

North Yorkshire Council

Strategic Planning Committee

Minutes of the meeting held at County Hall, Northallerton on Tuesday, 10 June at 10am.

Present:

Councillors Andy Paraskos (Chair), John Cattanach, Caroline Goodrick (as substitute for Richard Foster), Hannah Gostlow, David Hugill, Tom Jones, Andrew Lee, John McCartney, Bob Packham, Yvonne Peacock, Neil Swannick, Roberta Swiers, Andrew Timothy, Arnold Warneken (as substitute for Andy Brown) and Steve Watson (as substitute for John Mann).

Officers present: Sukaina Devraj (Planning Services), David Walker (Planning Services), Sam Till (Planning Services), Catriona Gattrell (Legal Services), Eve Williams (Legal Services) and Stephen Loach (Democratic Services)

There were 7 members of the public.

Copies of all documents considered are in the Minute Book

108. Apologies for absence

Apologies for absence were received from Councillors Andy Brown (substitute Councillor Arnold Warneken), Richard Foster (substitute Councillor Caroline Goodrick) and John Mann (substitute Councillor Steve Watson).

109. Minutes of the meeting held on 8 April 2025

That the minutes of the meeting of Strategic Planning Committee, held on 8 April 2025, be confirmed by Members and signed by the Chair as a correct record.

110. Declarations of Interest

Councillor Arnold Warneken declared that he had been lobbied by a number of Parish Councils opposed to the application. He stated that he had taken account of the information provided but had kept an open mind on the application and would consider his decision based upon the discussion at today's meeting.

Councillor Bob Packham declared that he had been lobbied by numerous people both for and against the application. He noted that the applicant had also contacted him directly. He stated that he had taken account of the information provided but had kept an open mind on the application and would consider his decision based upon the discussion at today's meeting.

The remaining Members of the Committee also declared that they had been lobbied by various representatives in relation to the application. They stated that they had taken account of the information provided but had kept an open mind on the application and would consider their decision based upon the discussion at today's meeting.

111. NY/2022/0208/ENV (C6/22/04403/CMA) - Planning application for 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, proposed bund / acoustic barrier, lighting, associated hardstanding and removal of trees on land at Allerton Waste Recovery Park, Harrogate

Considered -

The report of the Assistant Director of Planning – Community Development Services requesting Members to determine a planning application for the 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, proposed bund / acoustic barrier, lighting, associated hardstanding and removal of trees on land at Allerton Waste Recovery Park, Harrogate.

The application had received 197 objections from local residents, Parish Councils and an MP for Harrogate and Knaresborough Constituency as well as a proforma with 1007 signatories having been raised in respect of the proposal on the grounds of principle of development, noise, odour, air quality, visual impact, groundwater pollution, traffic impacts and Arboricultural impacts and was, therefore, reported to this Committee for determination.

The Planning Officer presented the Committee report highlighting the proposal; context to the application; site location, outline and description; details regarding the changes to the conditions; and the planning policy considerations. The Officer recommendation was highlighted.

The Planning Officer highlighted that the following had been received since the publication of the report and provided an update to take account of these matters, as summarised below:

A series of late representations have been submitted by Communities Against Toxins (CAT), raising concerns across several areas:

Air Quality – A third-party Air Quality Assessment (AQA) questions cumulative impacts, particularly cadmium and PM10 emissions. However, a technical review by Redmore Environmental (the applicant's air quality consultant) identified several methodological flaws, including

- Use of outdated or irrelevant guidance and incorrect air quality standards.
- Lack of transparency in modelling inputs and assumptions.
- Potential double-counting of emissions from the existing incinerator.
- Use of an outdated dispersion model version.

The Council's Environmental Health Officer (EHO) has reviewed the applicant's AQA, agrees with Redmore's conclusions, and confirms no significant air quality impacts are expected. Emissions will be controlled through an Environmental Permit and planning conditions.

A further response has been received from the third party, which does not agree with the applicant's review. However, it does not raise any new material planning considerations. While the EHO has not reviewed this latest submission, the Council remains satisfied with the EHO's previous review and the proposed condition to mitigate air quality impacts.

Noise – A technical report by dB Technika, commissioned by CAT, challenges the applicant's review of CAT's original noise assessment. The Applicant's noise consultant provided a technical note, they agree with the background noise levels at the objector's location, note that the differences in ground absorption are negligible, measuring less than 1 dB and challenge the objector's use of a non-standard method. Historic data shows that background noise levels at South Farm have remained broadly consistent over the past 15 years. Furthermore, the objector's reliance on outdated policy and standards does not reflect current guidance. The applicant also points out that noise from the A168, not just the A1(M), contributes to the background levels. However, further comments have now been received from the third party, challenging the applicant's rebuttal.

While the EHO has not reviewed this latest submission, based on their earlier input and the proposed planning condition requiring a detailed noise management plan, officers remain confident that the development would not result in an adverse noise impact.

Overall, no new material planning considerations have been raised beyond those already addressed in the Committee Report.

Economic, Social, and Environmental Benefits – CAT disputes the claimed benefits of the proposal. These matters have already been addressed in the Committee Report. In relation to Economic Benefit, the proposal supports local infrastructure, reduces transport distances, and creates 10 direct jobs (paras 10.10, 10.17, 10.26). In terms of Social Benefit, the proposal supports local construction needs and rural economic growth (paras 10.17, 10.26).

In terms of Environmental Benefit, it reuses existing established site that has previously been used for quarrying and landfill purposes, the site is adjacent to the A1(M), reduces transport emissions, and delivers 12.61% Biodiversity Net Gain, contributing positively to the local environment (paras 10.10, 10.141–10.142).

To conclude, the proposal is considered a sustainable form of development, consistent with the site's allocation in the Minerals and Waste Joint Plan (WJP08), and consistent with national and local planning policy. The representation raises no new material planning issues. The proposal has been assessed in full and is considered to meet the economic, social, and environmental objectives of sustainable development as defined in the NPPF. The proposal aligns with the NPPF's definition of sustainable development and complies with the Development Plan as a whole (paras 11.3–11.6).

Traffic and Materials Use – Concerns about increased road use, pollution, and the reuse of materials have been raised. These issues have been fully assessed in the Committee Report and do not introduce any new material planning considerations.

Environmental Management and Risk – CAT questions the applicant's environmental credentials, citing alleged poor management practices at another site and risks related to dust, emissions, and fire. These concerns are noted, but the proposed development will be subject to regulatory controls through the Environmental Permitting regime and planning conditions.

Representation Numbers – Following a request from CAT, the Council has reviewed and updated the classification of representations. The number of objections has been revised from 197 to 1,104, and proforma submissions adjusted from 1,000 to 100. It is important to emphasise that all material planning considerations raised, whether submitted via email or detailed within proforma documents, have been fully assessed and addressed within the committee report. While there remains a minor discrepancy in the figures, with

Communities Against Toxins maintaining that the total number of objections stands at 1,200, the Council is confident that all relevant issues raised by objectors have been appropriately considered.

The late representations by CAT raise no new material planning considerations. All relevant matters have been assessed and addressed in the Committee Report. The proposal remains consistent with national and local planning policy.

A late representation has been received from the Member of Parliament for Wetherby and Easingwold, raising concerns regarding the proposal's compliance with the local development plan, potential impacts on local amenity, air quality, and highway safety. Officers have reviewed the submission and can confirm that the issues raised do not introduce any new material planning considerations that have not already been fully assessed and addressed within the committee report.

An email received from Goldsborough & Flaxby Parish Council, confirming they would not require speaking or attending at the meeting as one other Parish Council has indicated it will speak. Further stating they do however agree with all the issues raised of concern over this Asphalt Plant and wholeheartedly support those parties opposing any decision in favour of the Asphalt applicants.

A late representation has been received from the Woodland Trust objecting to application, restating concerns about dust, air quality, and impacts on nearby Shepherd's Wood ancient woodland. These matters have already been addressed in the Committee Report. No new material planning issues have been raised.

- Natural England has raised no objection.
- Yorkshire Wildlife Trust is satisfied with the proposed 25m buffer zone.
- Mitigation measures are secured by condition, including dust suppression and ecological protection.

A late representation raised concerns that no agreement is in place with Thalia Waste Management for reusing materials from the Allerton Waste Recovery Park (AWRP).

The applicant confirms it has engaged with Thalia and intends to enter into a contract, subject to planning approval. Discussions are ongoing and expected to progress following committee meeting. The plant is expected to use by-products from AWRP as part of its circular economy approach. This matter does not raise any new material planning considerations and has been addressed in the Committee Report.

A late representation has been received supporting recycling and infrastructure but raising concerns about cumulative development impacts, particularly woodland loss. The representation also questions the need for multiple motorway service areas (MSAs) and suggests alternative brownfield sites for development.

The comments are noted. However, they do not raise any new material planning considerations specific to the application under consideration and have been addressed where relevant in the Committee Report.

Members are advised of a typographical error in the committee report on page 14, paragraph 5.3, line 7. It should state 4 bays, not 5. This does not affect the overall assessment or conclusions of the report.

It was noted that the EHO had responded to the late submission in terms of potential noise issues and maintained their previous comments submitted on this matter.

Councillor David Hugill left the meeting at this stage. He returned later but was unable to participate as he had missed a substantial amount of the issues raised by the public

speakers.

Mr Michael Elmsley, Communities Against Toxins, addressed the Committee and raised the following points:

- He circulated a report that provided details of his objections.
- A short video was shown which highlighted concerns regarding the drifting of effluent from a similar, nearby site, and provided details of the potential for airborne toxins.
- He contested the details set out in the report in respect of transport and access, potential social benefits, potential noise issues, local community impacts, exposure to pollutants and highlighted the polluting effect of the proposal on local communities.

Bella Cornelius of Marton cum Grafton Parish Council but representing Arkendale and Coneythorpe Parish Council addressed the Committee highlighting the following:

- She raised the concerns of the nearby local communities of the potential for pollution and toxins impacting the local area through the proposals.
- High levels of toxins would be generated by the proposed process.
- The development was inappropriate in a rural area.
- There was no evidence to prove that the process would bring improvements to the waste hierarchy.
- The new mixture within the proposed process had not been sufficiently tested to determine its safety.
- The detrimental impact on the local environment was unacceptable.

Councillor Robert Windass, the local Divisional Councillor addressed the Committee highlighting the following:

- Access to the site would be shared with the waste recovery plant and other industrial processes taking place there leading to an intolerable increase in traffic movements.
- High levels of toxins would be spread across local communities by the prevailing wind.
- There would be a detrimental impact on the local historical woodland.
- The proposal was in the wrong place for this type of process.

Katie Brown, agent for the applicant addressed the Committee highlighting the following:

- The site was different to that shown in the earlier video and should not be compared.
- The proposal was located next to the A1M and would not have an impact from traffic on local communities. It was also more sustainable for the location of this site given the proximity to the major road network. There would be no major impact on the wider road network.
- Industrial practices were already taking place at that location and this was earmarked in the local plan for such a development.
- Conditions set out within the report mitigated the impact on local communities.
- Relevant officers and agencies had indicated that they were satisfied with the proposals with adherence to the conditions.

Members had an in-depth discussion in respect of the application and the issues raised by the public speakers. The following issues were highlighted:-

- The video seen earlier was not of the proposed site and, therefore, should not be taken account of when determining the application.
- It was unknown at this stage what percentage of the material used in the process would be obtained from the neighbouring waste recovery plant nor was the

- information as to whether the plant had the ability to produce WRAP.
- It was suggested that the claim that the traffic movements indicated that the proposal was sustainable were unfounded.
 - A Member questioned the championing of competitiveness in the wider construction industry within the report.
 - It was clarified that 10 jobs were expected to be created through the proposal.
 - The proposal met P112 of the NPPF.
 - Details of the conditions relating to air quality would be outlined in the environmental licence that would be provided should planning permission be approved, with the Environment Agency having responsibility for this.
 - The working days and hours were queried in terms of there being Saturday, Sunday and bank holiday work allowed, with occasional work allowed between 00:00 and 06:00. It was asked how local people would get any respite from the noise generated. It was stated that Condition 4 within the report highlighted the control of operations on the site in terms of hours and days. Operations between 00:00 and 06:00 could only take place 20 times per year and that arrangement would be subject to monitoring.
 - It was suggested that Condition 8 be altered to provide a wheel washing facility on the site.
 - Clarification was provided as to what aspects of the proposal were controlled by the Environmental Permit and which were controlled by the Planning Conditions. Details of how monitoring would be undertaken were also outlined.
 - It was noted that the hours and days for the construction of the proposal differed from those in relation to the day to day operations as the construction phase was considered to be noisier.
 - It was noted that the technique to be utilised at the proposed facility was fairly new in terms of the use of plastics and it was asked how the air quality from this would be monitored. It was stated that this would be undertaken through the Environmental Permit.
 - Issues around the lighting proposals and the potential for dark skies elements being included in that were discussed. It was emphasised that the dark night elements could not be based upon the National Parks' Policy as the external factors affecting this were completely different. Conditioning would assist in controlling light pollution from the site but ensure that health and safety was maximised.
 - It was noted that there was no requirement for a travel plan due to the close proximity of Junctions 47 and 48 of the A1M to the site. The travel plan referred to in the report related to those travelling to the site for work.
 - The potential conflict with P152 of the NPPF was discussed in terms of the use of a hot mix, although, in response, this was refuted.
 - It was noted that the initial objections from the Environment Agency to the proposal had been withdrawn as the application process progressed.
 - Members suggested that the application was finely balanced given the designation of the site, the controls been put in place via Planning Conditions and the Environmental Permit against the concerns of the local communities, local Parish Councils and the Divisional Councillor.
 - Conflicting proposals were moved and seconded, to approve and to refuse the application.
 - The Chair decreed that the proposal to refuse the application for the reasons cited by the Member be voted upon first. This proposal was defeated.

Voting Record

For refusal – 3
Against refusal – 10
Abstain – 1

Prior to a vote on the second proposal it was suggested that amendments be made to Condition 12 to include a wheel wash facility on site and Condition 36 be altered to require a meeting every 6 months, rather than annually. The amendments were accepted by the proposer and seconder of the original proposal to grant the application.

Resolved –

That the planning permission be **GRANTED**, in line with the conditions listed in the report, subject to the amendments to Conditions 12 and 36, as detailed above.

Voting Record

11 for approval
3 against approval

112. Any other items

There were none.

113. Date of next meeting

Tuesday, 8 July 2025 at 10.00am at a venue to be confirmed.

The meeting concluded at 11.45am

DRAFT