

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

28 March 2023

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

Report of the Corporate Director – Business and Environmental Services

This report outlines the County Council's performance in the handling of 'County Matter' and County Council development planning applications for Quarter 3 (the period 01 October to 31 December 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 3 (the period 1 October to 31 December 2022).

Total number of applications determined		4	
Number of delegated/committee decisions		Delegated: 3	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
0	0	2	2

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

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

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)	50% (No 2/4)	% (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)	0% (0/4)	% (/)

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)	01/01/21 to 30/12/22 80.5% (No. 33/41)	

** 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 October to 31 December 2022)

Total number of applications determined		5		
Minor¹/Major²/EIA³		Minor: 4	Major: 1	EIA: 0
Number of delegated/committee decisions		Delegated: 4		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
4	0	0	1	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)	100% (No.4/4)	% (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)	75% (No.3 /4)	% (No. /)

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

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 was expected to be received Autumn (2022); requiring to be consulted upon thereafter. Nothing received to date.	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 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 September 2022.	Yes - until 31 January 2023.
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 7 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 31 December 2017 to 31 December 2024 and the restoration of the site from 31 December 2018 to 31 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 2023.	Yes - until 14 February 2023
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.	Yes – until 31 January 2023
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 31 January 2023
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	Application withdrawn on 16th January 2023.	Yes – until 28 February 2023.
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	Application withdrawn on 16 January 2023.	Yes – until 28 February 2023.
Land adjacent to and to the east of the current Escrick Quarry to the	Construction of a site reception area comprising of an office building (approx. 112.5sq.m), vehicle maintenance building	6.8.21	Delegated	This application was delegated and a decision was issued on 5 January 2023	Yes – until 6 January 2023

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
south west of Escrick in North Yorkshire NY/2021/0180/FUL (C8/2021/1133/CPO)	(approx. 49sq.m) and storage area, wheel wash and weighbridge office (approx. 12.7sq. m) and car park				
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	As of 9 January 2023 a draft S106 Legal Agreement regarding long term aftercare is awaited from the applicant.	Yes – until 28 February 2023.
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 2023.	Yes - until 17 January 2023
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, further information required for linked application NY/2022/0200/FUL	Yes until 17 January 2023
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 on 14 February.	Yes until 20 January 2023
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 March 2023
Land off A63 Lumby, North Yorkshire,	Extraction and processing of magnesian limestone, the installation and operation of	19.5.22	Committee	Awaiting updates to ES, anticipated in 2023.	Yes until 17 January 2023

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/2022/0102/ENV – C8/2022/0616/CPO -	a low-level aggregate processing plant with ancillary buildings and restoration by infilling of the void space with inert waste to original ground levels				
Land to the south of existing quarry, Jackdaw Crag Quarry NY/2022/0198/73 - C8/2022/1115/CPO	Removal of condition No.7 of Planning Permission Ref. C8/2009/1066/CPO to allow blasting in the southern extension area	21.9.22	Committee	Awaiting Further information from applicant, last email confirms it will be received on the week of the 16 January 2023	Yes until 4 April 2023
Betteras Hill Quarry NY/2022/0200/FUL – C8/2022/1182/CPO	retrospective application for the erection of 6 No. office cabins	30.9.22	Committee	Awaiting further information from Applicant, anticipated to be received in January 2023 and requiring re-consultation upon thereafter	Yes until 30 March 2023

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

Monitoring & Compliance Statistics Report – Quarter 3 (the period 31 December 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						
Cmp/0459 - Land to rear of Unit 1, Skipton Old Airfield	Hambleton	1	Work started on site in terms of bunds and clearing of site	25.10.22	Carried out site visit on 25.10.22	Yes 6.12.22
Settrington Quarry	Ryedale	2	Noise from quarrying operations.	5.10.22	Being dealt with through planning applications. Site visit to be arranged in January 2023	No
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. Two applications for approval of condition has been received. Th application in relation to condition no.4 relating to planting is valid and out for consultation currently.	Will remain open/ unresolved until approval of conditions application decided
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.	Yes – Case closed on 26.10.22
County Council Development						

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

Site	District	Date Visited
Marfield Quarry	Harrogate	03.10.22
Killerby Quarry	Hambleton	12.10.22
Potgate Quarry	Harrogate	19.10.22
Pateley Bridge Quarry	Harrogate	23.11.22
Forcett Quarry	Richmondshire	29.11.22
Low Grange Quarry	Richmondshire	21.11.22
Barton/Middleton Lodge	Richmondshire	19.10.22
Asenby Quarry	Harrogate	12.12.22
Whitewall Quarry	Ryedale	25.10.22
Wensley Quarry	Richmondshire	03.10.22
Newbridge Quarry	Ryedale	21.11.22
Brotherton Quarry	Selby	19.12.22
Melsonby Quarry	Richmondshire	15.12.22
Carkin Moor Quarry	Richmondshire	29.11.12

