

# North Yorkshire County Council

## Planning and Regulatory Functions Committee

Minutes of the meeting held remotely via Microsoft Teams on 8 June 2021 at 10.00 am.

### Present:-

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

Apologies were submitted by County Councillors Robert Heseltine and Clive Pearson.

One Member of the public was in attendance.

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](http://www.northyorks.gov.uk/livemeetings)

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**Copies of all documents considered are in the Minute Book**

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### 221 Welcome and Introductions

The Chairman welcomed everyone to the meeting and those present introduced themselves.

The Chairman explained that the meeting would be held using video conferencing with a live broadcast to the Council's YouTube site. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 had lapsed on 7 May 2021 and any formal decisions that the Committee made that were legally binding would be made in consultation with the Chief Executive Officer using his emergency delegated powers, taking into account the recommendations of the Committee.

### 222. Minutes of the meeting held on 18 May 2021

A Member suggested that the wording of the resolution in respect of Minute no 218, (Application NY/2019/0002/ENV (C8/2019/0253/CPO)), did not reflect the decision of the Committee as taken at the Meeting. Members undertook a discussion of the requested amendment and agreed to the alternative wording suggested.

### Resolved -

That the Minutes of the meeting held on 18 May 2021, having been printed and circulated, be taken as read and confirmed, to be signed by the Chairman as a correct record at the next available opportunity, subject to the following amendment:-

Minute no 218 - Application NY/2019/0002/ENV (C8/2019/0253/CPO) –

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

the application be approved for the reasons stated in the report, subject to the amendments detailed above, in accordance with the conditions outlined, subject to the amendment to Condition 33, detailed above, and subject to the successful completion of a Section 106 agreement, as detailed.

**223. Declarations of Interest**

There were no declarations of interest.

**224. 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 application below, there were no questions or statements from members of the public.

**225. C1/21/00022/CM - Planning application for the erection of an aggregate bagging plant including a bagging building and bulk bagging plant, ticket office, welfare building, creation of hard standing, sewage treatment plant and site levelling works on land at Killerby Quarry, Low Street, North Yorkshire**

Considered -

The report of the Corporate Director, Business and Environmental Services requesting Members to determine a planning application for the erection of an aggregate bagging plant including a bagging building and bulk bagging plant, ticket office, welfare building, creation of hard standing, sewage treatment plant and site levelling works on land at Killerby Quarry, Low Street, North Yorkshire.

The application was subject to an objection having been raised by a local resident on the grounds of the cumulative impact of development and the impact of noise and other nuisance and was, therefore, reported to the Committee for determination.

Ben Parkins, the agent for the applicant, presented the following statement:-

Good morning everyone. My name is Ben Parkins, I am a Senior Planner at Wardell Armstrong, and I act on behalf of Tarmac in relation to the proposed Bagging Plant at Killerby Quarry.

Site Context

As you will be aware, Killerby Quarry was granted planning consent in 2018 and will help support the post-pandemic recovery of North Yorkshire's construction sector, including building the infrastructure and homes that the region needs. With operations coming to an end at Scorton Quarry, the relocation of the Bagging Plant to Killerby Quarry will help safeguard up to 12 full time jobs within a suitable industrial site.

Purpose of the Bagging Plant

The purpose of the Bagging Plant would be to bag aggregate won at Killerby Quarry and nearby extraction sites, to then be redistributed within the regional market. The Bagging Plant

has been designed to cause the least amount of impact on the surrounding area as I will seek to summarise here.

#### Mitigating landscape impact

The height of the main bagging building has been substantially reduced within the landscape by lowering the site level from approximately 48mAOD, down to 43mAOD. The resulting rising embankment to the south, together with its existing trees and improved hedgerows, would serve to screen views into the site. Both the quarry's processing plant and the quarry's existing soil mounds would help screen views from the north. The building's brown colour has been chosen to minimise the buildings' visual presence within the rural landscape.

The embankment would be seeded with wildflowers, with the boundary hedges gapped up with species-rich native shrubs. Bat and bird boxes are also to be installed.

#### Lighting

The site's lighting has been designed to be below 1 lux at the southern and western boundaries, thereby protecting both the rural night character of the area and the local wildlife. There will be no external flood lighting on between 7:00pm and 7:00am.

#### Transport

Vehicles leaving the site would join onto the A1(M) via A6055, which has been upgraded to receive quarry traffic. Heavy vehicles would therefore not pass any residential receptors in proximity to the site.

#### Noise

Measures to control noise include only operating the plant within the quarry's approved operating hours, as well as installing broadband reversing alarms on vehicles. The development proposal would not increase noise levels above the limit already approved for Killerby Quarry.

#### Temporary development

Importantly, this is only a temporary development – Killerby Quarry's final phase would see the bagging plant removed to allow for the underlying sand and gravel to be extracted, with the site thereafter being restored to an agricultural field.

#### Conclusion

In conclusion, the proposed bagging plant would help sustain rural employment and would help with the post-pandemic recovery of the region's construction sector. It would do so while protecting local amenity and enhancing wildlife. I therefore respectfully request that members support the planning application.

Following the public statement 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 reports also provided a conclusion and recommendations

Detailed plans, photographs and visual information were presented to complement the

report.

The Planning Officer updated the Committee on the following issues:-

A response had been received from Hambleton EHO since the publication of the report indicating that there were no objections to the proposals.

Condition 27 within the report replicated Condition 25, and, therefore, should be deleted.

Condition 28 referred to the A6045, which was incorrect and should be amended to the A6055.

Section 9 of the report, the Recommendation, required alteration to reflect the need to refer the Committee's resolution to the Chief Executive Officer for him to consider under his emergency delegated powers, as outlined by the Chairman at the beginning of the meeting.

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

- It was clarified that the proposal would be retaining twelve local jobs, rather than creating them, as the existing workforce would be transferred from the existing site at Scorton Quarry should the application be successful.
- A Member referred to the importance of the bagged material, in the style created by the applicant, to building merchants and the building industry in the area.
- It was asked whether the bridleway alongside the application would be adversely affected by the proposals. In response it was stated that, should the application be successful, the route of the bridleway would be altered, away from the site, to ensure that horse riding could take place safely.
- It was clarified that the need for the bagging process had been identified, and was likely to be required beyond the time of the application before Members, however, the application should be determined on its own merits and future speculation was not a planning consideration.
- In relation to the removed soils it was stated that these would be kept within boundary of the existing quarry permission permitted area, outside of the application area, but in the vicinity, and would be utilised for the restoration of the application site, in line with the proposal to return this to part agricultural land.
- A Member referred to the 3D diagram used in the presentation and asked that similar diagrams be used for future presentations.
- It was clarified that the crane on the photographs was utilised for the installation of the plant site for the extraction of minerals in relation to the existing planning permission.
- A Member noted that an objection to the proposal had raised issues in relation to a nearby solar farm, and it was asked how close this was to the application site. In response it was stated that this was beyond the boundaries of the aerial plans detailed in the presentation and that the cumulative impacts of the solar farm and the application were not considered to be detrimental to the local amenity.
- The local infrastructure ensured that the proposed location was appropriate for the application site.
- The process provided a valuable commodity to the building industry.

- It was clarified that any application that had received an objection, in relation to appropriate planning grounds, had to be brought before the Committee for determination, which was why the application was submitted to this meeting despite there been a single objection to the proposals.

**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, and Condition 28 as amended, and the deletion of Condition 27, as detailed above.

The meeting concluded at 10.45am

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