

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

16 November 2021

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 2 (the period 01 July to 30 September 2021).

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 2 (the period 1 July to 30 September 2021).

Total number of applications determined		2	
Number of delegated/committee decisions		Delegated: 0	Committee: 2
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	1	1

*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%)

2020/21	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)		
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)		

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

2020/21	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)		

** 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 2 (the period 1 July to 30 September 2021)

Total number of applications determined		7		
Minor¹/Major²/EIA³		Minor: 7	Major: 0	EIA: 0
Number of delegated/committee decisions		Delegated: 6		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	4	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%)

2020/21	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)		
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)		

Table 3: List of all 'County Matter' planning applications in hand for more than 13 weeks and awaiting decision as at the end of Q1 i.e. 30 September

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 Expiry Date
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
Ripon Quarry, North Stainley, Ripon, North Yorkshire, HG3 3HT NY/2015/0306/ENV (C6/500/277/CMA)	Planning Application accompanied by an Environmental Statement for the variation of condition No's 10 (duration of development), 11 (definition of development), 43 (maintenance) & 44 (landscape and restoration) of Planning Permission Ref. No. C6/500/95B & C2/99/045/0011 for the continuation of sand & gravel extraction for a further 4 years after 31 December 2015 and the submission of a revised restoration scheme	11.11.15	Committee	The application was reported to Committee on 10 th September 2019 Members resolved to grant planning permission subject to prior completion of Legal Agreement. The engrossments have been received and application will be issued once S106 sealed	No – to be requested on confirmation of S106
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.	No
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 2022 and the restoration of the site from 31st December 2018 to 31st December 2023	20.12.17	Committee	Committee date to be confirmed.	No – to be requested upon confirmation of being placed on committee agenda

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 Expiry Date
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. Expected submission in October	Extension of Time Requested
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 yet to be confirmed.	No
Went Edge Quarry, Went Edge Road, Kirk Smeaton, Selby, WF8 3LU NY/2019/0002/ENV (C8/2019/0253/CPO)	9.7 hectare quarry extension (Area 8) eastward from the current working Area 7 to provide 4.9 million tonnes of Magnesian limestone followed by restoration of the land with engineered fill from existing adjacent waste treatment facility	1.3.19	Committee	At the meeting of 28 September 2021 the Committee resolved that planning permission be granted subject to conditions and the applicant first entering into a Section 106 legal planning agreement. On completion of the legal agreement, the decision notice was issued on 13 th October 2021.	Yes - agreed until determination
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	Application on hold. Awaiting NY/2017/0326/FUL to be determined at committee	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	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,	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	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 Expiry Date
(C2/19/02210/CCC)	(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.			and then complete on the Section 106 thereafter. The completion of the Agreement remains pending.	
Washfold Farm, Leyburn, North Yorkshire, DL8 5JZ NY/2020/0168/FUL – (C1/19/00899/CM)	erection of a ready mix concrete plant and associated aggregate storage	18.12.19	Committee	Committee report drafted and under review.	No
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, awaiting response	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	Received advice form legal, sent advice to applicant, awaiting applicants response	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	Amended scheme submitted and out for consultation, objections to the scheme have been removed.	No - to be requested
Munford's Haulage Yard, Tollerton Road, Tollerton, YO61 1RB	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	Requested update on the status of obtaining the additional information including noise monitoring. Committee report in progress	Not yet

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 Expiry Date
NY/2020/0105/FUL (C2/20/01935/CCC)					
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	Awaiting meeting with applicant. Site Notices displayed 31 st March 2021. Meeting due to be convened with the Agent w/c 2 nd August 2021. 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/2020/0102/73	Variation of condition No. 1 of Planning Permission Ref. C4/02/01477/CM to allow for the continuation of recycling after December 2020	6/10/20	Delegated	Awaiting meeting with applicant. Site Notices displayed 31 st March 2021. Meeting due to be convened with the Agent w/c 2 nd August 2021. Meeting convened on 6 th August 2021 to discuss ways to move forward on the applications. Consideration being given to the withdrawal of this particular application.	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	Awaiting meeting with applicant. Site Notices displayed 31 st March 2021. Meeting due to be convened with the Agent w/c 2 nd August 2021. 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	Awaiting further information from Applicant, requested on 2 nd June 2021, in relation to Landscape re-consultation response. Agent still working on further information. Committee report in preparation	Yes-EoT agreed until 19.11.2021

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 Expiry Date
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
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	Committee report being prepared.	No – to be requested
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	Committee report in circulation	No
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 now in preparation following site meeting and further landscape information.	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.	EoT agreement in place until 30.9.21 to be subject to a request to extend due to receipt of draft legal agreement pending.
Low Grange Quarry, West Lane, Melsonby, DL10 5PN	Variation of condition No. 47 of Planning Permission Ref. C1/32/153-/CM to increase the	7.4.21	Committee	Meeting convened with the Agent on 24 th August 2021 to discuss the two	EoT agreement in

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 Expiry Date
NY/2021/0060/73	vehicle movements from 24 per day up to 60 vehicle movements per day (30 in and 30 out)			applications and in particular highway-related matters which concluded with the applicant proposing the drafting of a S106 legal agreement regarding lorry routing.	place until 30.9.21 to be subject to a request to extend due to receipt of draft legal agreement pending
Alne Materials Recycling Facility, Forest Lane, Alne, YO61 1TU NY/2021/0125/73 (C2/21/012533/CCC)	Variation of condition No. 9 of Planning Permission Ref. C2/03/006/0187D to allow for the permanent retention and use of the building, hardstanding and associated infrastructure to continue sustainable waste management activities undertaken at the site since 2003	25.5.21	Delegated		EoT agreement in place til 30 th September 2021
Electricity Generating Plant, Forest Lane, Alne, YO61 1TU NY/2021/0127/FUL (C2/21/01528/CCC)	Relocation and permanent retention and use of existing single storey site office	11.6.21	Delegated		EoT agreement in place til 30 th September 2021
Gebdykes Quarry (and land to the north), Gebdykes Farm, Burton-on-Yore, Harrogate, North Yorkshire, HG4 4BT NY/2021/0124/ENV	northern extension to the quarry to extract 5.3 million tonnes of limestone by 2037 and restoration of the site by 2039	11.6.21	Delegated	Awaiting further comment from Landscape Architect following submission of requested landscape information. S106 also to be completed.	Not yet – to be requested.

* 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 2 (the period 1 July to 30 September 2021) 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						
Womersley Quarry Cmp/0447	Selby	1	Womersley Quarry Conditions	9.8.21	Damage to fence and quad bikes using it as access to quarry. Site Operator stated going to repair fence and increase security. Waiting for confirmation that fence has been repaired.	Ongoing
Low Grange Quarry (cmp/0445)	Richmonds hire	1	Breach of condition 8 – Sunday Workings	30/07/21	Operator contacted and reminded of terms of conditions regarding hours of working permitted. Response received stating they understand and the batching plant will not operate on Sundays.	Case Closed 01/09/2021
Jackdaw Crag Quarry Cmp/0443	Selby	1	Vehicles not following routing plan.	14/7/21	Resident contacted and confirmed vehicles were following routing plan but Highways were to cut down hedge line to make signs more visible.	Yes
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						
Land to south of Swinsty Reservoir (cmp/0439)	Harrogate	1	Tipping of material from a building development without planning permission	26.05.21	Written explanation requested from developer by 17.10.21 Yorkshire Water contacted 17.10.21 and confirmed material deposited over their wayleave without their consent. Discussion with Yorkshire Water in progress.	Ongoing
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.	On-going
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
Skipton Rock Quarry (cmp/0430)	Craven	1	Light pollution	14.1.21	Quarry manager requested to investigate.	Resolved 8.7.21– operator contacted complainant directly.
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

No notices were served during this period.

Table 3 - Monitoring and Compliance Visits undertaken in Quarter 2 (Minerals and Waste Sites only)

Site	District	Date Visited

Team meeting took place on 20.10.21 to simplify the report on enforcement matters (tables 3, 4 and 5 were removed).