

**North Yorkshire Council**  
**Community Development**  
**Strategic Planning Committee**

**13 June 2023**

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

**Report of the Corporate Director – Community Development**

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 01 January to 31 March 2023).

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 2023).

<b>Total number of applications determined</b>		1	
<b>Number of delegated/committee decisions</b>		Delegated: 1	Committee: 0
<b>Speed of decisions</b>			
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	1	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%)

<b>2022/23</b>	<b>Quarter 1 (Apr-Jun)</b>	<b>Quarter 2 (Jul-Sept)</b>	<b>Quarter 3 (Oct-Dec)</b>	<b>Quarter 4 (Jan-Mar)</b>
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)	100% (No.1/1)
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)	0% (0/1)

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

<b>2022/23</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
"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)	01/04/21 to 31/03/23 81.1% (No. 30/37)

\*\* 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 4 (the period 1 January to 31 March 2023)

<b>Total number of applications determined</b>		8		
<b>Minor<sup>1</sup>/Major<sup>2</sup>/EIA<sup>3</sup></b>		Minor: 8	Major: 0	EIA: 0
<b>Number of delegated/committee decisions</b>		Delegated: 8		Committee: 0
<b>Speed of decisions</b>				
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	1	0	2	0

<sup>1</sup>A '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.

<sup>2</sup>A '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.

<sup>3</sup>An 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%)

<b>2022/23</b>	<b>Quarter 1 (Apr-Jun)</b>	<b>Quarter 2 (Jul-Sept)</b>	<b>Quarter 3 (Oct-Dec)</b>	<b>Quarter 4 (Jan-Mar)</b>
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)	100% (No.8/8)
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)	50% (No.4/8)

**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 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/2017/0269/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		ES being prepared by applicant, to be submitted in 2023.	Yes – until 31 May 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 30 June 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 30 June 2023
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	Committee	The applicant has submitted a draft S106 Legal Agreement regarding long term aftercare. Ongoing discussions relating to the draft S106.	Yes – but needs extending.
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		Awaiting updates to ES, anticipated to be received in April 2023.	Yes - until 31 May 2023
Betteras Hill Quarry, Brotherton Road, Monk Fryston	Variation of condition no. 1 of planning permission ref. C8/2012/0147/CPO to	14.2.22	Delegated	Further consultation on linked application NY/2022/0200/FUL required.	No – further EoT 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
NY/2022/0021/73 (C8/2022/0197/CPO)	extend the time limits for the completion of landfill and recycling operations				
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	Report in prepration.	Yes until 30 April 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 waiting for further information from applicant.	Yes until 31 August 2023
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		Updated ES Received April 23, further consultation required.	Yes until 17 July 2023
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	Delegated	Awaiting a signed Deed of Variation from legal as well as further review from the Senior and Chief planner.	Yes until 4 April 2023
Betteras Hill Quarry NY/2022/0200/FUL – C8/2022/1182/CPO	Retrospective application for the erection of single storey 6 No. office cabins	30.9.22	Delegated	Awaiting responses to consultation on further information	Yes until 31 May 2023
Land at Allerton Waste Recovery Park, Harrogate NY/2022/0208/ENV – C6/22/04403/CMA	Erection of an Asphalt Plant, single storey site office cabin, welfare storage area with associated car parking spaces, aggregate storage bays, widening of internal access road, blast wall/acoustic barrier, lighting,	09.11.22	Committee	Awaiting updates to ES, anticipated to be received in 2023 and requiring further consultation upon thereafter	Yes until 31 May 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
	associated hardstanding and removal of trees				

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

## Monitoring & Compliance Statistics Report – Quarter 4 (the period 01 January 2023) 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?
<b>County Matters</b>						
Land at Scholla Grange (cmp/0460)	Hambleton	1	Unauthorised disposal of waste including ink cartridges	11.1.23	Site Visit took place and confirmed breach. Site owner agreed to remove cartridges. Operators most recent update that these will be removed from the site before the end of May.	No - Ongoing
Land at former East Farm (cmp/0462)	Selby	1	Unauthorised waste disposal site close to private dwellings – complaint received from resident.	24.01.23	Site visit undertaken by NYC Officer (Property department). The site is being cleared and a planning application to be submitted to Selby. Further site visit scheduled in April by the Property department officer.	No - Ongoing
AHUS Plant Hire Ltd (cmp/0461)	Hambleton	1	Mobile stone crusher on site and storage without planning permission.	06.02.23	Site visit undertaken, confirmed waste operation occurring on site. Applicant agreed to submit a retrospective planning application. Told Applicant complaint would remain live until Application is received.	No – Ongoing
Land adjoining Birch House (cmp/0463)	Scarborough	1	Alleged Waste Disposal Site	09.2.23	Awaiting further information from complainant before looking into carrying out site visit.	No - Ongoing
Jackdaw Crag Quarry (cmp/0465)	Selby	1	Alleged breach of condition 23 of planning permission	21.03.23	Site visit arranged with operator. Current planning application regarding Jackdaw Crag Quarry	No - Ongoing



Site Address	District	No. of Complaints	Subject of Complaints	Date of receipt of complaint	Action	Resolved?
					is being prepared , which will re-state to the agent the conditions imposed on the quarry.	
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**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?
<b>County Matters</b>						
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
Settrington Quarry	Ryedale	2	Noise from quarrying operations.	5.10.22	Operator has been engaged with to limit noise from the site. A further noise survey has been requested through and will be submitted in support of the current planning applications for the site. Two blast events at the site has been undertaken and the monitoring has shown it to be within the limits in the existing conditions for the site.	No – To be kept open until the updated noise survey is completed through the planning application process.
<b>County Council Development</b>						

**Table 3 - Monitoring and Compliance Visits undertaken in Quarter 4 (Minerals and Waste Sites only)**

Site	District	Date Visited
Eggborough Sandpit	Selby	19.01.23
Settrington Quarry	Ryedale	1.3.23