

North Yorkshire County Council

Planning and Regulatory Functions Committee

Minutes of the meeting held remotely via Microsoft Teams on 8 March 2022 at 9am.

Present:-

County Councillors Peter Sowray (Chairman), David Blades, Eric Broadbent, David Hugill, Mike Jordan, John McCartney and Chris Pearson

Apologies were received from County Councillors Robert Heseltine and Zoe Metcalfe

The meeting was available to watch live via the County Council's website and a recording of the meeting is now available on the website via the following link www.northyorks.gov.uk/livemeetings

Copies of all documents considered are in the Minute Book

All decisions made by the Committee are subject to the procedure set out in Minute No. 273, below.

273. Welcome and Introductions

The Chairman welcomed everyone to the meeting and made the following statement:- You will have seen the statement on the Agenda front sheet about current decision making arrangements within the Council, following the expiry of the legislation remote committee meetings. I just want to remind everyone, for absolute clarity, that this is an informal meeting of the Committee Members. Any formal decisions required will be taken by the Chief Executive Officer under his emergency delegated decision making powers after taking into account any the views of the relevant Committee Members and all relevant information. This approach was agreed by full Council at its February meeting following a review, and will be the subject of a further review and consideration at the May AGM of the County Council

274. Minutes of the meeting held on 22 February 2022

Resolved -

That the Minutes of the meeting held on 22 February 2022, having been printed and circulated, be taken as read and confirmed by Members and signed by the Chairman as a correct record at the next available opportunity.

275. Declarations of Interest

There were no declarations of interest.

276. 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.

277. C1/19/00899/CM - Planning application for the erection of a ready mix concrete plant and associated aggregate storage on land at Washfold Farm, Leyburn, North Yorkshire

Considered -

The report of the Corporate Director, Business and Environmental Services requesting Members to determine a planning application for the erection of a ready mix concrete plant and associated aggregate storage on land at Washfold Farm, Leyburn, North Yorkshire.

The application was subject to four objections raised by local residents on the grounds of potential impacts upon local roads; road safety; increase in HGVs; access road should be constructed or usable before permission; diversification from agricultural use to agricultural / industrial complex; creation of quarry; visual impact; limited jobs / economic benefits; unacceptable impact on Leyburn residents including those living on Moor Road; noise, vibration, dust and health impacts; lack of buffer / screening mound insufficient for nearest residential property; further landscaping required. The application was, therefore, reported to this Committee for determination.

The Head of Planning Services 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 addressed issues raised within the objections during her presentation.

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

- A Member asked for details of the proximity of the next nearest batching site and of the application site to the Yorkshire Dales National Park boundary. In response it was stated the next nearest batching site was based at Catterick and the border of the National Park was 4 miles away at its nearest point.
- It was stated that the adjacent highway was able to accommodate heavy traffic, including military vehicles.
- The provision of the new access road was discussed. It was noted that this had to be in place before the any work could commence, as outlined in the conditions. The applicant clarified the positioning of the access road and that Highways had cleared this for use by HGVs. It was noted that the new access road was due to be completed shortly.
- A Member asked why the report referred to maximum vehicle movements but there were no conditions outlining this within the recommendation. He suggested that an appropriate condition should be placed within the set of conditions to reflect the details outlined in the report. This was supported by another Member.

- A Member highlighted the benefit of localised production for substances such as this given escalating fuel costs.
- It was considered that there would be little increase in existing HGV movements in the area should the application be approved, and the jobs created would be important to the area which has high employment and few vacancies.
- The noise and dust issues raised by the objectors were controlled by an Environmental Management Plan.

Resolved: - that the following be referred to the Chief Executive Officer for consideration under his emergency delegated powers:-

That the application be approved for the reasons stated in the report and in accordance with the conditions outlined, subject to an additional condition, outlining the following:-

“The total number of vehicle movements, including HGVs, tankers & barrel mixer trucks, associated with the development hereby permitted (comprising the total number of movements entering the application site plus the total number of movements leaving the application site) shall not exceed 54 per day. Records of the number of vehicle movements per day, both accessing and egressing the site, shall be maintained for a period of no less than twelve months and made available to the Planning Authority upon request.”

278. C1/18/00013/CM - Planning application for the 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 on land at Pallett Hill Quarry, Catterick Village, North Yorkshire

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 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 on land at Pallett Hill Quarry, Catterick Village, North Yorkshire.

The application was subject to an objection having been raised by a local resident in respect of this proposal on the grounds of noise and was, therefore, reported to this Committee for determination.

Local resident, Helen Wymess, had submitted the following statement, which was read out by the Clerk:-

“Living near a quarry brings increased risk to the health of people in the nearby communities. The numerous large vehicles used to transport material from the quarry leaves behind debris and dust along the stretch of road (Leeming Lane) leading from the Pallet Hill entrance. This leaves the road leading into Catterick Village covered in mud, stones and dust. This mess is made worse when there is, or has been, rainfall.

There is also the problem with the noise created by what sounds like the rolling of stones in a drum. I do not know the technical details of what this noise actually is. Presently there are no standards laid down by government, relating to how far away quarries have to be from settlements, so each regional authority views the situation differently and each community has to argue their own case for a “buffer zone”.

Some authorities try to get away with no buffer, whereas others are more considerate. Dust generated by quarrying can contain silica. Silica is naturally found in certain types of stone, rock, sand and clay. Working with these materials can create a very fine dust that can be easily inhaled.

Once inside the lungs, the dust particles are attacked by the immune system. This causes silicosis, a disease that can take years to develop. It causes swelling and scarring in the lungs. The NHS website states that people with silicosis may become bed-bound and, in rare instances, may die. Silicosis can also lead to other serious lung diseases such as COPD and lung cancer.

Companies who operate quarries where silica is likely to be present are required by law to provide their employees with protective equipment. There is no such protection for people who live near quarries. Older people, those with existing respiratory conditions such as asthma, and young children are particularly vulnerable to airborne silica entering their lungs. The risk of harm to health is higher where the prevailing winds carry dust from quarries towards residential settlements and schools.

I am therefore calling upon the Council to put the health of local people first and keep quarrying work well away from areas where people live, work and study, and to be adopted when preparing their minerals policies and plans (which include quarrying activities), and making planning decisions. This standard would reduce the risk of serious long term health problems caused by silicosis and other lung diseases.

A representative of the Head of Planning Services 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. He addressed issues raised within the objections during her presentation.

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

- A Member highlighted that the applicant had continued to extract from the site despite the previous application ceasing in 2017, and he asked what enforcement action had been undertaken in relation to this. In response it was explained that this application had been submitted before the previous application had expired, therefore the applicant was able to continue operations on the site until this application had been considered. As such, this was not considered to be a retrospective application. Should Members be minded to approve the application extraction would continue for a further two years followed by restoration work, as detailed in the restoration plan.
- In respect of the statement by the local resident, it was asked whether the dust suppression measures were appropriate to address the concerns raised. In response it was stated that there was an existing Dust Management Plan in

place which was considered to be acceptable to mitigate dust issues.

- It was clarified that the quarry was operating at the time that the questioner's property was built, and that a number of properties been built near to the site.
- A Member asked whether the Environmental Impact Statement was considered to be valid given that this was submitted at the time of the application in 2017. In response the Committee's Legal Representative stated that it was considered that, for the purposes of this application, with only two years remaining, that this would remain valid. It was noted that the residential properties were already in place when the EIA was submitted.

Resolved: - that the following be referred to the Chief Executive Officer for consideration under his emergency delegated powers:-

That the application be approved for the reasons stated in the report and in accordance with the conditions outlined, subject to the prior completion of a Section 106 Deed of Variation.

279. Other Business

Final Meeting of the Committee of this County Council

The Chairman noted that this would be the final meeting of the Planning and Regulatory Functions Committee of this County Council and paid tribute to Members and Officers for their hard work and considered contributions.

The Vice-Chairman asked for the thanks of the Committee, for the Chairman's hard work and successful stewardship of the Committee, to be recorded. This was echoed by the other Members of the Committee.

Resolved -

That the Chairman's hard work and successful stewardship of the Committee, during the period of this County Council, be acknowledged.

The meeting concluded at 10.10am

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