subject to a request to extend due to awaiting receipt of draft legal agreement.
Highmoor Quarry, Warren Lane, Bramham, Tadcaster NY/2021/0046/73 C8/2021/0944/CPO)	Application for the variation of condition No 1 of Planning Permission C8/73/150L/PA, which relates to an extension of time for the continued extraction of magnesian limestone and storage of materials excavated for a further 5 years until 28 July 2026.	19.7.21	Delegated	Awaiting a revised restoration plan which was proposed in November 2021 by the Agent. Draft report to be amended in light of the comments of the Yorkshire Wildlife Trust.	No – to be requested
Land adjacent to and to the east of the current Escrick Quarry to the south west of Escrick in North Yorkshire NY/2021/0180/FUL (C8/2021/1133/CPO)	Construction of a site reception area comprising of an office building (approx. 112.5sq.m), vehicle maintenance building (approx. 49sq.m) and storage area, wheel wash and weighbridge office (approx.12.7sq. m) and car park	6.8.21	Delegated	Further drainage information received August 2022, awaiting final response from Internal Drainage Board before determination.	Not yet - to be requested.
3 to 7 Foss Way, Walkerville Industrial Estate, Catterick Garrison, DL9 4SA NY/2021/0204/FUL (C1/21/00935/CM)	demolition works (448m2) of buildings and addition of sui generis use class (511m2) to external storage yard to include asbestos waste transfer station area, storage of skips, 3 metre high wall panels with 1.8 metre high weldmesh fence (total height 4.8 metres), external lighting, creation of car parking spaces and hardstanding area	18.10.21	Committee	Application to go to 13 th September 2022 Planning Committee meeting.	Not yet - 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
Asenby Quarry Tip, Leckby Palace Farm, Asenby NY/2021/0278/73 (C6/21/05464/CMA)	Variation condition No. 1 of Planning Permission C6/27/19/E/CMA to allow for the continuation of tipping and restoration	17.12.21	Committee	Granted on 26.7.22	Yes – until 31.7.22
Gebdykes Quarry, Gebdykes Farm, Burton on Yore NY/2022/0013/ENV (C6/22/0349/CMA)	importation of 3.6 million tonnes of inert waste with final restoration, together with associated screening and resale of soils and soil-type materials	14.1.22	Delegated	Delegated items letter in preparation as of August 2022.	Not yet – will be requested.
Land west of Nosterfield Quarry, Nosterfield NY/2022/0022/ENV C6/22/00251/CCC C6	a lateral extension to allow the extraction of an additional 1 million tonnes of sand and gravel, together with the rephasing of 471,000 tonnes of permitted reserves, together with final restoration	1.2.22	Committee	Awaiting updates to ES, anticipated to be received in august 2022.	Yes until 20.9.22
Betteras Hill Quarry, Brotherton Road, Monk Fryston NY/2022/0021/73 (C8/2022/0197/CPO)	Variation of condition no. 1 of planning permission ref. C8/2012/0147/CPO to extend the time limits for the completion of landfill and recycling operations	14.2.22	Committee	Awaiting determination at committee, anticipated at 15 November 2022.	Yes until 20.9.22
Pateley Bridge Quarry (Coldstones), Greenhow Hill, Pateley Bridge, Harrogate NY/2022/0029/73 (C6/22/00809/CMA)	Variation of condition No's 19 & 20 of Planning Permission C6/500/109/F/CMA to enable Asphalt Operations to continue until 21:00 hours Monday to Friday	23.2.22	Committee	Approved at Committee on 26 th July 2022 and now waiting for completion of s106 agreement.	Yes - until 29.7.22

* 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 1 (the period 30 June 2022) 2022/23

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						
Site near Burton Leonard (cmp/0457)		1	<p>Caller reports company Alfred Hyman for dumping illegal waste. They are a haulage and farming company.</p> <p>They have been using the wood on their Moor Farm to dump illegal waste for 20-30 years and covering it with topsoil.</p> <p>The tip is clearly visible on aerial photographs at the NGR provided.</p> <p>The waste comes from their own business and they take in waste from other companies.</p> <p>There are oil drums and paint drums in the tip, all sorts of stuff. There is a beck, Holbeck, a short distance from the tip.</p> <p>The caller will send in a video via email, the video was taken 18 months ago.</p> <p>The soil to the left had side in the video came from the owners new yard at Quernow.</p> <p>There are trees buried 6 feet deep up their trunks.</p>	24.4.22		
County Council Development						

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						
Riverside Farm, Bridge Hewick (cmp/0431)	Harrogate	1	Importation & processing of wood waste and alleged making of compost on site	17.2.21	Site owner contacted & replied. Online meeting with Harrogate BC & site owner. Harrogate BC met owner on site, awaiting update from Harrogate BC re meeting with site owner.	Due to time lapsed with no response from Harrogate and no additional complaints received, case marked as resolved.
Field north of B6265, opposite former Toft Gate Lime Kilns, Greenhow Hill, Pateley Bridge (cmp/0420)	Harrogate	1	Alleged unauthorised extraction on land comprised field at 412977 464497, Coldstones Quarry to Red Brae Bank	29.6.20	Site viewed from public highway in July 2020. Further activity reported by complainant & by parish council June 2021. Letter sent 29 July 2021 to registered landowners requesting response to alleged extraction. Awaiting response to letter to owners sent 29 July 2021.	02/08/2022 – email from landowner on 08/08/2021 to advise no aggregates or minerals have been removed. No further complaints received – case resolved
Grey Yaud Quarry	Richmond shire	1	Alleged breach of condition regarding vehicle numbers	16.03.22	Resolved. Site Monitoring visit conducted re. number of concerns raised and no compliance issues found.	Case resolved.
Carr Lane, Sutton on The Forest (cmp/0454)	Hambleton	1	Increase in height of screening Bund and no planting maintenance	23.2.22	Site visit undertook. Application for approval of condition has been received currently invalid though whilst awaiting some further documentation	Will remain open/ unresolved until approval of conditions application becomes valid – chases have been sent regarding awaiting information
Maple Tree Farm, Appleton Wiske (cmp/0455)	Hambleton	1	Land been used as unauthorised tip	24.2.22	Waiting for response from landowner to carry out site visit.	On-going

Site Address	District	No. of Complaints	Subject of Complaints	Date of receipt of complaint	Action	Resolved?
Windmill House, Skipton Road, Harrogate (cmp 0452)	Harrogate	1	Tipping of contaminated waste	12.2.22	Referred to District Council	Case closed
Land at former East Farm, Flaxley Road, Selby (cmp/0458)	Selby	1	Unauthorised waste disposal site	22.2.22	Planning application has been received, however currently invalid. Awaiting for further documentation	On-going
Land to south of Swinsty Reservoir (cmp/0439)	Harrogate	1	Possible illegal tipping	25.5.21	Case closed	Yes
Selby Hydroponics, Moss Green Lane, West Bank, Carlton N14 9PZ (cmp/0440)	Selby	1	Soil deposited and being stored on land adjacent to the above property	28.4.21		Due to time lapsed and no additional complaints received, case marked as resolved.
Harrogate Road, North Rigton (cmp/0449)	Harrogate	1	Unauthorised Disposal of Waste Materials	19.11.21	Email sent to complainant to provide evidence – no response received – forwarded this on to EA to investigate.	Due to time lapsed and no additional complaints received. Case closed
County Council Development						

Existing Enforcement Issues

Formal Enforcement notices served by the County Council

A Temporary Stop Notice was issued on the 6th March 2022 at Escrick Railway Cutting.

A Temporary Stop Notice was issued on the 20th May 2022 at Escrick Railway Cutting

An Enforcement Notice was issued on the 20th May, which came into force on the 17th June 2022 at Escrick Railway Cutting.

Table 3 - Monitoring and Compliance Visits undertaken in Quarter 1 (Minerals and Waste Sites only)

Site	District	Date Visited

North Yorkshire County Council
Business and Environmental Services
Planning and Regulatory Functions Committee
15 November 2022

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 2 (the period 01 July to 30 September 2022).

Information on Enforcement Cases is attached as an Appendix.

Recommendation: That the reported be noted.

KARL BATTERSBY
Corporate Director, Business and Environmental Services

Author of Report: Jo Brownless

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 2 (the period 1 July to 30 September 2022).

Total number of applications determined		8	
Number of delegated/committee decisions		Delegated: 2	Committee: 6
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	6	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%)

2022/23	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)	60% (No 3/5)	75% (No 6/8)	% (No /)	% (No. /)
No. of 'County Matter' applications determined within 13/16 weeks discounting Extension of Time agreements (EoT)	40% (No 2 /5)	0% (No 0/8)	% (/)	% (/)

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

2022/23	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	01/07/20 to 30/06/22 87% (No.40/46)	01/10/20 to 30/09/22 83.7% (No. 36/43)		

** Under section 62A of the TCPA 1990 LPAs making 60% or fewer of decisions on time are at risk of designation ("Special Measures")

Table 2: County Council's own development planning applications determined during quarter 2 (the period 1 July to 30 September 2022)

Total number of applications determined		12		
Minor¹/Major²/EIA³		Minor: 12	Major: 0	EIA: 0
Number of delegated/committee decisions		Delegated: 12		Committee: 0
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
5	0	0	7	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%)

2022/23	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.6/6)	100% (No. 12/12)	% (No./	% (No. /
No. of County Council's own development minor applications determined within 8 weeks discounting Extension of Time agreements (EoT)	66.7% (No. 4/6)	41.6% (No. 5/12)	% (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 Q2 i.e. 30th September

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
Blubberhouses Quarry, Kex Gill NY/2011/0465/73 (C6/105/6C/CMA)	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	06.12.11	Committee	Further environmental information from the Applicant expected to be received this Autumn (2022); requiring to be consulted upon thereafter.	No
Land to the west of Raincliffe Grange Farm, Main Street, Seamer NY/2017/0267/ENV (4/17/02418/CC)	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, stockpile area and restoration to agriculture and lake	25.10.17	Committee	Application presented to Members on 26 th July 2022 with a resolution to grant subject to the completion of a S106 Legal Agreement which is currently in progress. Negotiated position on behalf of the applicant on highway matters covered by the draft agreement received on 13 th September 2022.	Yes - until 30 th November 2022.
Pallett Hill Quarry, Catterick Village, Nr Richmond NY/2017/0326/ENV (C1/18/00013/CM)	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 2024 and the restoration of the site from 31st December 2018 to 31st December 2025	20.12.17	Committee	Awaiting completion of legal agreement.	No – to be requested upon confirmation of legal agreement

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
Old London Road Quarry, Stutton, Tadcaster NY/2018/0009/FUL (C8/2018/0180/CPO)	Extraction of 30,000 tonnes of limestone and importation of 600,000 tonnes of construction waste to complete restoration and export of 300,000 tonnes of secondary aggregate	9.2.18	Committee	ES being prepared by applicant, to be submitted in October 2022.	Yes until 14.2.23
Pallett Hill Quarry, Leeming Lane North, Catterick Village, DL10 7JX NY/2019/0130/FUL (C1/19/00587/CM)	Part retrospective proposed retention of quarry access until 31st December 2025	14.8.19	Committee	Amendment to description received, out for reconsultation. Committee report in preparation. Awaiting determination at committee, anticipated at January 2023.	Yes until 11.11.2022
Barton Quarry, Barton, Richmond, DL10 6NF – NY/2020/0051/73 (C1/20/00277/CM)	Variation of Condition No's 2 & 20 of Planning Permission Ref. C1/93/113C/CM to allow a revision of the approved restoration scheme and an associated extension of the area into which it is permitted to place imported inert material	14.4.20	Delegated	Chased a response to NYCC Legal advice to Applicant on 16 September 2022, awaiting a response.	No.
Seamer Carr Waste Management Site, Dunslow Road, Eastfield, Scarborough, YO12 4QA NY/2020/0103/73	Variation of Condition No. 2 of Planning Permission Ref. C4/06/01274/CC to allow for the permanent retention of the gatehouse and the weighbridge.	6.10.20	Delegated	After draft conditions exchanged with Agent in September 2022, application progressing toward conclusion under delegation.	No.
Eggborough Sand Pit, Weeland Road, Hensall, Selby, DN14 0RL NY/2020/0184/73 (C8/2020/1248/CPO)	Variation of condition No's 2, 3 & 22 of Planning Permission C8/2018/0563/CPO to allow for the extraction of sand for a further two years until 31st December 2022, revise the restoration contours and a Restoration Aftercare Management Plan	9/11/20	Delegated	Awaiting completion of legal agreement	No – 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
Middleton Lodge, Kneeton Lane, Middleton Tyas, DL10 6NJ NY/2021/0012/73 (C1/21/00118/PLANYC	Variation of conditions 1,6, 7, 10, 14, 20, 24, 26, 27, 30 of planning permission C1/14/00747/CM which relates to site access arrangements at Middleton Lodge, Kneeton Lane, Middleton Tyas, Richmond, DL10 6NJ	21.1.21	Committee	Application approved by Committee and Chief Executive on 22 February 22, waiting for S106 to be completed.	New EoT requested
Low Grange Quarry, West Lane, Melsonby, DL10 5PN NY/202/0059/73	Variation of condition No. 9 of Planning Permission Ref. C1/15/00326/CM to increase the vehicle movements from 24 per day up to 60 vehicle movements per day (30 in and 30 out)	7.4.21	Committee	As of 15 th August 2022, a draft S106 Legal Agreement regarding lorry routeing from the Agent is awaited.	EoT agreement to be subject to a request to extend due to awaiting receipt of draft legal agreement from applicant.
Low Grange Quarry, West Lane, Melsonby, DL10 5PN NY/2021/0060/73	Variation of condition No. 47 of Planning Permission Ref. C1/32/153-/CM to increase the vehicle movements from 24 per day up to 60 vehicle movements per day (30 in and 30 out)	7.4.21	Committee	As of 15 th August 2022, a draft S106 Legal Agreement regarding lorry routeing from the Agent is awaited.	EoT agreement in place to be subject to a request to extend due to awaiting receipt of draft legal agreement from applicant.
Highmoor Quarry, Warren Lane, Bramham, Tadcaster NY/2021/0046/73 (C8/2021/0944/CPO)	Application for the variation of condition No 1 of Planning Permission C8/73/150L/PA, which relates to an extension of time for the continued extraction of magnesian limestone and storage of materials excavated for a further 5 years until 28 July 2026.	19.7.21	Delegated	Awaiting a revised restoration plan which was proposed in November 2021 by the Agent. Draft report to be amended in light of the comments of the Yorkshire Wildlife Trust. On 13 th September 2022, the Agent confirmed in writing that the duration of the proposed time limit be amended to read "until 23 rd April 2023" rather	No – although a new EoT request has been sought until 30 th November 2022.

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
				than “for a further 5 years until 28 July 2026”.	
Land adjacent to and to the east of the current Escrick Quarry to the south west of Escrick in North Yorkshire NY/2021/0180/FUL (C8/2021/1133/CPO)	Construction of a site reception area comprising of an office building (approx. 112.5sq.m), vehicle maintenance building (approx. 49sq.m) and storage area, wheel wash and weighbridge office (approx.12.7sq. m) and car park	6.8.21	Delegated	Further drainage information received August 2022, awaiting final response from Internal Drainage Board before determination.	New EOT agreement requested
Gebdykes Quarry, Gebdykes Farm, Burton of Yore NY/2022/0013/ENV (C6/22/0349/CMA)	importation of 3.6 million tonnes of inert waste with final restoration, together with associated screening and resale of soils and soil-type materials	14.1.22	Delegated	Delegated items letter in preparation as of October 2022.	Not yet – will be requested.
Land west of Nosterfield Quarry, Nosterfield NY/2022/0022/ENV C2/22/00251/CCC	a lateral extension to allow the extraction of an additional 1 million tonnes of sand and gravel, together with the rephasing of 471,000 tonnes of permitted reserves, together with final restoration	1.2.22	Committee	Awaiting updates to ES, anticipated to be received in October 2022.	Yes until 17.1.23
Betteras Hill Quarry, Brotherton Road, Monk Fryston NY/2022/0021/73 (C8/2022/0197/CPO)	Variation of condition no. 1 of planning permission ref. C8/2012/0147/CPO to extend the time limits for the completion of landfill and recycling operations	14.2.22	Committee	Awaiting determination at committee, anticipated at January 2023..	Yes until 17.1.23
Land at Sandholmes Lane, Sowerby, YO7 1FA NY/2022/0059/FUL (C2/22/00918/GENENQ)	Change of use of land to commercial to create a recycling waste centre	11.4.22	Committee	Due to go to Committee 15.11.22	Yes until 30.11.22

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
Gayles Quarry, nr Gayles Village NY/2022/0103/FUL – C1/22/00365/CM –	Extraction of sandstone at Gayles Quarry, near Gayles Village	23.5.22	Committee	On hold until December 2022 at request National Highways	Yes until 31.12.22
Land off A63 Lumby, North Yorkshire, NY/2022/0102/ENV – C8/2022/0616/CPO -	Extraction and processing of magnesian limestone, the installation and operation of a low-level aggregate processing plant with ancillary buildings and restoration by infilling of the void space with inert waste to original ground levels	19.5.22	Committee	Awaiting updates to ES, anticipated in October 2022	Yes until 17.1.23.

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 2 (the period 30 September 2022) 2022/23

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						
County Council Development						

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						
Carr Lane, Sutton on The Forest (cmp/0454)	Hambleton	1	Increase in height of screening Bund and no planting maintenance	23.2.22	Site visit undertook. Application for approval of condition has been received currently invalid though whilst awaiting some further documentation	Will remain open/ unresolved until approval of conditions application becomes valid – 21 Days notice given to provide information before action taken
Maple Tree Farm, Appleton Wiske (cmp/0455)	Hambleton	1	Land been used as unauthorised tip	24.2.22	Waiting for response from landowner to carry out site visit.	On-going
County Council Development						

Table 3 - Monitoring and Compliance Visits undertaken in Quarter 2 (Minerals and Waste Sites only)

Site	District	Date Visited
Went Edge Quarry	Selby	7.9.22
Ripon Quarry	Harrogate	22.9.22