

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

26 July 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 4 (the period 1 January to 31 March 2022).

Information on Enforcement Cases is attached as an Appendix.

Recommendation: That the reported be noted.

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Background Documents to this Report: Application Files

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

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

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

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

Table 1: 'County Matter' planning applications determined during quarter 4 (the period 1 January to 31 March 2022).

Total number of applications determined		4	
Number of delegated/committee decisions		Delegated: 4	Committee: 0
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
2	0	2	0

*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%)

2021/22	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)	85.7% (No 6/7)	50% (No 1/2)	100% (No 7/7)	100% (No. 4/4)
No. of 'County Matter' applications determined within 13/16 weeks discounting Extension of Time agreements (EoT)	28.6% (No 2/7)	0% (No 0/2)	28.5% (2/7)	50% (2/4)

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

2021/22	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	01/07/19 to 30/06/21 90% (No.36/40)	01/10/19 To 30/09/21 89.7% (No. 35/39)	01/01/20 To 31/12/21 90.5% (No.38/42)	01/04/20 To 31/03/22 90.6% (No.39/43)

** Under section 62A of the TCPA 1990 LPAs making 60% or fewer of decisions on time are at risk of designation ("Special Measures") **County Council's own development' Planning Applications**

Table 2: County Council's own development planning applications determined during quarter 4 (the period 1 January to 31 March 2022)

Total number of applications determined		8		
Minor¹/Major²/EIA³		Minor: 8	Major: 0	EIA: 0
Number of delegated/committee decisions		Delegated: 7		Committee: 1
Speed of decisions				
Under 8 weeks	8- 13 weeks (if Major)	13- 16 weeks (if EIA)	Over 8/13/16 weeks within agreed Extension of Time (EoT)	Over 8/13/16 weeks without or outside of agreed EoT
3	0	0	5	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%)

2021/22	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)	85.7% (No.6/7)	100% (No. 7/7)	100% (No.5/5)	100% (No. 8/8)
No. of County Council's own development minor applications determined within 8 weeks discounting Extension of Time agreements (EoT)	14.2% (No. 1/7)	42.8% (No. 3/7)	60% (No. 3/5)	37.5% (3/8)

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

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 received from the applicant on 7 September 2021 and is currently being consulted upon with an expiry date of 30 th November 2021.	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	Negotiations on conditions have been finalised and the Officer Report is being drafted along with a S106 Legal Agreement. Target Committee date is yet to be confirmed.	Yes until 30.9.22
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.	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	Agent confirmed, on 21 st January 2021, consideration being given to the submission of a consolidating application which could lead to a withdrawal of this application. Agent confirmed on 13 th May 2021 the intention that the application continue to be progressed to conclusion. Target Committee date is 26 July 2022.	Yes until 29.07.22
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	Needs amendment of description of development.	No - Extension of Time to be requested
Land to the rear of Unit 1, 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
Washfold Farm, Leyburn, North Yorkshire, DL8 5JZ	Erection of a ready mix concrete plant and associated aggregate storage	18.12.19	Committee	Committee report drafted and under review. Reported to meeting held on 8 th March	No

Site Address NY application ref. no. (LPA ref. no.)	Proposed Development	Date registered as valid	Delegated or Committee item	Reasons why still in hand	Is an agreed Extension of Time (EoT) in place? Yes/No
NY/2019/0168/FUL – (C1/19/00899/CM)				2022. Chief Executive's Decision on 1 st April 2022. Decision Notice issued 28 th April.	
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 treatment plant and formation of access track/hard-standing area (37.5 sq. meters)	11.3.20	Delegated	Awaiting for further information from the applicant, requested on 13 July 2020, in relation to Landscape, Arboricultural and Natural England consultation responses. Response from Agent received on 19 April 2021, still working on requested information to address consultees response. Chased applicant for further information, response from Applicant received on 27 October 2021, still working on requested information.	No. Previous EoT agreed until 30.09.20 Further EoT to be requested.
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	Awaiting applicants response to request for further information to letter dated 26 August 2021	No.
Potgate Quarry, Water Lane, North Stainley NY/2020/0079/ENV (C6/20/03082/CMA)	Lateral extension to Potgate Quarry to work 3.3 million tonnes of limestone until 2042 and restoration for a final two years until 2044	4.8.20	Delegated	Decision Notice issued on 8 th June 2022	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
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	Request to withdraw submitted to agent due to lack of information provided	Not yet
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	Meeting convened on 6 th August 2021 to discuss ways to move forward on the applications.	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	Meeting convened on 6 th August 2021 to discuss ways to move forward on the applications.	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	Committee report drafted and under review. On agenda for 26 th July 2022 committee	No-Previous EoT agreed until 19.11.2021. Further EoT requested until 29.7.2022
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	On Hold. Linked to NY/2020/0183/FUL to be determined once this has been to committee	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
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	On agenda for 26 th July 2022 committee	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, waiting for S106 to be completed.	No – has been requested
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	Delegated report in preparation following site meeting and further landscape information. Awaiting final response from Network Rail.	No – to be 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	Meeting convened with the Agent on 24 th August 2021 to discuss the two applications and in particular highway-related matters which concluded with the applicant proposing the drafting of a S106 legal agreement regarding lorry routing. Draft S106 from the Agent awaited.	EoT agreement in place until 30.9.21 to be subject to a request to extend due to awaiting receipt of draft legal agreement .
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	7.4.21	Committee	Meeting convened with the Agent on 24 th August 2021 to discuss the two applications and in particular highway-	EoT agreement in place until 30.9.21 to be

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
	60 vehicle movements per day (30 in and 30 out)			related matters which concluded with the applicant proposing the drafting of a S106 legal agreement regarding lorry routing. Draft S106 from the Agent awaited.	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	In November 2021 the Agent proposed the submitted restoration plan and relevant 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	Awaiting further information regarding drainage and response from Internal Drainage Board	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	Awaiting full noise assessment submitted and EHO responded. Application to go to September planning committee.	Not yet - to be requested.
Washfold Farm, Metcalfe Farms, Moor Road, Leyburn, DL8 5JZ	creation of a new access to the quarry area permitted for minerals extraction under planning permission C1/78/412/MR	5.11.21	Delegated	Responses to consultation awaited.	

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
NY/2021/0165/FUL					
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	Committee Report in preparation	Yes

* 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.

APPENDIX

Monitoring & Compliance Statistics Report – Quarter 4 (the period 31 March 2022) 2021/22

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						
Grey Yaud Quarry	Richmonds hire	1	Alleged breach of condition regarding vehicle numbers	16.03.22	Response received from Site Operation re. the complaint received with all vehicle logs included, which confirm compliance. Site monitoring visit to be arranged.	Will be resolved once site monitoring visit is undertaken.
Settrington Quarry, Back Lane, Settrington (cmp/0451)	Ryedale	1	Noise and blasting complaint	25.1.22	Noise monitoring completed and no exceedance of conditions found	Yes.
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
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
Windmill House, Skipton Road, Harrogate (cmp 0449)	Harrogate	1	Tipping of contaminated waste	12.2.22		
layby in Helwith Bridge on the road leading north to			Tipping of waste	6.1.22	Sent of Highways	Yes 27.1.22 Case Closed

Site Address	District	No. of Complaints	Subject of Complaints	Date of receipt of complaint	Action	Resolved?
Studfold – grid reference SD 81385 69597						
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						
Escrick Railway Cutting (cmp/0436)	Selby	3	Unauthorised tipping of sub and top soil on a previously approved site.	23.3.21	Multiple Site visits conducted, landowner to submit application for part of site October 2021. Site last visited on 15 th February 2022. Temporary Stop Notice served 9 March. Investigation ongoing for further enforcement action	Yes. Enforcement notice issued.
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.	Ongoing
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.	Ongoing
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 4 (Minerals and Waste Sites only)

Site	District	Date Visited
Gatherley Moor Quarry	Richmondshire	3 February 2022