

**Notice of a public meeting of
Executive**

To: Councillors Carr (Chair), Aspden (Vice-Chair), Ayre, Gillies, Rawlings, Runciman, Steward and Waller

Date: Thursday, 13 October 2016

Time: 5.30 pm

Venue: The George Hudson Board Room - 1st Floor West Offices (F045)

A G E N D A

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democracy Support Group by **4:00 pm on Monday 17 October 2016.**

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management Policy and Scrutiny Committee.

1. Declarations of Interest

At this point, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. Exclusion of Press and Public

To consider the exclusion of the press and public from the meeting during consideration of the following:

Exempt Annexes 1 to 3 to Agenda Item 7 (Proposals for the disposal of the freehold of Stonebow House and further options for changes to the commercial portfolio) on the grounds that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

3. Minutes (Pages 1 - 10)

To approve and sign the minutes of the last Executive meeting held on 29 September 2016.

4. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. The deadline for registering is **5.00pm on Wednesday 12 October 2016**. Members of the public can speak on agenda items or matters within the remit of the committee.

To register to speak please contact the Democracy Officer for the meeting, on the details at the foot of the agenda.

Filming, Recording or Webcasting Meetings

Please note this meeting will be filmed and webcast and that includes any registered public speakers, who have given their permission. This broadcast can be viewed at <http://www.york.gov.uk/webcasts>.

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at

- 5. Forward Plan** (Pages 11 - 20)
To receive details of those items that are listed on the Forward Plan for the next two Executive meetings.
- 6. Actual Cost of Care - Residential & Nursing Care Fee Rates** (Pages 21 - 28)
This report advises Members of the outcome of negotiations with the Independent Care Group to establish an agreed Actual Cost of Care for Residential and Nursing Homes for 2016-19. Members are asked to agree the revised rates within this report and to support the allocation of additional contingency budget to Adult Services to fund the increased financial commitment.
- 7. Proposals for the disposal of the freehold of Stonebow House and further options for changes to the commercial portfolio** (Pages 29 - 102)
This report proposes to dispose of the council's freehold interest in Stonebow House and 10 and 11 Redeness Street, which are low income generating assets. Members are also asked to consider whether to use the capital receipts from these disposals to reinvest in the purchase of the head leasehold interests in two industrial sites at Hospital Fields Road in order to increase revenue income, or to use the capital receipts to reduce council debt and therefore borrowing costs.
- 8. Council Housing – New Operating Model Options Stock Option Appraisal** (Pages 103 - 118)
This report recommends that a full housing stock options appraisal is undertaken and, at the same time, develop tenant and staff panels and establish an ad-hoc cross party member scrutiny panel to consider the long term sustainability of the service and assess the different organisational governance models to support the final decision making process.
- 9. Coppergate - Representations made to the Traffic Regulation Order** (Pages 119 - 144)
Part A of this report asks Members to consider the representations made in respect of the statutory consultation on the proposed Traffic Regulation Order (TRO) and to decide whether to proceed to the next step in the process to introduce a

revised bus priority traffic restriction on Coppergate.

In the event that Members resolve to make the TRO under Part A of this report, Part B seeks approval for the permanent and temporary signing proposals, the grace period for drivers after implementation and the post scheme implementation monitoring and reporting. An update is also provided on the anticipated timescale for implementation and the start of enforcement.

10. Result of Park & Ride Service Operator (Pages 145 - 154) Procurement

This report details the outcome of the procurement of the Park and Ride Service Operator and seeks approval for measures required to enable continued provision of the city's Park and Ride Service.

11. Minerals and Waste Joint Plan - (Pages 155 - 538) Publication Draft

Members are asked to consider the Minerals and Waste Plan which is being prepared jointly with North Yorkshire County Council and the North York Moors National Park Authority. Following extensive Issues and Options consultation during 2014 and a Preferred Options consultation in 2015/16, approval is now sought to publish the Joint Plan (attached as Annex A to this report) to provide an opportunity for representations to be made on the soundness of the Plan and whether it is legally compliant. The Local Plan Working Group will be considering the report at their meeting on 10 October 2016 and the draft minutes of the meeting will be circulated to the Executive.

12. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Jill Pickering

Contact details:

- Telephone – (01904) 552061
- E-mail – jill.pickering@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

This page is intentionally left blank

City of York Council

Committee Minutes

Meeting	Executive
Date	29 September 2016
Present	Councillors Carr (Chair), Aspden (Vice-Chair), Ayre, Gillies, Rawlings, Runciman, Steward and Waller
Other Members participating in the meeting	Councillors D'Agorne and Looker
In attendance	Councillor K Myers

41. Declarations of Interest

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda.

Councillor D'Agorne declared a personal interest in relation to agenda item 8 (Proposed Long Term Leases – Fishergate Postern Tower and Ovington Cricket Club, Little Knavesmire) as a Friend of York Walls (FOYW).

42. Exclusion of Press and Public

Resolved: That the press and public be excluded from the meeting during consideration of Annex 3 to agenda item 7 (Disposal of Grove House, Penley's Grove Street) on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). This information is classed as exempt under paragraph 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by the Local Government (Access to Information) (Variation) Order 2006).

43. Minutes

Resolved: That the minutes of the last Executive meeting held on 25 August 2016 were approved and then signed by the Chair as a correct record.

44. Public Participation

It was reported that there had been three registrations to speak at the meeting under the Council's Public Participation Scheme. The registrations were in respect of the following items:

Matters within the Remit of the Committee

Gwen Swinburn spoke to reiterate points she had raised at the Audit and Governance Committee meeting, the previous day. These related to the Council's Annual Financial Report - Statement of Accounts and the Internal Auditors 'limited assurances', conflicts of interest, quarterly reports on the Community Stadium and corporate milestones and made a request for their inclusion in the Executive's Forward Plan for future consideration.

Progress towards a new Operating Model for Adult Social Care

Clive Millard, spoke to express the Green Party's concern at the proposed new Operating Model and the use of funding for the procurement of external support. He highlighted key elements of the model which they felt would affect already vulnerable residents and he urged the Executive to reject the recommendations.

Andrea Dudding, representing Unison, spoke to support parts of the new model and, in particular, the move towards early intervention to assist elderly residents in living independently for as long as possible. However she raised concerns regarding the digital by default approach and at risks in the use of the third sector and outsourcing.

Council Owned Companies

Gwen Swinburn also spoke to express concerns at the terms of reference of The Shareholder Company and list of delegations which she suggested required further examination. She also highlighted Yes Consulting based at the Eco Depot, Hazel Court

as a CYC body for inclusion in the list of Council owned companies.

45. Forward Plan

Members received and noted details of the items that were on the Forward Plan for the next two Executive meetings, at the time the agenda had been published.

46. New Council Homes - Newbury Avenue

Consideration was given to a report which provided an update on the additional consultation carried out, at the request of the Executive, following concerns raised by a number of residents regarding the approved planning application to build nine apartments at Newbury Avenue.

Officers reminded Members that the report to the Executive in June 2015 had included details of the first phase of new council homes which included provision for nine apartments on the Newbury Avenue site. At that time concerns had been raised by local residents and ward members which had resulted in a re-examination of the proposals and further consultation. Arising from this the following alternative options had been examined and costs of each were set out in the report:

- 1 - 12 x 1 bed (2 person) apartments
- 2 - 12 x 1 bed (1 person) apartments
- 3 - 8 x 1 bed (2 person) apartments
- 4 - 8 x 1 bed (2 person) bungalows
- 5 – original scheme 9 Apartments, 8 x 2 bed & 1 x 1 bed

Officers confirmed some of the key issues raised during consultation had been the height of the proposed apartments and length of the construction period.

Members noted that the alternative costs of each option were based on Quantity Surveyor estimates and detailed costs would be received when the scheme was tendered. They also noted that amendments would be required to the Council's capital programme at a later date.

A Ward Members expressed his appreciation for the additional work undertaken in relation to this site which would allow local residents to downsize and release family homes for reuse.

Consideration was then given to the following options:

Option one – To approve 'Alternative Scheme 4' to build 8 new (2 person) bungalows.

Option two – To instruct officers to bring forward a different alternative scheme or continue with the previously approved development scheme.

Resolved: That Executive agree Option 1, as detailed in the report, to bring forward the development of 8 new bungalows on the Newbury Avenue site. ¹.

Reason: To ensure that further account of residents concerns are considered and a development scheme brought forward which meets the council's and the communities needs.

Action Required

1. Implement the revised scheme for this site. SW

47. Disposal of Grove House, Penley's Grove Street

The Executive considered a report which sought approval to select the highest bidder for the disposal of the former 45 bed Older Persons Home at Grove House, which closed on 31 March 2016.

Members considered the summary of bids received and noted the need for the council to achieve a maximum capital receipt from the sale of Grove House to support the wider Older Persons' Accommodation Programme. Members also noted that the bid proposed to make affordable housing provision and that this would be considered as part of any planning application.

Officers confirmed that the bids would be subject to obtaining planning permission and outlined the provisions of the conditional sales contract.

Members, including the Ward Member, welcomed the sale and proposed conversion of the existing building to 29 one bedroomed flats, particularly as this would provide a modest housing development in keeping with the local neighbourhood.

Resolved: That Executive approve the sale of Grove House to Norstar Real Estates Limited as the highest bidder for the property. ¹.

Reason: To achieve the best consideration for the Grove House site, and facilitate the investment in the Older Persons Accommodation Programme.

Action Required

1. Proceed with the sale of Grove House. TC, PC

48. Proposed Long Term Leases - Fishergate Postern Tower and Ovington Cricket Club, Little Knavesmire

Consideration was given to a report which sought Executive approval to the granting of two long term leases the first to the Friends of York Walls (FOYW) at Fishergate Postern Tower and the second to Ovington Cricket Club at Little Knavesmire.

Officers confirmed the request received from the FOYW was to let the property on a long term lease with the aim of turning the tower into a visitor attraction and meeting place/cafe. Members welcomed the request which would bring a building, which had been vacant for many years, back into beneficial use.

Members were also informed that the Ovington Cricket Club currently had a 21 year lease with the Council, which expired in July 2016. The club had played on the same site at Little Knavesmire since 1936 and planning permission had recently been granted to extend the existing pavilion however, a small area of land classed as Public Open Space, adjacent to the building, was required for incorporation into the new lease.

The Chair proposed the inclusion of a clause in the new leases to prevent the bodies from assigning the lease to a third party.

Resolved: That the Executive agree to:

- (i) The letting of Fishergate Postern to The Friends of York Walls (a charitable incorporated organisation) for a Term of 30 years at a peppercorn rent in accordance with the lease terms as set out in the Council's Asset Transfer Policy.

- (ii) The granting of a new lease to Ovington Cricket Club for a Term of 35 years at an initial rent of £580 per annum (with an Retail Price Index increase every 5 years).
- (iii) The inclusion of a clause in the terms of the above leases to ensure that they cannot be assigned to a third party.¹

- Reason: (i) To enable an unused scheduled ancient monument to be utilised and improved.
- (ii) In order for the club to continue a long established playing association on Little Knavesmire.

Action Required

1. Prepare new leases for these properties/land on the lines agreed.

PC, TC

49. Application for Community Right to Bid under the Localism Act 2011 - White Rose House, Wheldrake

Consideration was given to a report which presented an application to list White Rose House, 79 Main Street, Wheldrake, owned by Girl Guiding North Yorkshire South, as an Asset of Community Value, under the provisions of the Localism Act.

It was noted that the application had been made by Wheldrake Parish Council and had initially been reported to the Executive Member for Finance and Performance at his Decision Session in July. Following receipt of a late submission from the owner, there had been insufficient time in which to consider the issues raised and additional information had been requested.

Members considered the further information provided in relation to the community use of the property, over the last three years, and noted that the judgement whether an asset met the criteria was subjective. They also noted that whilst the building was used by the local community it was clear that this was not its main purpose.

Following further discussion it was

Resolved: That the Executive agree to the listing of White Rose House, Wheldrake as an Asset of Community Value.¹

Reason: To ensure full consideration of the community uses of the property.

Action Required

1. List White Rose House as an ACV. PC

50. Progress toward a new Operating Model for Adult Social Care

The Executive considered a report which provided them with an update on the progress to develop a new operating model for Adult Social Care. The report highlighted the key developments and identified a proposal for resourcing the next stage of work.

Officers referred to work already undertaken with partner organisations, community and voluntary services and the leadership group on the new model. This was set out at Appendix 1 of the report, and based on enabling people to have control on how they managed their social care needs. Officers highlighted the key elements of the new model and on work already underway to implement the Council's change in approach to adult social care and the need for an external resource.

In answer to earlier questions, Officers confirmed that digital self service would provide residents with an alternative approach to accessing information and advice and this would enhance the existing offer for residents. Officers also highlighted the significant demographic and financial pressures and the need to meet resident's future requirements to support them in continuing to live in their own homes.

Members expressed their support for the new model which would provide early intervention for residents. However, they highlighted the importance of the retention of existing satisfaction levels, that residents should have the support, guidance and local initiatives to support them, including the use of ward budgets.

Members also supported the preparation of an update report, at a later date, to include a breakdown of the funding set aside for procurement and external support.

Consideration was then given to the following options:

Option 1- To accept the recommendations in the report and agree to the review of adult social care and the design and delivery of the operating model intended to deliver savings agreed through the budget setting process.

Option 2 - Do not agree to the review of adult social care with the consequent risk to the budget and the delivery of support caused through.

Resolved: That the Executive:

- (i) Note progress made towards the new operating model, presented previously as part of the budget proposals.
- (ii) Approve the proposal to procure external support and internal project management to further develop and implement the model.
- (iii) Approve use of funding already set aside of up to £360k for procurement of external support and an internal adult social care senior project lead grade 11 for 12 months on the basis that this capacity is required to deliver a operating model that underpins recurrent savings of over £1.2 million. ¹.
- (iv) Request the submission of an update report on progress of the new model to an Executive Member for Adult Social Care and Health Decision Session no later than 12 months from this meeting. ².

Reason: To update the Executive on the development of the Adult Social Care operating model intended to support people to enjoy healthy, active and independent lives. To propose the procurement of support to help design and implement this model.

Action Required

- 1. Procure the external and internal support required to implement the model using the existing funding. MM
- 2. Provide a progress report to an Executive Member for Adult Social Care and Health Decision Session within 12 months. MM

51. Council Owned Companies

Consideration was given to a report which provided an update on the detailed arrangements for the new Shareholder Committee, appointed as part of the new governance arrangements for Council companies.

Officers reported on the membership of the Committee, the division of responsibilities between the Committee and the Executive and the appointment of Directors. In answer to an earlier question Officers confirmed that ,as the new Committee would be a Committee of the Executive the same access rules would apply to agendas and minutes. It was also confirmed that if Members wished to review the scheme of delegation this could be carried out at an Executive Member Decision Session.

The Executive Member confirmed his agreement to a re-examination of the distribution of powers in relation to the governance arrangements for CYC companies.

Resolved: That the Executive:

- (i) Approve the appointments of Cllr. Steward and Cllr. Ayre to the Shareholder Committee, with Cllr. Steward to be nominated as Chair.
- (ii) Approve the appointment of Cllr. A. Waller and Cllr. S. Rawlings as substitute Members.
- (iii) Appoint Cllr Looker (Labour Group) and Cllr Kramm (Green Group) with Cllr Craghill as substitute Green Member, as the opposition group representatives to participate in a non-voting capacity at meetings of the Committee, including an Independent Member.
- (iv) Appoint Cllr. J. Hayes as the Independent Councillor.
- (v) Delegate to the Shareholder Committee the power within its terms of reference to exercise all the Council's powers arising from its ownership role other than those identified within this report as being reserved to the Executive.

- (vi) That if the two Voting Members of the Shareholder Committee are not in agreement, then the matter will be referred up to the Executive for determination. ¹.
- (vii) Refer consideration of the proposed division of decision making responsibilities between the Executive, the Shareholder Committee and Officers as referred to in the annex to the report to an Executive Member for Finance and Performance Decision Session for approval. ².

Reason: To ensure proper governance of Council companies.

Action Required

- 1. Implement the agreed arrangements for the new Shareholder Committee. AD
- 2. Refer consideration of the decision making responsibilities to a Decision Session for the Executive Member for Finance and Performance. AD

Cllr D Carr, Chair

[The meeting started at 5.30 pm and finished at 6.45 pm].

Forward Plan: Executive Meeting: 13 October 2016

Table 1: Items scheduled on the Forward Plan for the Executive Meeting on 24 November 2016

Title and Description	Author	Portfolio Holder
<p>Taking Forward York's Public Realm Purpose of Report: This report concerns the future development of York's public realm. It:</p> <ul style="list-style-type: none"> - Sets out opportunities and priorities for action. - Proposes a new partnership approach to engage all stakeholders in the city in improving our public realm. - Suggests a framework for future capital investment by the Council. <p>The Executive are asked to approve:</p> <ul style="list-style-type: none"> - Aspirations for future public realm enhancements. - A partnership project board to prepare an investment strategy for the city walls. - Use of the Council's Built Environment capital funding. - A partnership approach to champion York's public realm and to refresh York's bid for World Heritage status. 	Charlie Croft	Executive Member for Transport and Planning
<p>York Arts Education Service Purpose of Report: This report concerns the future of the York Arts Education Service.</p> <p>Executive are asked to agree to a new delivery model for York Arts Education Service subject to presentation of an appropriate business plan.</p>	Charlie Croft	Executive Member for Education, Children and Young People

<p>York Central - Purchase of the Unipart Site Purpose of Report: To seek an Executive decision to purchase the Unipart factory in order to facilitate the delivery of the York Central scheme.</p>	Tracey Carter	Executive Member for Finance and Performance
<p>York Central - Consultation on Highway Access Options Purpose of Report: To seek an Executive decision to undertake a public consult on a range of potential highways access routes on to the York Central site in order to progress a Supplementary Planning Document for York Central.</p> <p>Members are asked to agree to the undertaking of public consultation on potential highway access routes to the York Central site.</p>	Tony Clarke	Executive Member for Transport and Planning
<p>Treasury Management and Prudential Indicators Mid Year Review Purpose of Report: To provide Members with an update on the treasury management position.</p> <p>Members are asked to note the issues and approve any adjustments as required to the prudential indicators or strategy.</p>	Debbie Mitchell	Executive Member for Finance & Performance
<p>Q2 Finance and Performance Monitor Purpose of Report: To provide Members with an update on finance and performance information.</p> <p>Members are asked to note the issues.</p>	Debbie Mitchell	Executive Member for Finance & Performance

<p>Q2 Capital Programme Monitor Purpose of Report: To provide Members with an update on the capital programme.</p> <p>Members are asked to note the issues and recommend to full Council any changes as appropriate.</p>	<p>Emma Audrain</p>	<p>Executive Member for Finance & Performance</p>
<p>Demolition of Castle Mills Car Park Purpose of Report: To seek permission to demolish the Castle Mills Car Park on Piccadilly due to its poor condition and prior to the potential redevelopment of the site. The report will also consider options for the temporary reinstatement of surface car parking</p>	<p>Tracey Carter</p>	<p>Executive Member for Finance and Performance</p>
<p>Options for the Disposal of 29 Castlegate Purpose of Report: To present to Executive options for the disposal of 29 Castlegate following the decision to relocate and reconfigure services currently operating from the building.</p> <p>Members are asked to consider and make a decision on the options for the disposal of 29 Castlegate.</p>	<p>Tracey Carter</p>	<p>Executive Member for Finance and Performance</p>
<p>Protection of Grass Verges Scrutiny Review Final Report Purpose of Report: To present the Executive with the Final Report of the Economic Development & Transport Policy & Scrutiny Committee's Protection of Grass Verges Scrutiny Review.</p> <p>Members are asked to approve the recommendations arising from the review.</p>	<p>Steven Entwistle</p>	<p>Executive Member for Transport and Planning</p>

<p>The Next Phase of the Older Persons' Accommodation Programme: deciding the future of the third Older Persons' Home to be considered for closure.</p> <p>Purpose of Report: To provide Members with the results of the consultation undertaken with the residents, relatives and staff of the Council run residential care homes which have been subject to the exploration of the option to close the home with current residents moving to alternative accommodation.</p> <p>Members are asked to consider the results of consultation undertaken and make a decision about whether to close the home.</p>	<p>Roy Wallington</p>	<p>Executive Member for Adult Social Care and Health</p>
<p>Delivery of Mental Health Services – Sycamore House</p> <p>Purpose of Report: To present a joint report from the Executive Member for Adult Social Care & Health and the Executive Member for Education, Children and Young People that informs the Executive on proposals to use Sycamore House to deliver a community focused approach to mental health services for Children and Adults and to develop a “safe haven” service in partnership with Tees, Esk and Wear Valleys NHS Foundation Trust (TEWV) which will provide support out of hours reducing the numbers of people in crisis. This report is for information purposes only. The proposals in this paper will ensure that a diverse, effective and sustainable solution to adults mental health services will be accessible to residents within the city, by ensuring capacity both within a city centre location and within our communities.</p>	<p>Gary Brittain</p>	<p>Executive Member for Education, Children and Young People</p> <p>Executive Member for Adult Social Care and Health</p>

Table 2: Items scheduled on the Forward Plan for the Executive Meeting on 8 December 2016

Title and Description	Author	Portfolio Holder
<p>Burnholme Health & Wellbeing Campus: Key Decisions to Further Progress this Development</p> <p>Purpose of Report: To seek Member agreement to key decisions which will allow further progression of the development of the Burnholme Health & Wellbeing Campus, including the appointment of a Care Home provider as well as the management of and investment in community, library and health facilities on the site.</p> <p>Members are asked to agree the appointment of a Care Home provider as well as the management of and investment in community, library and health facilities, in order to progress the scheme.</p>	Roy Wallington	Executive Member for Adult Social Care and Health
<p>Haxby Hall: Option Appraisal and Business Case to Secure the Long-Term Delivery of Older Persons' Care on this Site.</p> <p>Purpose of Report: To provide Members with an examination of options for the long term future of Haxby Hall, including seeking a partner to operate and redevelop as an alternative to consultation on closure, and to present for approval a business case which will secure the long-term delivery of older persons' care on this site.</p> <p>Members are asked to consider the options and agree plans for the future of Haxby Hall.</p>	Roy Wallington	Executive Member for Adult Social Care and Health

<p>Review of Fees & Charges Purpose of Report: To propose increase in Fees & Charges from 1st January 2017.</p> <p>Members are asked to approve the recommended increase in fees and charges.</p>	<p>Jayne Close</p>	<p>Executive Member for Finance & Performance</p>
<p>Lowfield Redevelopment: Business Case to Deliver a Care Home, Health Facilities and Housing Purpose of Report: To provide Members with feedback on the public engagement relating to the proposals for the Lowfield site and to seek agreement to the business case for the delivery of a care home, health facilities and housing on this site.</p> <p>Members are asked to approve the business case for the delivery of a care home, health facilities and housing on the Lowfield site.</p>	<p>Roy Wallington</p>	<p>Executive Member for Adult Social Care and Health</p>
<p>York Local Plan Purpose of Report: To provide information on the progression of York's Local Plan and the next steps.</p> <p>Members are asked to consider the information on the progress and next steps of the York Local Plan.</p>	<p>Martin Grainger</p>	<p>Executive Leader (incorporating Housing and Safer Neighbourhoods)</p> <p>Executive Member for Economic Development and Community Engagement (Deputy Leader)</p>

Table 3: Items slipped on the Forward Plan

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>Taking Forward York's Public Realm Purpose of Report: This report concerns the future development of York's public realm. It:</p> <ul style="list-style-type: none"> - Sets out opportunities and priorities for action. - Proposes a new partnership approach to engage all stakeholders in the city in improving our public realm. - Suggests a framework for future capital investment by the Council. <p>The Executive are asked to approve:</p> <ul style="list-style-type: none"> - Aspirations for future public realm enhancements. - A partnership project board to prepare an investment strategy for the city walls. - Use of the Council's Built Environment capital funding. - A partnership approach to champion York's public realm and to refresh York's bid for World Heritage status. 	<p>Charlie Croft</p>	<p>Executive Member for Transport and Planning</p>	<p>29 Sept 16</p>	<p>24 Nov 16</p>	<p>To allow further consideration of options before presenting the report to Members.</p>

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>Treasury Management and Prudential Indicators Mid Year Review Purpose of Report: To provide Members with an update on the treasury management position.</p> <p>Members are asked to note the issues and approve any adjustments as required to the prudential indicators or strategy.</p>	Debbie Mitchell	Executive Member for Finance & Performance	13 Oct 16	24 Nov 16	To have a more even reporting cycle during the financial year
<p>Q2 Finance and Performance Monitor Purpose of Report: To provide Members with an update on finance and performance information.</p> <p>Members are asked to note the issues.</p>	Debbie Mitchell	Executive Member for Finance & Performance	13 Oct 16	24 Nov 16	To have a more even reporting cycle during the financial year
<p>Q2 Capital Programme Monitor Purpose of Report: To provide Members with an update on the capital programme.</p> <p>Members are asked to note the issues and recommend to full Council any changes as appropriate.</p>	Emma Audrain	Executive Member for Finance & Performance	13 Oct 16	24 Nov 16	To have a more even reporting cycle during the financial year

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
<p>York Central - Purchase of the Unipart Site Purpose of Report: To seek an Executive decision to purchase the Unipart factory in order to facilitate the delivery of the York Central scheme.</p>	Tracey Carter	Executive Member for Finance and Performance	13 Oct 16	24 Nov 16	Delays in receiving key pieces of information.
<p>York Central - Consultation on Highway Access Options Purpose of Report: To seek an Executive decision to undertake a public consult on a range of potential highways access routes on to the York Central site in order to progress a Supplementary Planning Document for York Central.</p> <p>Members are asked to agree to the undertaking of public consultation on potential highway access routes to the York Central site.</p>	Tony Clarke	Executive Member for Transport and Planning	13 Oct 16	24 Nov 16	Delays in receiving key pieces of information.
<p>York Arts Education Service Purpose of Report: This report concerns the future of the York Arts Education Service.</p> <p>Executive are asked to agree to a new delivery model for York Arts Education Service subject to presentation of an appropriate business plan.</p>	Charlie Croft	Executive Member for Education, Children and Young People	22 Nov 16 (Decision Session - Executive Member for Education, Children	24 Nov 16	As the report will contain corporate implications in respect to support services and pension issues, it has been agreed that this issue

Title & Description	Author	Portfolio Holder	Original Date	Revised Date	Reason for Slippage
			and Young People)		should be considered by Executive.



Executive

13th October 2016

Report of the Director of Adult Services

Portfolio of the Executive Member for Adult Social Care & Health

Actual Cost of Care – Residential and Nursing Care Fee Rates

Summary

1. This report advises Members of the outcome of negotiations with the Independent Care Group to establish an agreed Actual Cost of Care for Residential and Nursing Care Homes for 2016-19. The agreement relates to fees paid by the Council for placements in private homes across the City and establishes an agreed cost of care for services, including inflationary awards. Members are asked to agree the revised rates within this report and to support the allocation of additional contingency budget to Adult Services to fund the increased financial commitment.

Recommendations

2. It is recommended that;
 - 1) The Executive agree to the outcome of the Actual Cost of Care Exercise in agreeing fee rates for Residential and Nursing Care placements made by the City of York Council for 2016-19.
 - 2) The Executive agree to an in-year allocation of £444k from the corporate contingency budget in 2016/17, with additional recurring funding of £720k in 2017/18 and £165k in 2018/19 to be provided for in future year budget processes.

Reason: To set fee rates for Residential and Nursing Care in agreement with the Independent Care Group to support provision of care and support to older people in York.

Background

3. Following initial discussions with the Independent Care Group (ICG), it was agreed to commission an independent organisation to undertake an exercise to establish an Actual Cost of Care for Residential and Nursing Care in York.
4. Members will be aware that many local authorities have been subject to a legal challenge and/or judicial review regarding the approach they have undertaken in setting fee rates. The approach adopted by the Council in commissioning an external organisation to undertake an analysis of the sector, in partnership with the ICG, ensures the Council acts in accordance with best practice approaches. It also ensures that we work in partnership with the representative body of local providers in setting and agreeing an approach to fee levels.
5. Following a procurement exercise, Mazars were commissioned by the City of York Council, North Yorkshire County Council, the Independent Care Group (ICG) and the Partnership Commissioning Unit (Continuing Health Care) to undertake an Actual Cost of Care Exercise in July 2015 with individual reports produced for both local authorities and the Partnership Commissioning Unit. A previous exercise undertaken by Genica in 2012 set the fees for 2013-16.
6. All Independent Providers of Older Persons Homes were asked to provide detailed financial information to Mazars. The response rate for York was 33% - 8 providers out of a total of 24 Older Person's Homes which officers feel has not provided a representative sample to base fee levels against, and has affected the outcome of the cost modelling that was undertaken at the exercise stage.
7. The baseline findings from the exercise (before a return on investment figure is applied) resulted in unreasonably high projections for Nursing Care which were, in our view, significantly out of line with other financial data. It was felt that the low response levels distorted the analysis.

8. As the parties were not able to arrive at a mutually agreed Cost of Care rate prior to the beginning of the new financial year, an interim fee increase was implemented, effective from the 1st April 2016, while negotiations were taking place:

Category of Care	2015/16 Fee Levels (£/week)	Interim Fee Offer (£/week)
Residential Care	£435.45	£449.81
Residential Care - Dementia	£460.30	£483.95
Nursing Care*	£549.85	£561.81
Nursing Care* - Dementia	£571.45	£595.95

*Nursing Care Fees are Inclusive of Funded Nursing Care.

9. It is important that we maintain fees at levels that enable providers to continue to provide quality based services for residents. If Fee levels were to remain the same or subject to a minor increases it is likely that the quality of provision would suffer as providers cut back on resources allocated to training, recruitment and quality assurance and this could lead to an increases in safeguarding and quality concerns across the City.
10. We need to ensure that services are appropriately staffed and resourced to provide the right levels of care and quality of care for residents. This will enable people in receipt of long term care to receive the right outcomes and experience quality based care maintaining their independence in accommodation that is appropriately maintained and suitable for their needs. The increase in fee levels will enable the Council to potentially access increased numbers of placements at its rates enabling more choice and availability for residents in need of residential care, and stabilise a market where approximately 70% of residents in homes self fund the support they receive.
11. As a result of York having a large number of self funding residents, we have had limited ability to manage the market for care as providers often set rates with the self funding market as a target which has in the past reduced the ability for the Council to source placements and has on occasions resulted in increased Delayed Transfer of Care figures for the City. The Executive in July 2015 agreed a programme of activity which will transform the provision of older persons" accommodation with care. The Older

Persons Accommodation Programme is an integral part of delivering the vision for Older Persons Services and as the programme progresses we will continue to support people to live independently in their own home as an alternative to nursing and residential care.

12. The proposal also needs to be seen within the context of the new operating model for Adult Social Care and our priorities in developing resilient communities, empowering individuals and providing safe support. We will be focusing on four key areas, Preventing, Reducing, Delaying and Managing Need. By applying these key principles we will be reducing the need and reliance on Long term Residential care, reducing the numbers of people requiring provision and as a result this will mitigate the long term financial impact of agreed fee increases as fewer people are placed in long term care settings.
13. Following further discussions, the Council and the ICG have now reached an agreement in principle on the Actual Cost of Care:
 - The proposed fee settlement, backdated to the 1st April 2016, covers a three year period with agreed inflationary awards and takes account of the existing cost pressures facing care providers and the implications of the increases in National Living Wage over the next two years. Providers have also faced increased costs as a result of pension auto-enrolment, increases in utility costs and agency cover, especially within nursing care, due to the shortage of nurses within the sector.
 - The increase was also agreed with a 7% figure applied to return on investment, in line with the figure agreed for the last exercise and fee increase in 2013.
 - The proposed fee increase also takes account of the recent DH announcement regards the Funded Nursing Care Contribution which is paid to eligible residents within Nursing Homes. This has increased from £112.00 per week to £156.25 and is calculated within the increased fee levels that are proposed. This sum is netted off the gross payment/fee agreed by the Council. It was agreed to set the rate for a three year period to avoid having to repeat the exercise again within the next 18 months and to provide stability for providers in relation to fee levels.

- The rates proposed below will mean that fees in York will be comparable to other areas. These include Solihull where fees for Dementia Residential are £533.76 and £693.50 for Nursing, Leeds where Residential Dementia ranges from £481-£507 per week and Nursing at £684.25 and Bedford with Residential Dementia at £567.84 and Nursing at £724.09.

14. The proposed fee offer and inflationary uplifts are detailed below;

Category of Care	2015/16 Fee Levels (£/week)	Proposed Fee Rate 2016/17 (£/week)	Increase (£/week)
Residential Care	£435.45	£467.28	£31.83
Residential Care - Dementia	£460.30	£502.74	£42.44
Nursing Care*	£549.85	£649.53	£99.68
Nursing Care* - Dementia	£571.45	£691.99	£120.54

*Nursing Care Fees are Inclusive of Funded Nursing Care.

In summary this involves:

- Increase in 2017/18 - 5%.
- Increase in 2018/19 - 3%.
- Fee increase for 2016/17 backdated to 1st April 2016.
- No Increase in fees on placements where fee levels are already in excess of the agreed cost of care rates.

15. The proposal will lead to increased costs on Adult Social Care budgets of £1,064,870. The table below identifies the annual budget increases expected.

Financial Year	Additional Cost of Proposed Fee Increase (£)
2016/17	623,780
2017/18	275,800
2018/19	165,290
Three Year Total	1,064,870

16. All Customers are charged in line with “CRAG” Charging for Residential Accommodation Guide and as such the Council supports customers to maximise their benefits to ensure that income is collected accordingly. It should also be noted that the fee increase takes into account the increase in Funded Nursing Care Contribution and assumes that there will be no further change in this level. If the Department of Health reduces the figure, this will lead to further expenditure pressures.

Consultation

17. The exercise has been undertaken in conjunction with the Independent Care Group who represent care providers in York. All providers have been consulted and engaged with by the ICG during the process and have had the opportunity to submit their costs as part of the Mazars analysis.

Options

18. The proposal outlined is as a result of an independent review and extensive negotiations with the sector regarding an agreed Actual Cost of Care rate and negotiated settlement. Failure to agree a settlement is likely to lead to issues with the market / providers and impact on local residents and leave the Council at risk of a legal challenge. Therefore the Council would need to enter into further negotiations with the Independent Care Group should the proposals within this report not be acceptable.
19. The option is to accept the proposal based on the exercise and subsequent negotiations.

Analysis

20. This proposal proposes a negotiated settlement so analysis of options is not applicable.

Council Plan

21. The proposal is in line with the Council’s priority of focusing on frontline service to ensure all residents particularly the least advantaged can access reliable services and community facilities.

Implications

Financial - Details of the proposed fee increases and associated costs are set out in paragraphs 13 to 15 above. In summary the proposal results in estimated additional costs of £1,065k over the three years 2016/17 to 2018/19, of which £624k would be incurred in 2016/17.

In 2016/17 the Adult Social Care base budget was allocated £480k from the corporate price inflation budget. Of this £300k has already been used to fund other contract price increases (mainly community support homecare). This means £180k is available to fund the additional £624k cost of the proposed fee increases, leaving a shortfall of £444k. As the overall adult social care budget is currently projecting a significant overspend for the year, there is no scope to fund this shortfall from elsewhere in the directorate. Therefore, if Members are minded to approve the fee increases, additional in year funding of £444k will need to be allocated from the corporate contingency budget.

In addition, as the 2016/17 contingency allocation will be one-off, further recurring price inflation funding will need to be provided in the 2017/18 and 2018/19 budget processes of £720k and £165k respectively.

Human Resources (HR) - There are no Human Resource implications to this report.

Equalities – This report promotes equal access for people to services, without an increase in fees there is an inequality in accessing services that would remain with fewer homes available, restricting choice for residents.

Legal - If the fee rates are not approved, negotiations will need to continue with the Independent Care Group to avoid the risk of legal challenge such as a judicial review.

Crime and Disorder - There are no Crime and Disorder implications to this report.

Information Technology (IT) - There are no Information Technology implications to this report.

Property - There are no Property implications to this report.

Other - There are no known implications

Risk Management

- 22. The risk of not increasing our Residential and Nursing Care fees will lead to a de-stabilisation of the market and resultant provider failure. The Care Act places a responsibility on Local Authorities to ensure that care markets remain vibrant and sustainable and the Council may face a challenge from providers should it not take into account cost increases. If a provider fails then the Council would need to mind placements for residents within an area where there is currently 98% occupancy levels and maintaining fee rates at lower levels would leave the Council unable to source placements for those who require long term accommodation and care.

Contact Details

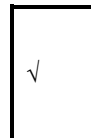
Author:

Gary Brittain
Head of Commissioning
Adult Services
01904-554099

Chief Officer Responsible for the report:

Martin Farran
Director of Adult Services

**Report
Approved**



Date 19 September 2016

Specialist Implications Officer(s)

Finance: Richard Hartle, Finance Manager – Adults,
Children & Education

Wards Affected: All

For further information please contact the author of the report

Background Papers:

None



Executive**13th October 2016**

Report of the Director of Place and the Director of Corporate Services

Proposals for the disposal of the freehold of Stonebow House and further options for changes to the Commercial Portfolio**Summary**

1. This report proposes to dispose of the council's freehold interest in two low income generating assets. The sale of Stonebow House for £750,000 would generate a significant commercial return on a low income asset whilst also facilitating the redevelopment of a vacant and run-down city centre property. It is also proposed to dispose of the freehold of 10 and 11 Redeness Street for £256,500, which also currently generates a low annual income. The report considers whether to use the capital receipts from these disposals to reinvest in the purchase of the head leasehold interests in two industrial sites at Hospital Fields Road in order to increase revenue income, or to use the capital receipts to reduce council debt and therefore borrowing costs.

Recommendations

2. Executive are asked to:

- a) Dispose of the freehold interest of Stonebow House and grant a long leasehold to Oakgate PLC on the small area of land identified in Annex 1 for a total price of £750,000

Reason: To allow the redevelopment of Stonebow House to proceed, bringing back in to use and renovating a vacant run down building whilst achieving a significant capital receipt from a poorly performing commercial asset

- b) Dispose of the freehold interest of 10 and 11 Redeness Street to Maple Grove Developments for £256,500

Reason: *To dispose of a poorly performing asset*

- c) To approve the purchase of the leasehold of sites 36 and 23 Hospital Fields Road for sums set out in the Confidential Annex 1, with delegated authority to the Director of Place to make the final purchase decision based on the outcome of surveys

Reason: *To increase the revenue income of the commercial portfolio and create potential future development opportunities*

- d) Recommend to full council to create a capital budget of £1.145m to secure these new assets and for this to be funded from the capital receipts from Stonebow House and Redeness Street (£1.006m) with the remaining £138,500 being funded from borrowing, with the associated interest and repayment of the debt being met from the additional revenue income generated by the new acquisitions.

Reason: *To reinvest capital from the commercial portfolio in order to increase the revenue income from that portfolio, and to unlock the development potential of the sites in the future*

Background

3. The council has set an ambitious target to increase revenue generation from the commercial portfolio by £1m over the next 4 years. This will largely be achieved through the disposal or redevelopment of poorly performing assets and the acquisition of commercial interests with better financial returns. A comprehensive plan for the delivery of this saving is being developed. As part of this strategy a number of immediate opportunities have arisen relating to the disposal and acquisition of assets.
4. Disposal of Stonebow House - The most significant disposal is the freehold interest in Stonebow House, which currently generates an annual income of just £6,100. The building has suffered from a lack of investment, and the low grade office accommodation has struggled to attract tenants in recent years. In an attempt to redevelop Stonebow House the Oakgate Group have acquired the various leasehold interests in the property. They submitted a planning application to convert the offices into residential apartments and the ground floor into a range of commercial uses. The application was considered at planning sub-committee on 6th October with an officer recommendation for approval.

Oakgate intend to begin construction in January 2017, with completion in January 2018.

5. To be able to proceed with the development Oakgate would need to either acquire the freehold of the building or reach agreement with the council to extend their lease. This is because the current lease has only 44 years remaining, which is an insufficient period of time for lenders to offer mortgages on the new apartments. Consequently, Oakgate approached the council to either extend the lease or to acquire the freehold of the building, and to acquire a small area of land in front of the former Heron Foods store (see area outlined in red in Annex 1). This piece of land would form outdoor seating for a proposed restaurant operator.
6. As the redevelopment will result in significant investment in Stonebow House and bring back in to use a neglected vacant building, officers are of the view that an agreement that realises the commercial value of the freehold or lease and facilitates the development would be of benefit to the city. The plans also allow for the public footpaths to be widened and improvements to the bus stops that currently have a very poor setting below the existing building's intimidating first floor overhang which will be removed.
7. As Oakgate have the sole leasehold interest in the building it necessitates an off market sale or agreement between freeholder and leaseholder. As such an agreement cannot be tested by going out to tender it is important that the council achieves best value for its interest. Consequently an open book approach was undertaken with Oakgate, and the council appointed framework partners Sanderson Weatherall to provide specialist advice on the market value of the freehold.
8. Oakgate's initial offer for the freehold of the building and the small area of land identified in Annex 1 was £500,000. Having undertaken detailed analysis, and supported by external advice, officers have been able to negotiate an increased sale price of £750,000. This purchase price has been agreed with Oakgate and both parties are ready to progress on this basis should it be the Executive's preferred option. Sanderson Weatherall has recommended proceeding at this price (see Annex 6). The sale would be dependent on completion of the proposed scheme to ensure that the approved plans are implemented and the redevelopment is completed. At this stage it is proposed that the land in front of the former Heron Foods is transferred on a long leasehold basis as part of this figure to ensure that the council has control over any proposals for future use.

9. The option to extend Oakgate's lease on Stonebow House rather than selling the freehold was considered. However, this would potentially only return an annual yield of between 4% and 5% (circa £35,000 per annum). Whilst this does generate an increased annual income it is less than either the reduction in interest should the £750,000 be used to reduce the council's outstanding debt or the potential yield from the alternative investments outlined later in this report. As a consequence disposing of the freehold for £750,000 represents the best option for the council.
10. Disposal of 10 to 11 Redeness Street – The sites are set out in Annex 2 and 3 and are located on the periphery of the city centre and the area is characterised by dated industrial accommodation. This asset's current income reflects a low yield of 2.1% against that potential capital receipt. The area has witnessed recent redevelopment with modern, purpose built student accommodation being developed. Maple Grove Developments are acquiring a comprehensive interest across the area to create an expansion to the student housing that adjoins the site. They have offered a total of £256,500 for the freehold of the site, with £156,500 up front and £100,000 on commencement of any future development, subject to a long stop date. Having acquired other land holdings, Maple Grove Developments are effectively a special purchaser who are offering significantly in excess of an expected capital receipt should the sites be placed on the open market (see valuations in Annex 7 and 8).
11. Acquisitions opportunities at Hospital Field Road – The council own the majority of the Hospital Fields Road estate and the ownership comprises predominantly ground and long leases, ground leases being where the council own the freehold of the land and has granted long leases over such, with the occupiers constructing and owning the respective buildings. The total area of the council's interest within Hospital Fields Road is 10.9 acres (excluding highway) and the income produced currently £278,000 per annum through 26 individual leases. Future rent growth will be limited due to the nature of many of the leases and the age of the buildings.
12. The estate is located directly off the main A19 road lying midway between the city centre and the York Bypass (A19/A64), being approximately 1.5 miles from each. The estate borders the River Ouse and is in close proximity to Rowntree Park and the Millennium Bridge with the Fulford Barracks across the A19. The buildings and uses within the estate vary considerably. The site was originally used for the storage of ordnance during World War One and some of the original depot buildings remain to this day, having been converted. Other uses include; removals/ vehicle storage; steel storage; children's nursery and a tool hire and bus depot.

The most recent development was that of ACM Global which provided a speculatively built 14,500 square feet of office/ laboratory accommodation in 2008 and known as “The Edge”.

13. The majority of the estate is of a dated appearance and it is considered that there may be potential for mixed use redevelopment in the future. The proximity of the river and central location with good access from the A19 should provide for good demand land values. As an illustration of nearby development, a scheme comprising 91 flats on the eastern end of Hospital Fields Road was developed in 2000. That site comprised 1.6 acres.
14. Acquisition of the leasehold of site 36 Hospital Fields Road – The council have the opportunity to secure the leasehold interest of site 36 Hospital Fields Road. The site currently houses a large industrial unit adjacent to the River Ouse (see Annex 4). The council already own the freehold of the site which generates an income of £8,750 per annum. This leasehold runs until 2104, though the tenant has a statutory right to renew under the Landlord and Tenant Act 1954. They in turn have an underlease agreement with a tenant that runs until 2026 (with a tenant’s break clause on 1st August 2022) though the tenant also has a statutory right to renew under the Landlord and Tenant Act 1954. From December 2016 this agreement will generate the leaseholder £80,000 per annum, with an upwards only open market rent review on 17th June 2021. Securing the leasehold would give an annual net increase in rent of £71,250.
15. The opportunity to buy the leaseholds on this and on 23 Hospital Fields Road are part of commercially confidential negotiations at this time and are therefore set out on detail in Confidential Annex 1, with a valuation report of this site in Exempt Annex 2. The leaseholders are prepared to dispose of the leasehold, in an off market sale to the council if an immediate deal can be secured creating an immediate commercial return to the council. Furthermore, the marrying of both leasehold and freehold would provide the council with the opportunity to develop out the site in either 2022 or 2026 depending on the end of the current underlease.
16. Acquisition of the leasehold of site 23 Hospital Fields Road – The council also have the opportunity to acquire the leasehold interest in site 23 Hospital Fields Road (see Annex 5). The site is substantial, covering 2 acres, and has significant development potential. Again the council are the freehold owners, which currently generates £61,000 per annum from the leasehold which runs until 2037 (though again the tenant has a statutory right to renew under the Landlord and Tenant Act 1954). The leaseholder has underlease agreements that run until December 2017.

These agreements generate £79,650 per annum; giving the leaseholder a net rent of £18,650 per annum.

17. The leaseholders are willing to dispose of their leasehold interest to the council at a price identified in Exempt Annex 1, with valuation advice in Exempt Annex 3. The current net rental income would provide a healthy yield in the short term, but more importantly this creates a potential development opportunity on the expiration of the underleases in 2017.

Consultation

18. All of the proposed disposals and acquisitions have been discussed with officers in finance and property services, and have been approved by Capital Asset Board. In addition, specialist advice has been provided by Sanderson Weatherall, and their reports are attached as annexes.

Options

19. There are two options for consideration:

Option 1 – Approve the disposal of the freehold of Stonebow House and 10 and 11 Redeness Street and use the proceeds to purchase the leasehold of sites 36 and 23 Hospital Fields Road

Option 2 – Approve the disposal of the freehold of Stonebow House and 10 and 11 Redeness Street and use the proceeds to repay council debt

Analysis

20. **Option 1** – proposes to use the income generated from the sale of low yield assets at Stonebow House and Redeness Street to fund the purchase of high yield assets at Hospital Fields Road. This would provide a significant increase in the return on investment. With current yields of 0.8% and 2.1% against the negotiated freehold sale values, these assets do not justify retention financially and their release would enable the dated assets to be regenerated. The newly acquired assets at Hospital Fields Road would have significantly higher yields which would justify the investment even without consideration of future opportunities to unlock the development potential of both sites.
21. Under this option the Council would receive capital receipts of approximately £1m for assets that currently only achieve £11k per annum in income. The receipts would then be used to purchase assets for £1.1m

(including an estimate of associated purchase costs such as Stamp Duty Land Tax and Land Registry fees). The capital shortfall of £139k would be funded through borrowing over 15 years, with the associated interest and repayment of the debt covered by the additional revenue income generated. This will achieve a significantly higher annual income of £160k which would give a net annual revenue increase of £66k once borrowing costs have been met and the existing income levels netted off. Once the borrowing has been repaid after 15 years, the net annual income generated would increase to £78k per annum. Importantly this option offers two significant opportunities for future development which would increase either future revenue generation or create large capital receipts.

22. There would be a short term cash flow gap that would need to be funded as 90% of the payment for the freehold of Stonebow House would be paid on completion of the redevelopment, anticipated to be in January 2018. For Redeness Street £156k would be paid initially, with the balance being paid on commencement of any future development, subject to a long stop date of 2 years from date of sale by the council. This would mean a total of £831k would need to be funded up front until the other disposals complete, a period anticipated to be just over a year. This can be managed within the existing corporate treasury management budget.
23. **Option 2** – Option 2 proposes to dispose of the two low yield assets at Stonebow House and Redeness Street but to use the receipts generated to create revenue savings by repaying existing debt and therefore reducing the council's current cost of borrowing. The reduction in borrowing would be £70k per annum, but with the loss of the £11k annual income from the disposal of the assets this would reduce the annual saving to £59k. Consequently this option generates lower revenue savings than the income from securing the new assets, and the council would lose the ability to generate higher development income in the longer term.
24. A summary of the financial implications for both options is set out in the table below:

Summary of financial implications	£'000
Option 1 – dispose and reinvest receipts (recommended option)	
Receipts received	1,006
Expenditure incurred	1,145
Net capital investment required	139
Early years annual net increase in revenue generated	66
Future net increase in annual revenue saving generated	78
Option 2 – dispose and use receipts for repayment of debt	
Receipts received	1,006
Annual revenue saving generated	59

Implications

25. The following implications have been identified:

- (a) **Financial** – The financial implications are covered in the options, and make an allowance for some associated purchase costs and consider the impact on cash flow of the timing of receipts and payments made. However, any additional delays in the sale of the assets could have an impact on the Council's treasury management budget, although it is anticipated that this could be managed within the overall resources available. It is also assumed that the newly purchased assets will be fully occupied. If at any point these sites were not let, this would again have an impact on the overall financial viability of the proposal. It is assumed that no additional investment or management overhead costs will be required.
- (b) **Human Resources** – There are no human resource implications.
- (c) **Equalities** – There are considered to be no equalities implications.
- (d) **Legal** – The subtenant of Unit 36 has security of tenure under the Landlord and Tenant Act 1954 (though the subtenants at Unit 23 do not appear to have such protection/rights). This means that the subtenant of Unit 36 will have a statutory right to renew their lease on similar terms when their current lease expires unless the Council can prove at that point that we need to regain possession of Unit 36 in

order to redevelop the premises in accordance with clear, achievable development proposals in which case we would be obliged to pay them compensation related to the rateable value of the premises.

The subtenant of Unit 36 has the benefit of a break option which means they can terminate their lease early on 1st August 2022 provided they serve notice on their landlord before 1st February 2022.

It is noted from paragraph 8 of this Report that the proposed sale of the Council's freehold interest in Stonebow House to Oakgate "would be dependant on completion of the proposed scheme to ensure that the approved plans are implemented and the redevelopment is completed". If the contract for sale of the Council's freehold to Oakgate imposes an obligation on Oakgate to carry out particular works to the building by a particular date/within a particular period then the contract may be categorised as an agreement for works which must be procured in accordance with the Public Contracts Regulations. It is considered that this would be avoided if the sale contract does not impose an obligation on Oakgate to redevelop the property but is instead structured so that the transfer of the freehold to Oakgate will not take place unless and until Oakgate have redeveloped the property in accordance with a scheme approved under a specified planning permission, failing which the Council can terminate the sale contract.

Provided that the Council is satisfied that the price being obtained for our freehold interest in Stonebow and our freehold interest in 10 & 11 Redeness Street is best consideration/full market value, then the consent of the Secretary of State is not necessary for disposal under S.123 of the Local Govt Act 1972.

In relation to the recommendation that the Council sell our freehold interest in 10 and 11 Redeness Street for £156,000 plus a further payment of £100,000 on commencement of any future development subject to a long stop date of 2 years from date of sale by the Council. In this sale it is recommended that the sale contract grants the Council a Legal Charge over the property to secure the payment of the remaining £100,000 and imposes a restriction preventing any onward disposal of the property by the buyer to someone else without the Council's consent (so the Council can ensure that any onward purchaser within the 2 year long stop period covenants to pay the remaining £100,000 to the Council by the end of that period). A potential alternative would be for the sale to be conditional upon the

prospective purchaser obtaining planning permission for their desired development by a specified date in which case the Council transfer the land and receives full payment at that point (either party being able to terminate the sale contract and 'walk away' if the buyer does not obtain planning permission by the specified date).

If the Council proceeds to purchase our head tenants' interests in Unit 23 and Unit 36 for the prices mentioned above, we would be liable to pay Stamp Duty Land Tax for Unit 23 and Unit 36 (more if VAT is payable on the purchase price for either Unit, which Property Services are seeking confirmation of from our tenants' agents).

- (e) **Crime and Disorder** – Due to the current poor condition of Stonebow House the building has attracted anti-social behaviour problems. Facilitating the redevelopment of the building, with secure by design principles required by planning, should reduce incidences of crime and disorder.
- (f) **Information Technology** – There are no information technology implications.
- (g) **Property** – The sale of the Stonebow and Redeness assets will facilitate redevelopment of the sites and provide a capital receipt. Utilising the capital receipt to purchase further interests will provide a good financial return and enhance the council's ability to bring about further redevelopment in the future. It is however, recognised that the purchase of the assets, which are of a dated nature could increase the exposure of the council to added repair and maintenance costs, under the terms of the occupational leases however, it is considered that any additional repair cost would be funded from existing tenants and any future liabilities when these tenancies end could be considered as part of a future investment strategy or funded from the commercial portfolio repair budget.
- (h) **Other** – There are no other implications.

Risk Management

- 26. In purchasing the assets the council will take on greater liability for the repair and maintenance of the assets. Consequently, further surveys and due diligence should be undertaken before committing to any deal. There

is evidence of asbestos which will need to be further considered before any final purchase price is agreed.

27. There is, as with any investment property, always the possibility of voids at the end of lease periods where income will not be forthcoming. For site 23 Hospital Fields Rd this risk will arise in December 2017 when the current under lease ends, but this is offset by the potential for significant development uplift at this point.
28. The development timetable for Stonebow House is indicative, and a delay to completion would delay the payment of the final capital receipt. This would expose the council to further interest payments on the initial investment. In addition, part of the agreed sale price of Redeness Street is subject to commencement of development (although with a long stop date of 2 years). Failure or delays in achieving planning and construction would consequently affect the financial returns upon which this report is modelled.

Contact Details

Authors:

Andy Kerr

Commercial Project
Manager
Directorate of Place
Tel: 01904 554 153

Nick Collins

Commercial Property
Manager
Tel: 01904 552 167

Chief Officer responsible for the report:

Ian Floyd

Director of Corporate Services
Tel: 01904 552 909

Neil Ferris

Director of Place
Tel: 01904 551 448

**Report
Approved**



Date 3rd October
2016

Specialist Implications Officer(s) List information for all

Financial

Debbie Mitchell
Corporate Finance Manager
Tel: 01904 554 161

Legal

Gerard Allen
Senior Solicitor
Tel: 01904 552 004

Property

Philip Callow
Head of Asset & Property Management
Tel: 01904 553 360

Wards Affected: *Guildhall and Fishergate*

For further information please contact the author of the report

Annexes

Annex 1 - Site plan for Stonebow House

Annex 2 - Site plan for 10 Redeness Street

Annex 3 - Site plan for 11 Redeness Street

Annex 4 - Site plan for 36 Hospital Fields Road

Annex 5 - Site plan for 23 Hospital Fields Road

Annex 6 - Stonebow House valuation letter

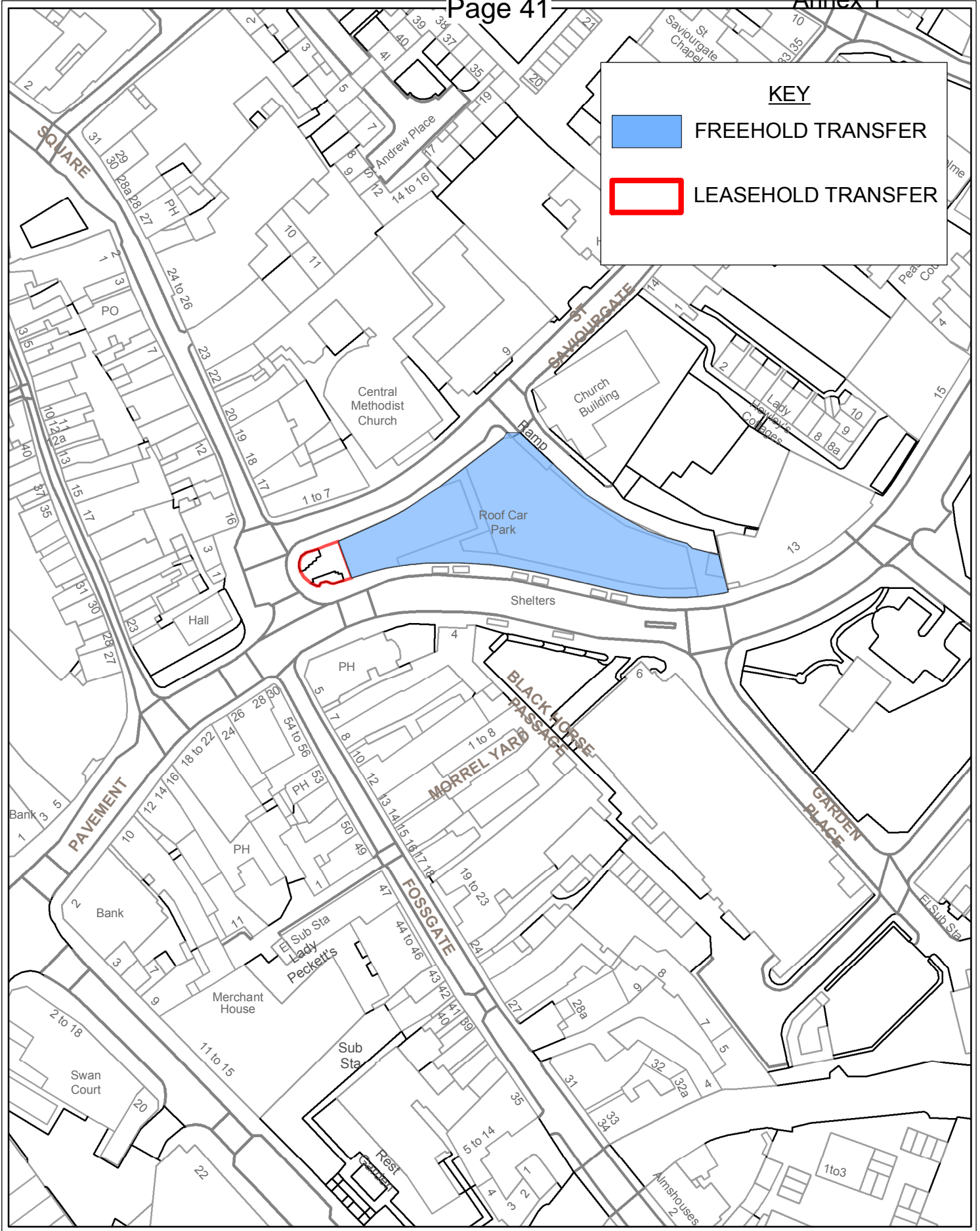
Annex 7 - 10 Redeness Street valuation

Annex 8 - 11 Redeness Street valuation

Exempt Annex 1 – Proposed acquisition of sites at Hospital Fields Road

Exempt Annex 2 – 36 Hospital Fields Road valuation

Exempt Annex 3 – 23 Hospital Fields Road valuation



CBSS
Asset & Property
Management

Stonebow House



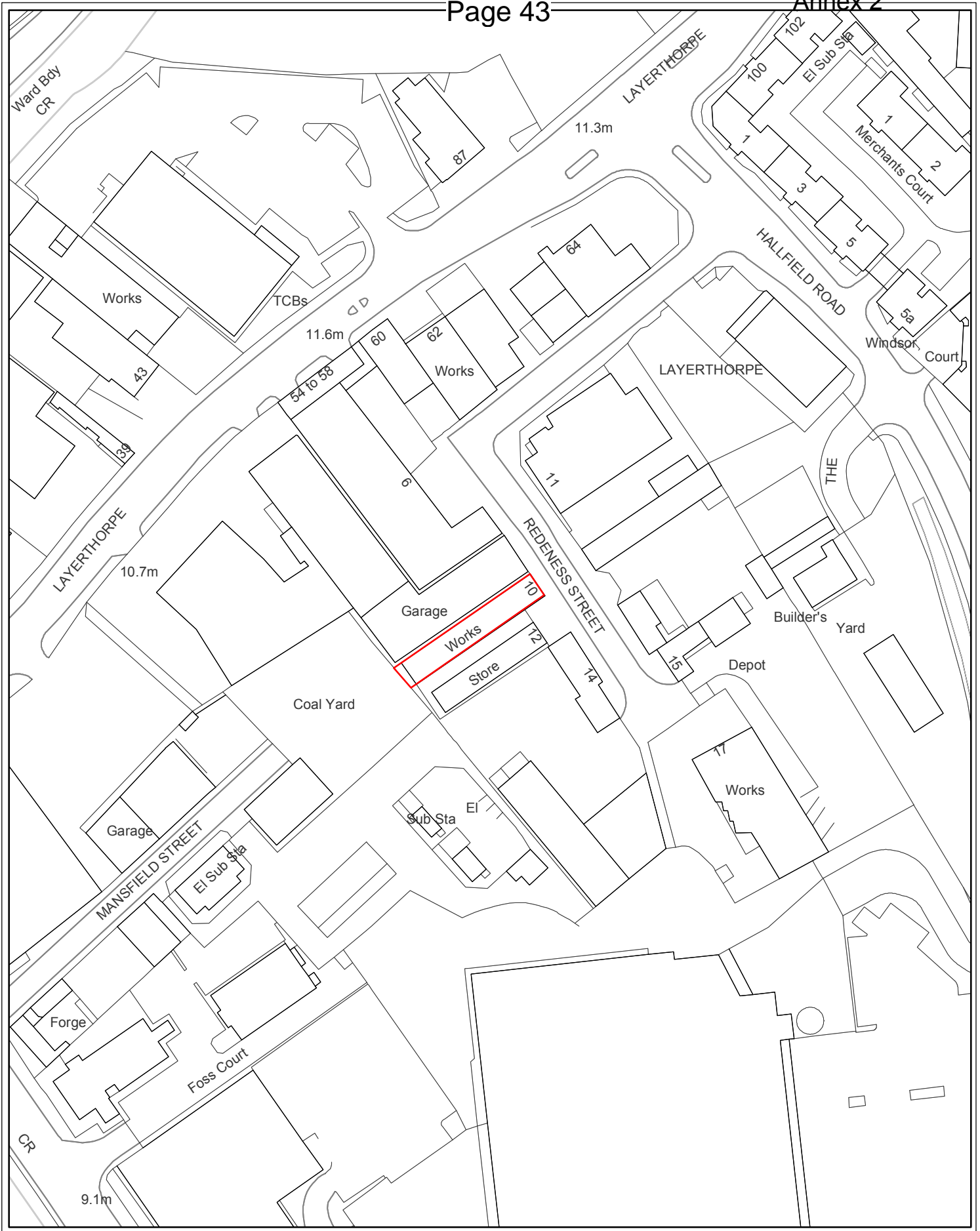
SCALE 1:1,250 DRAWN BY: CC DATE: 29/09/2016

Originating Group: **Asset & Property Management**

Drawing No. **E00370-2**

Reproduced from the Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. City of York Council 100020818

This page is intentionally left blank



CBSS
Asset & Property
Management

10 Redeness Street - 267 Metres Squared



SCALE 1:1,250

DRAWN BY: CC

DATE: 09/10/2014

Originating Group:

Asset & Property Management

Drawing No.

E00405

Reproduced from the Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. City of York Council 100020818

This page is intentionally left blank



Resources
Property Services

Redeness Street 11



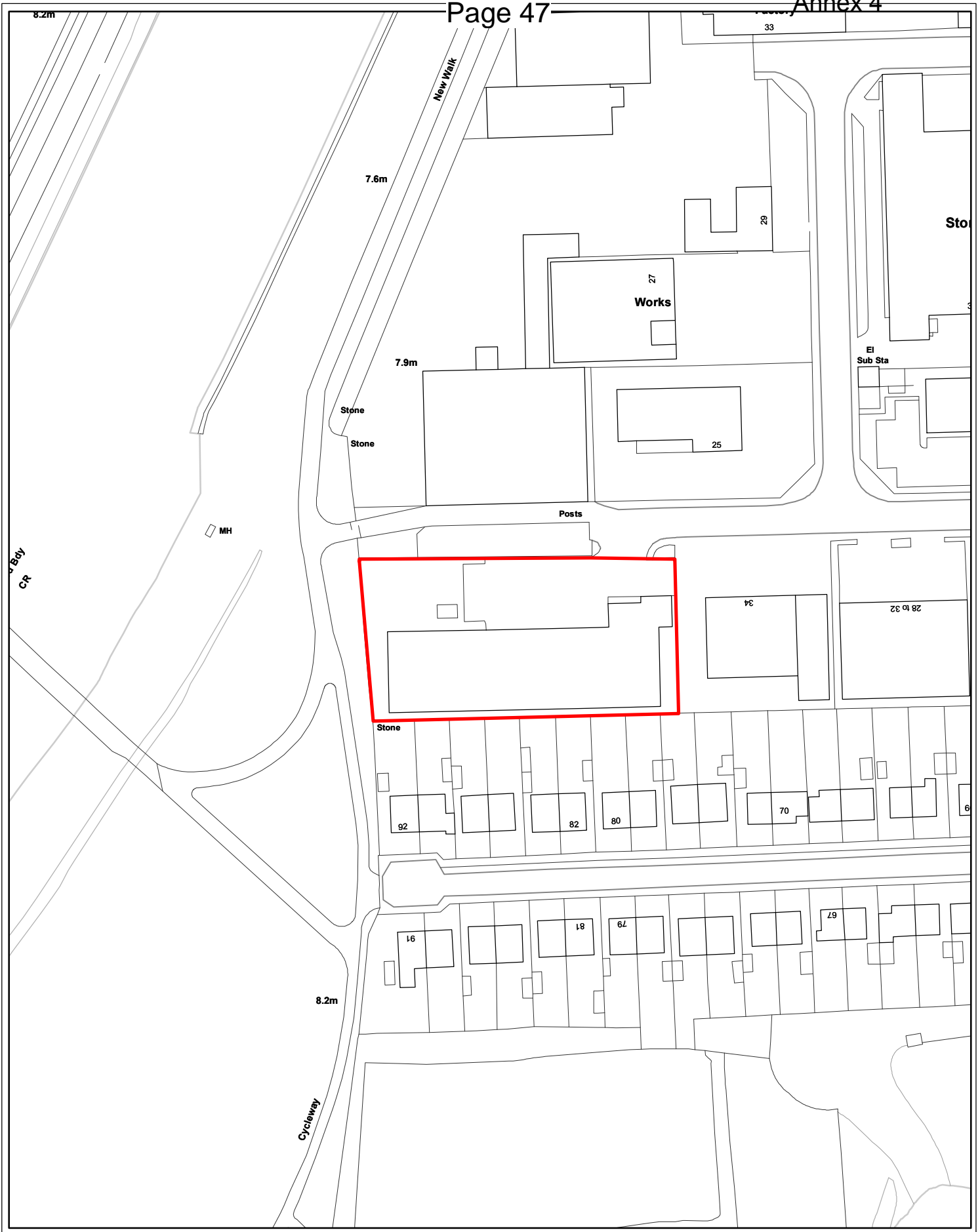
SCALE 1:1,250 DRAWN BY: CC DATE: 24/05/2012

Originating Group: _____ Drawing No. _____

E00406

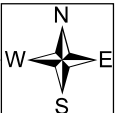
Reproduced from the Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. City of York Council 100020818

This page is intentionally left blank



CBSS
Asset & Property
Management

36 Hospital Fields Road



SCALE 1:1,250

DRAWN BY: CC

DATE: 07/01/2015

Originating Group:

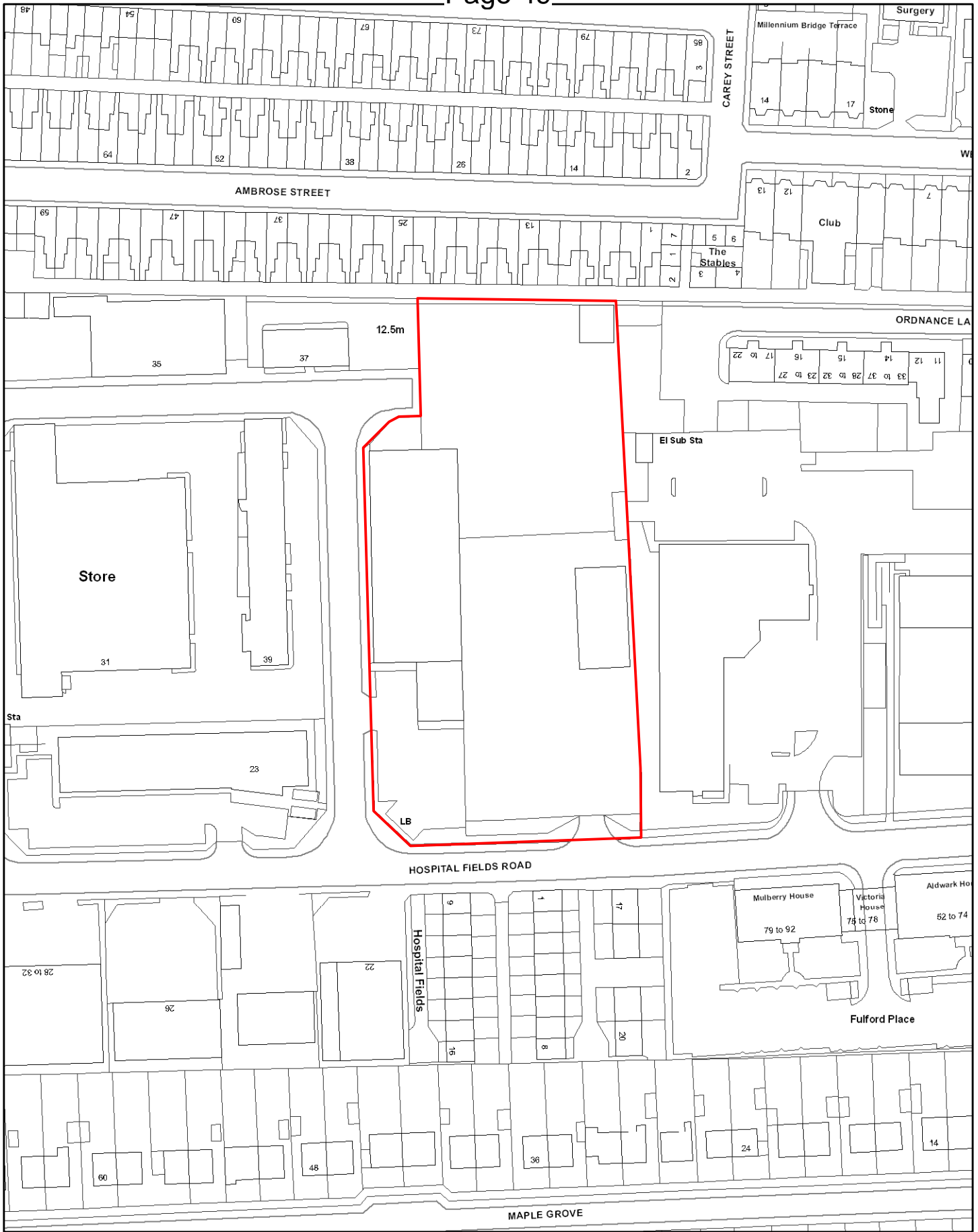
Asset & Property Management

Drawing No.

E00114

Reproduced from the Ordnance Survey with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. City of York Council 100020818

This page is intentionally left blank



23 Hospital Fields Road



SCALE 1:1,250

DRAWN BY: GR

DATE: 24/11/2010

Originating Group:

Property Services

Drawing No.

E00121



Resources
Property Services

This page is intentionally left blank

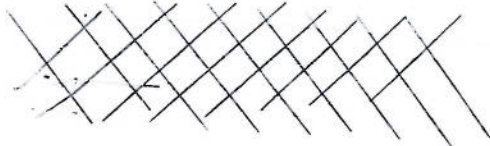
You have also explained that whilst the current intention is to dispose of the freehold interest, you might actually sell the majority of the site freehold and retain the freehold interest in respect of the small area of external space proposed for the additional seating area and instead grant a long lease on this part. Currently this land is owned freehold by the Council but not subject to the original ground lease. Apparently concerns have been raised that City of York Council might wish to recover possession of this land at some point in the future for a highway or public realm improvement scheme. As such you might instead grant a new long lease on benign terms at a fixed peppercorn rent of this part. In the event that this is how you decide to proceed then this ought to make the interest being acquired by the developer to be marginally less attractive. On this basis the recommendation to proceed with the sale at £750,000 for the freehold interest would indicate that this part freehold/part long leasehold type deal can also be recommended. The only potential downside might be in the event that the Council takes on any potentially onerous obligations under the ground lease. Our advice assumes this will not be the case. For completeness probably it is best therefore that we can see a draft of any suggested ground lease in order we can confirm our opinions.

We trust this letter covers everything that currently you require. If you need anything further please contact our Andrew Ellis.

Kind regards

Yours sincerely

For and on behalf of Sanderson Weatherall LLP



Andrew W Ellis BSc (Hons) MRICS
Partner, Corporate Real Estate
Direct Dial: 0113 221 6040
E-Mail: andrew.ellis@sw.co.uk



**SITE 10 REDENESS STREET
LAYERTHORPE
YORK
YO31 7UU**



1. EXECUTIVE SUMMARY

To be read strictly in conjunction with the accompanying report.

- The asset to be valued comprises the freehold interest currently held by City of York Council and subject to a 99 ground lease from 1 April 1965.
- We understand the ground lease was granted at an initial rent of £85 per annum for the first 33 years and was reviewed in 1998 to £750 per annum. Rent reviews are 33 yearly and therefore the next review is on 1 April 2031. The basis of review is as land only and excluding the buildings erected thereon.
- The building constructed on the site is rather unusual and quite dated. The site is long and narrow and as such the building covers virtually the whole of the site. It incorporates a two storey part to the front with single storey shed to the rear. The front building is constructed of brick beneath a flat roof of unknown covering. We understand it was last used as the marketing suite for the student housing scheme constructed on the opposite side of the road by the perspective purchaser for the subject. Effectively it provides the workshop entrance at ground floor and offices at first floor. To the rear of the site comprises a workshop building of very basic construction. It has a lightweight portal frame and external walls formed with concrete sectional panels. The roof is pitched and covered with corrugated asbestos cement sheeting. It has no insulation internally and we would expect it to be extremely thermally inefficient and in all probability be unlettable once the new rules about bands F and G come in from April 2018.

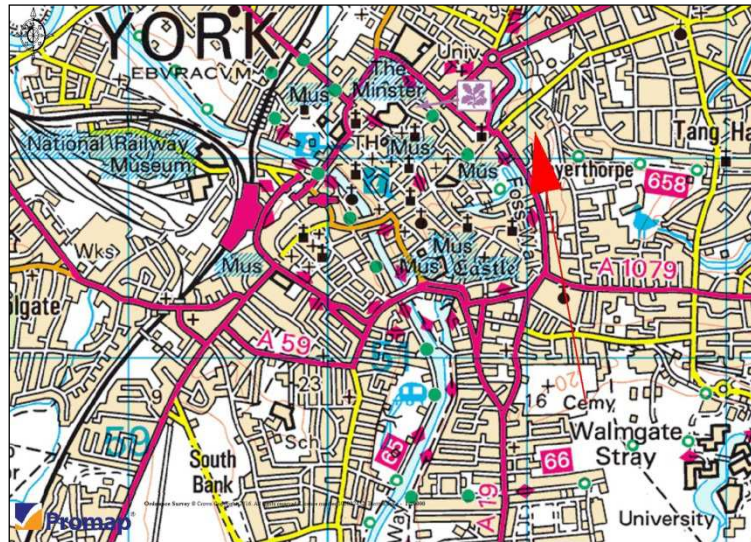
PURPOSE OF VALUATION	Proposed Sale to tenant
VALUATION DATE	Date Report Issued
a) MARKET VALUE OF THE FREEHOLD INTEREST SUBJECT TO THE LONG LEASE HELD BY MAPLE DEVELOPMENTS	£25,000 (Twenty five thousand pounds)
b) COMMENT ON THE PROPOSED MARRIAGE VALUE CREATED BY COMBINING THE FREEHOLD AND LONG LEASEHOLD INTERESTS AND HAVING REGARD TO THE PROPOSED SALE PRICE OF THE FREEHOLD INTEREST.	See below

2. LOCATION

The property is situated on the western side of Redeness Street which connects with Hallfield Road and then Layerthorpe approximately 200m to the north east. The property is situated in an area of former industrial and trade centre type units largely dating from the 1960's and 1970's. In recent years the units have started to be occupied by rather different uses including a climbing wall and most recently with the development of a significant area of land opposite for a new student housing scheme. As such the area is changing as more valuable uses take over.

York City Centre is approximately ½ mile to the south west. The immediate area historically comprises a rather dated industrial estate.

The general location of the property is illustrated on the following Ordnance Survey extract.



Not to Scale

3. THE SITE

You have provided Ordnance Survey plans of both properties and from which we understand:-

Approximate Areas

Site Area	0.0274ha (0.0677acre)
Frontage to Redeness Street	7m (23 feet)

Notes on Site

The site is virtually fully developed with buildings. It is long and narrow and would be difficult to re-develop in isolation.

The extent of the site boundaries as we understand them are shown edged red on the 1:1250 scale Ordnance Survey extracts attached within Appendix I.

4. CONSTRUCTION

The front part of the building is of two storey brick construction beneath a flat roof of unknown construction. It was last occupied as the marketing suite for the student housing scheme and with offices above. To the rear of this building is a long narrow single storey part which is constructed with a lightweight portal frame and external walls formed with sectional concrete panels. The roof is pitched and covered with corrugated asbestos cement sheeting. The roof is uninsulated and would appear likely to be very thermally inefficient, and in our opinion likely to be unlettable from April 2018 once the regulations come into force regarding Bands F and G.

5. ACCOMMODATION

Description	Approximate Gross Internal Floor Area	
	m ²	sq ft
Ground Floor Workshop/Kitchen/Ancillary	264.04	2,842
First Floor Office/Store	<u>32.25</u>	<u>347</u>
Total	296.29	3,189

6. DEVELOPMENT PROPOSALS

None. We are not aware of any proposals to redevelop the property. As well as the long leasehold title, we think the long narrow shape of the site makes this extremely unlikely in isolation.

7. CONDITION

As referred to in our Terms of Engagement and Guidance for Clients, we have not carried out a building survey and our comments that follow should not be regarded as such.

However, the following points are worthy of note:

- 1) The rear building in particular is extremely basic and in our opinion is nearing the end of its economic life.
- 2) The front building is of more traditional and robust construction and appears in reasonable condition for its age.
- 3) The roof to the rear part is showing signs of severe water ingress

The building is of an age where defects can be expected. Examples from our survey undertaken for valuation purposes are shown in the attached photographs. In preparing our valuation opinions we have had regard to the age and apparent condition as evidenced by our valuation survey albeit no major defects are assumed. If you were acquiring the property then we would recommend a full survey into the structure and services. However in this case this would not appear necessary and simply we have had regard to the apparent condition as identified during our valuation survey.

8. SERVICES AND AMENITIES

Mains services

We understand all mains services are laid and connected to the property.

Heating

A gas fired Ambirad type radiant heater is located in the rear workshop.

There is an electric storage heater to the first floor office.

None of the services have been tested.

9. STATUTORY ENQUIRIES

Highways

We assume Redeness Street is an adopted highway maintained at public expense. We are not aware of any highway proposals likely to have an adverse impact on the property.

Planning

Our valuation advice assumes the current use is authorised and can continue.

Rating/Council Tax Assessments

From the Valuation Office Agency website the property is assessed in the 2010 rating list as follows.

Address	Description	Rateable Value
10 Redeness Street, York, YO31 7TU	Garage & Premises	£9,000

The National Non-Domestic Rating Multiplier for the rates year 2016/2017 currently is set at 49.7 pence in the pound for large assessments over £12,000 RV and 48.4 pence in the pound below that level.

The subject property may be subject to transitional phasing and as such multiplying the Rateable Value by the National Non-Domestic Rating Multiplier may not give a true representation of the rates payable.

Equality Act 2010 & Disability Discrimination

As referred to in our Terms of Engagement and Guidance for Clients, it should be noted that our inspection of the premises does not constitute an accessibility audit for Equality Act purposes.

Our valuation advice assumes that the results of any Equality Act Accessibility Audit would not be valuation significant.

The Regulatory Reform (Fire Safety) Order 2005

We have not had sight of any Fire Safety Assessment for this property. Our valuation advice assumes that the findings of any such report would not be valuation significant.

10. ENVIRONMENTAL ISSUES

We are not Chartered Environmental Surveyors and we have not been instructed to make any investigations, in relation to the presence or potential presence of contamination or other environmental features in land or buildings or affecting the property. We have not carried out any investigation into past uses, either of the properties or any adjacent land, to establish whether there is any potential for contamination from such uses or sites, and have therefore assumed that none exists. In practice, purchasers in the property market do require knowledge about contamination and other environmental factors. A prudent purchaser of this property would be likely to require appropriate investigations to be made to assess any risk before completing a transaction. Should it be established that contamination does exist, or the property is affected by other environmental factors, this might reduce the value now reported.

Control of Asbestos Regulations 2012

As referred to in our Terms of Engagement and Guidance for Clients, our inspection of the property does not constitute a survey in compliance with Government Directives and as such we will not comment in detail on any potential asbestos containing materials believed to be present in the property.

We have not had sight of any Asbestos Register for this property, however the building is of an age where we believe asbestos containing materials may be present and we would recommend further investigation in this respect.

Flooding

The Environment Agency classifies the subject property as being within an area classified as having a Very Low chance of flooding from Rivers and Sea and also from Surface Water. A Very Low designation is stated as being a less than 1 in 1000 (0.1%) chance in any year.

Invasive Plant Species

During our inspection of the property the presence of invasive species was not noted, however our investigations were not exhaustive and we cannot therefore categorically state that none were present. Any potential purchaser should make their own investigations in this respect, especially if redevelopment is considered. If invasive species are found to be present on site, this may reduce the valuations herein reported.

Energy Performance Certificates

We have not had sight of any EPC for this property. Prior to the premises being sold or let an EPC will be required to be in compliance with the legislation.

Our valuation advice assumes that the findings of any EPC will not be valuation significant. Given the imminent changes to the regulations regarding the letting of thermally inefficient buildings we recommend an EPC is commissioned prior to any acquisition of the Head Lease.

11. TENURE

FREEHOLD

We have not examined the title documents nor have we been provided with a report on title in respect of the subject property. We therefore assume that the freehold interest is not subject to any onerous restrictions, charges, easements or rights of way and is in all respects good and marketable. We recommend that legal advice is taken to verify our assumptions to be correct.

12. TENANCIES

The property is subject to a ground lease we understand now held by Maple Developments. It is granted for a period of 99 years from 1 April 1965 at an initial rent of £85 per annum for the first 33 years and increased to £750 per annum in 1998. The lease provides for 33 yearly reviews and so the next review is due 1 April 2031. At review the valuer is to establish the "reasonable rent" excluding buildings. Unusually the lease does not seem to include provisions as to the assumed lease terms. The demise includes land and buildings and as such the tenant can be expected to maintain the structure.

13. MARKET COMMENTARY AND GENERAL COMMENTS

The property market in York for most sectors and locations continues to be strong. The market for industrial/warehousing property is not particularly large and average units sizes are smaller than other cities in the region. There is though a general shortage of workshop and manufacturing space.

The highest comparables of which we are aware for industrial properties of this sort of size albeit more modern are in the order of £7 per sq ft. However, this does seem to be an isolated example with exceptional reasons for the tenant wishing to locate in this position. More generally rental levels for the better quality end of the industrial/warehousing market are in the order of £5/£5.50 per sq ft and from which allowances then need to be made for the quality and location of the subject accommodation, plus adjustments for large yards.

Rents for smaller units are higher still, particularly those with good prominence and/or proximity to the city centre and which can benefit from trade centre or quasi retail type uses.

The market for residential property continues apace and we have seen the change of quite a number of office buildings to residential under permitted development rights.

14. VALUATION CONSIDERATIONS

This appears to be one of those situations where significant marriage value ought to exist. However this does not appear to be the case due to the poor quality of the existing building and limited alternative use potential in isolation due to the very narrow site and surrounding uses.

The freehold reversion is subject to a long ground lease and at a low rental with limited reviews. The lease expires in 48 years' time and produces a current rental of only £750 per annum which is not set for review until April 2031. Even then the rental value of the land is likely to be low given it only extends to some 274 sq metres and of limited use due to the very narrow shape. As such we would expect a discount to be applied to any land value figure at review in any case.

This is compared similarly with the value of the current long leasehold interest which is a wasting asset and in acquisition terms is of limited attractiveness having only 48 years remaining. The building is also of pretty lightweight and poor quality construction and in which case please see our comments above in respect of thermal efficiency and the new rules due to take effect in April 2018. In this regard we also see the ground leasehold interest as of limited attractiveness and therefore comparatively low value.

At least with the combination of the freehold and ground leasehold interests, and the ground lease expunged, then this would open up the property to a wider market, predominantly based upon the value for occupation on the basis that re-development in isolation is likely to be unattractive. We would also expect interest from neighbouring occupiers, particularly in the event that the freehold was available, with the ground lease expunged and vacant possession. It would probably be of more interest to one of the neighbouring occupiers that might already be tight for yard space and also over which rights may exist as it appears that a fire door evacuates from the subject property into land to the rear. On this basis a premium price might be secured from one of the neighbours but it is our opinion that in isolation the mere combining of the freehold and ground leasehold interests is unlikely to create any additional value for alternative use.

15. VALUATION OPINION

Having regard to the attached report we are of the opinion that the value of the unencumbered freehold interest (as appropriate) interest subject to the occupational sub-leases is:

Valuation Basis	
a) MARKET VALUE OF THE FREEHOLD INTEREST SUBJECT TO THE LONG LEASE HELD BY MAPLE DEVELOPMENTS	£25,000 (Twenty five thousand pounds)
b) COMMENT ON THE PROPOSED MARRIAGE VALUE CREATED BY COMBINING THE FREEHOLD AND LONG LEASEHOLD INTERESTS AND HAVING REGARD TO THE PROPOSED SALE PRICE OF THE FREEHOLD INTEREST.	See below

We stress the importance of the valuation date as recent experience has shown that property values may change quite significantly over a relatively short period of time.

It is our opinion that the current long leasehold interest has a low value due primarily to the size and poor quality of the accommodation but also in respect of the restrictions under the ground lease. Effectively the impact on value under a 48 year remaining term is one of psychological impact as opposed to one of mathematics where normal valuation approaches and principles would apply most value to the early years of any income stream in any case. In this case if offered to the market it is our expectation that the long leasehold interest would be difficult to sell and as such that a significant percentage discount to the unencumbered freehold title would be required over and above that which a mathematical approach might indicate ought to be necessary. However when combined with the value of the Council's current freehold interest this seems to equal or exceed the value with vacant possession. As such there doesn't appear to be much if any marriage value. On this basis if the Council is able to secure a sale at £25,000 or more then this would appear to be a transaction that we can support. We note the intended sale to Maple Developments at £256,000 includes sale also of your freehold interest in Number 11 Redeness Street, albeit we have not been provided with an apportionment between the two properties. However as set out also in our attached report for Number 11, when taken together a combined sale price of £256,000 can be supported as offering value for money and in excess of the Market Value.

15. TERMS OF ENGAGEMENT AND GUIDANCE FOR CLIENTS

We refer you to our “Terms of Engagement and Guidance for Clients” appended to this report. This document describes in detail the work which we have and have not undertaken in compiling this report and valuation on your behalf.

**SITE 11 REDENESS STREET
LAYERTHORPE
YORK
YO31 7UU**



1. EXECUTIVE SUMMARY

To be read strictly in conjunction with the accompanying report.

- City of York Council holds the freehold interest in the site subject to a long ground lease now held by York Motor Factors. Maple Developments recently has completed a student housing development immediately to the side of the property and has agreed terms to take an assignment of the long leasehold interest held by York Motor Factors. City of York Council proposes to sell Maple Developments the freehold interest in order that Phase II of the student housing scheme can take place.
- The ground lease is subject to an underlease of part to a dance facility albeit this underlease is due to expire in April 2017. You have explained that for the purposes of our valuation we can ignore the underlease to the dance company. YMF have shown us a copy of the underlease and the tenant has no security of tenure.
- The head leasehold interest is granted for a term of 99 years from 1 April 1971 at an initial rental of £480 per annum and currently realising £4,700 per annum. This revised rent was set we understand in 2004 at the first of the 33 yearly rent reviews. The demise is of both land and buildings and the rent review provides for it to be upward only to either 15% of the rental value of the property or a “reasonable rent” of the land excluding buildings. The lease is granted on effective full repairing and insuring terms and includes a development obligation on the tenant to develop the building.

PURPOSE OF VALUATION**Proposed Sale to tenant****VALUATION DATE****Date Report Issued**

- a) **MARKET VALUE OF THE FREEHOLD INTEREST SUBJECT TO THE LONG LEASE HELD BY MAPLE DEVELOPMENTS (IGNORING THE SUB-LEASE)**
- b) **COMMENT ON THE PROPOSED MARRIAGE VALUE CREATED BY COMBINING THE FREEHOLD AND LONG LEASEHOLD INTERESTS AND HAVING REGARD TO THE PROPOSED SALE PRICE OF THE FREEHOLD INTEREST.**

£130,000 (One hundred and thirty thousand pounds)

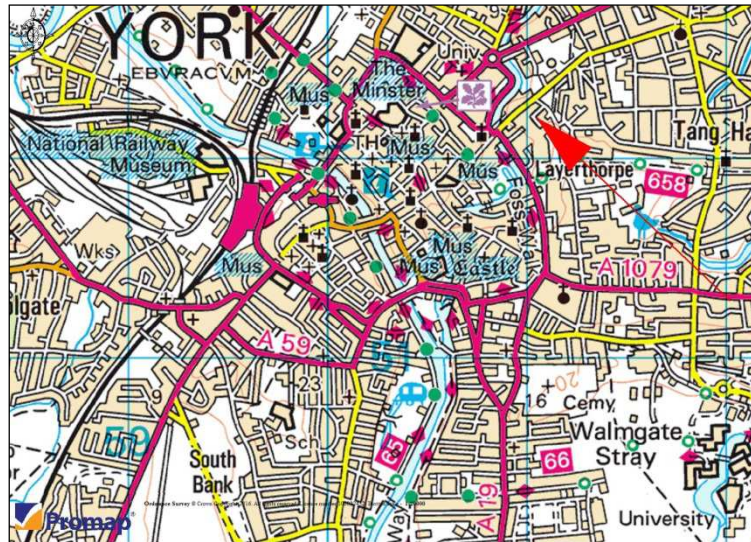
See Below

2. LOCATION

The property is located on Redeness Street and with frontage both to the north boundary and western boundary. It is a regular rectangular shaped site with frontage to open car parking to the east and the new student housing scheme to the south.

York City Centre is approximately ½ mile to the south west. The immediate area historically comprises a rather dated industrial estate. More recently trade centre, retail and leisure uses have located there. Most recently a large student housing scheme has been undertaken on land immediately to the south. As such the area is changing as more valuable uses take over.

The general location of the property is illustrated on the following Ordnance Survey extract.



Not to Scale

3. THE SITE

You have provided Ordnance Survey plans of the property and from which we understand:-

Approximate Areas

Site Area	0.135ha (0.33acre)
Frontage to Redeness Street (to the north)	36m (118 feet)
Frontage to Redeness Street (to the west)	28m (92 feet)

Notes on Site

The site is rectangular in shape and generally level. It is extensively developed with buildings albeit there is a small car park to the rear (south). Access into the car park is from the west.

The extent of the site boundaries as we understand them are shown edged red on the 1:1250 scale Ordnance Survey extracts attached within Appendix I.

4. CONSTRUCTION

The age of the building appears to be consistent with the start of the lease. To the front is a single storey part of brick construction beneath a flat roof of unknown covering. To the rear is a single storey warehouse with brick external walls and what appears to be a corrugated asbestos cement sheet roof lined to the underside. It is not clear whether the building has a portal frame hidden by brick piers or more likely if the roof is supported on these brick columns. The building is relatively low with an eaves height of approximately 4.34 m.

Part of the warehouse has been divided off and refurbished to provide two dance studios. This includes the provision of a raised sprung floor.

5. ACCOMMODATION

Description	Approximate Gross Internal Floor Area	
	m ²	sq ft
York Motor Factors		
Ground Floor		
Offices/Stores/Ancillary	52.98	570
Rear Warehouse Areas	<u>257.5</u>	<u>2,772</u>
Total York Motor Factors	310.48	2,772
Dance Studio		
Ground Floor		
Waiting/Ancillary/Music Room	77.11	830
Dance Studio	174.54	1,879
Dance Studio (Low Head Height)	<u>54.33</u>	<u>585</u>
	305.98	3,294
First Floor		
Storage (Low)	<u>54.33</u>	<u>585</u>
Total Dance Studio	360.31	3,879
Total	670.79	7,221

6. DEVELOPMENT PROPOSALS

We understand City of York Council proposes to sell the freehold interest to Maple Developments which has agreed terms to acquire the long leasehold interest also. A plan has been provided (see Appendix III) which provides for the comprehensive re-development of the site for a student housing scheme in conjunction with additional land we understand already controlled by Maple Developments to the east. The combined scheme provides for a total of 153 units on 4 floors plus communal space. It is not possible to divide the scheme between the subject property and the adjoining land. A completely different scheme would be required in the event that the subject site was to be developed in isolation. As such that part of the scheme that would be constructed on the subject property is likely to be greatly reduced. For the purposes of this report we assume Maple Developments have/ or would have control of the adjoining land and that a simple pro-rata apportionment is possible assuming say 70 bed spaces on the subject property.

7. CONDITION

As referred to in our Terms of Engagement and Guidance for Clients, we have not carried out a building survey and our comments that follow should not be regarded as such.

However, the following points are worthy of note:

The building appears to date from the early 1970's and is of a standard and quality that would be expected. It is capable of being re-occupied. Nonetheless we can understand the proposals to comprehensively re-develop the site.

The building is of an age where defects can be expected. Examples from our survey undertaken for valuation purposes are shown in the attached photographs. In preparing our valuation opinions we have had regard to the age and apparent condition as evidenced by our valuation survey albeit no major defects are assumed. If you were acquiring the property then we would recommend a full survey into the structure and services. However in this case this would not appear necessary and simply we have had regard to the apparent condition as identified during our valuation survey.

8. SERVICES AND AMENITIES

Mains services

We understand all mains services are laid and connected to the property.

Heating

We understand previously a gas fired blower was installed but this is no longer operational and the only heating is via dated electric convectors.

None of the services have been tested.

9. STATUTORY ENQUIRIES

Highways

We assume Redeness Street is an adopted highway maintained at public expense. We are not aware of any highway proposals likely to have an adverse impact on the property.

Planning

Our valuation advice assumes the current use is authorised and can continue.

Rating/Council Tax Assessments

From the Valuation Office Agency website the property is assessed in the 2010 rating list as follows.

Address	Description	Rateable Value
11 Redeness Street, York, YO31 7TU	Workshop & Premises	£13,500
York Danceworks, 11 Redeness Street	Dance School and Premises	£12,500

The National Non-Domestic Rating Multiplier for the rates year 2016/2017 currently is set at 49.7 pence in the pound for large assessments over £12,000 RV and 48.4 pence in the pound below that level.

The subject property may be subject to transitional phasing and as such multiplying the Rateable Value by the National Non-Domestic Rating Multiplier may not give a true representation of the rates payable.

Equality Act 2010 & Disability Discrimination

As referred to in our Terms of Engagement and Guidance for Clients, it should be noted that our inspection of the premises does not constitute an accessibility audit for Equality Act purposes.

Our valuation advice assumes that the results of any Equality Act Accessibility Audit would not be valuation significant.

The Regulatory Reform (Fire Safety) Order 2005

We have not had sight of any Fire Safety Assessment for this property. Our valuation advice assumes that the findings of any such report would not be valuation significant.

10. ENVIRONMENTAL ISSUES

We are not Chartered Environmental Surveyors and we have not been instructed to make any investigations, in relation to the presence or potential presence of contamination or other environmental features in land or buildings or affecting the property. We have not carried out any investigation into past uses, either of the properties or any adjacent land, to establish whether there is any potential for contamination from such uses or sites, and have therefore assumed that none exists. In practice, purchasers in the property market do require knowledge about contamination and other environmental factors. A prudent purchaser of this property would be likely to require appropriate investigations to be made to assess any risk before completing a transaction. Should it be established that contamination does exist, or the property is affected by other environmental factors, this might reduce the value now reported.

Control of Asbestos Regulations 2012

As referred to in our Terms of Engagement and Guidance for Clients, our inspection of the property does not constitute a survey in compliance with Government Directives and as such we will not comment in detail on any potential asbestos containing materials believed to be present in the property.

We have not had sight of any Asbestos Register for this property, however the building is of an age where we believe asbestos containing materials may be present and we would recommend further investigation in this respect.

Flooding

The Environment Agency classifies the subject property as being within an area classified as having a Very Low chance of flooding from Rivers and Sea and also from Surface Water. A Very Low designation is stated as being a less than 1 in 1000 (0.1%) chance in any year.

Invasive Plant Species

During our inspection of the property the presence of invasive species was not noted, however our investigations were not exhaustive and we cannot therefore categorically state that none were present. Any potential purchaser should make their own investigations in this respect, especially if redevelopment is considered. If invasive species are found to be present on site, this may reduce the valuations herein reported.

Energy Performance Certificates

We have not had sight of any EPC for this property. Prior to the premises being sold or let an EPC will be required to be in compliance with the legislation.

Our valuation advice assumes that the findings of any EPC will not be valuation significant. Given the imminent changes to the regulations regarding the letting of thermally inefficient buildings we recommend an EPC is commissioned prior to any acquisition of the Head Lease.

11. TENURE

FREEHOLD

We have not examined the title documents nor have we been provided with a report on title in respect of the subject property. We therefore assume that the freehold interest is not subject to any onerous restrictions, charges, easements or rights of way and is in all respects good and marketable. We recommend that legal advice is taken to verify our assumptions to be correct.

12. TENANCIES

The property is subject to a 99 year ground lease from 1 April 1971 and now vested we understand in York Motor Factors. We understand York Motor Factors has agreed terms to assign the ground lease to Maple Developments, such a sale to take place simultaneous with the transfer of the subject freehold.

The lease was granted at an initial rental of £480 per annum and is subject to 33 yearly rent reviews. We understand the current rental set in 2004 is £4,700 per annum. The reviews are upward only and to 15% of the rental value of the building or the "reasonable rent" of the land (excluding buildings) whichever is the higher. The lease is granted on pretty standard terms with a development obligation on the original tenant to develop the building and which we assume has been satisfied. The tenant is responsible for insurance and also for maintenance of the building as well as the site. The tenant is permitted to assign and sub-let the building with consent, such consent not to be unreasonably withheld. There are limitations on the development of the site in respect of the frontages to Redeness Street.

We understand a dance company occupies part of the property on a lease until 2017. Specifically we have been instructed to ignore this underlease for the purposes of our valuation.

13. MARKET COMMENTARY AND GENERAL COMMENTS

The property market in York for most sectors and locations continues to be strong. The market for industrial/warehousing property is not particularly large and average units sizes are smaller than other cities in the region. There is though a general shortage of workshop and manufacturing space.

The highest comparables of which we are aware for industrial properties of this sort of size albeit more modern are in the order of £7 per sq ft. However, this does seem to be an isolated example with exceptionally reasons for the tenant wishing to locate in this position. More generally rental levels for the better quality end of the industrial/warehousing market are in the order of £5/£5.50 per sq ft and from which allowances then need to be made for the quality and location of the subject accommodation, plus adjustments for large yards.

Rents for smaller units are higher still, particularly those with good prominence and/or proximity to the city centre and which can benefit from trade centre or quasi retail type uses.

The market for residential property continues apace and we have seen the change of quite a number of office buildings to residential under permitted development rights.

The market for student housing remains strong. Typically well let modern schemes on University campuses are worth £45,000 to £50,000 per bed space. A discount would seem to be warranted here albeit the site has the benefit of being in close proximity to the City Centre. Ordinarily we would assess such proposals on a residual appraisal but there is insufficient information to prepare a reliable assessment, also it is further complicated by the land and title assembly issues so make a "broad brush" approach the best reasonably we can undertake. Accordingly for the purposes of our calculations we have assumed a plot value of circa £10,000 per bed space. This assessment is then factored into the remainder of our calculations to look at likely marriage value and as such a reasonable selling price off market.

14. VALUATION CONSIDERATIONS

This appears to be one of those situations where significant marriage value ought to exist. The freehold reversion is subject to a long ground lease and at a low rental with limited reviews. The lease expires in 54 years time and produces a current rental of only £4,700 per annum but subject to review to 15% of the rental value of the building or a reasonable rent of the land excluding buildings whichever is the higher. The next review is in 2037 albeit the rent already appears reversionary.

This is compared similarly with the value of the current long leasehold interest which is a wasting asset and in acquisition terms is of limited attractiveness having only 54 years remaining.

The subject property is regular in shape and the building erected on it of a better quality and much more easily lettable than for instance the property at No. 10 Redeness Street. As such the existing ground leasehold interest should be a lot more saleable than the interest at 10 Redeness Street. Also the property has the added advantage that it is much easier to see developed for an alternative use in isolation and for that matter in conjunction with adjoining land which is the proposal now. As we understand it Maple Developments have constructed the adjoining student housing scheme and now wish to undertake a Phase II scheme involving the subject property plus the adjoining car park and retail unit beyond. On this basis whilst ordinarily we would expect the marriage value to be reduced as a result of the greater demand for the existing ground lease nonetheless this alternative use potential adds to the likely benefit being obtained by the acquiring party. It is highly unlikely that the property would be redeveloped with the long ground lease in place.

15. VALUATION OPINION

Having regard to the attached report we are of the opinion that the value of the unencumbered freehold interest subject to the long leasehold interest is:

Valuation Basis	
a) MARKET VALUE OF THE FREEHOLD INTEREST SUBJECT TO THE LONG LEASE HELD BY MAPLE DEVELOPMENTS (IGNORING THE SUB-LEASE)	£130,000 (One hundred and thirty thousand pounds)
b) COMMENT ON THE PROPOSED MARRIAGE VALUE CREATED BY COMBINING THE FREEHOLD AND LONG LEASEHOLD INTERESTS AND HAVING REGARD TO THE PROPOSED SALE PRICE OF THE FREEHOLD INTEREST.	See below

We stress the importance of the valuation date as recent experience has shown that property values may change quite significantly over a relatively short period of time.

There will be strong demand for the freehold interest subject to the long ground lease partly as a result of the security of the existing income but more particularly in relation to the likelihood of securing some form of marriage value. On this basis we would expect your current freehold interest to sell well.

In the case of the ground leasehold interest the ground lease tenant has the ability to continue to obtain beneficial use of the accommodation or sub-let the accommodation to achieve a profit rent and that this is likely to be quite significant and of limited risk for the balance of the term. That said, and as with No. 10 Redeness Street, the comparatively short term remaining on the ground lease means that this has a psychological as opposed to mathematical effect on the valuation calculation. The traditional mathematical approach to assessing a profit rent would tend to apply most value to the early years of the ground lease and as such there ought to be some but not a significant difference between the value of the ground lease and the unencumbered freehold. However this is unlikely to be the case if offered to the open market. On this basis we would not be surprised if there was a discount of 35-40% in the value of the ground leasehold interest compared to the unencumbered freehold.

This would then frame the marriage value benefit which ought to be created and which ordinarily would be shared on the basis of 1/3 Council:2/3 Tenant. However in this case we also need to assess the value of the unencumbered freehold interest for alternative use and you have the proposal from Maple Developments to construct Phase II of their student housing scheme. There is incomplete information on the proposed scheme but no further details are available. Indeed the developers probably are only part way through the process of identifying this information and as such all we can do is base our advice on that which is available. As such, it can be expected that the freehold value with the lease expunged and assuming planning permission for the proposed scheme is obtained will increase to a figure in the order of £700,000. On this basis it is reasonable to expect a share of the uplift in value created above the freehold and ground leasehold interests. If this is shared on a 1/3:2/3 basis in favour of Maple Developments then it would be reasonable for you to expect a figure in the order of £200,000 for your freehold interest. In fact we understand you have negotiated a sale price in the order of £256,000 to include Number 10 Redeness Street. Adding the Market Value of your interest in that building (£25,000) to the reasonable figure for this building (£200,000) gives a total below the intended sale price and therefore can be recommended. Also you have the situation that Maple Developments is the only party able to free up this additional value and could therefore hold you to ransom more. On this basis and given that in a sale now you would appear also to avoid the risks associated with securing all the land for development and then all of the necessary development, planning and other constraints then this would be appear to be a transaction that we can recommend is undertaken.

15. TERMS OF ENGAGEMENT AND GUIDANCE FOR CLIENTS

We refer you to our "Terms of Engagement and Guidance for Clients" appended to this report. This document describes in detail the work which we have and have not undertaken in compiling this report and valuation on your behalf.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



Executive

13th October 2016

Report of the Assistant Director of Housing and Community Safety

Council Housing

New Operating Model Options - Stock Options Appraisal

Summary

1. As part of the council's wider review of its overall future operating model, all service areas within the council have been asked to undertake a review of their operating model and to consider if there are alternative approaches that, in light of the wider changes to the local government sector, would result in improving service delivery, reducing delivery costs and transferring future risk away from the council.
2. A key focus of any work to review the operating model for the council's landlord service needs to place tenants at the heart of the review and in considering any potential changes to ensure the future sustainability of the service to tenants.
3. This report recommends that we undertake a full housing stock options appraisal and at the same time develop tenant and staff panels and establish an ad-hoc cross party member scrutiny panel to consider the long term sustainability of the service and assess the different organisational governance models to support the final decision making process.

Recommendations

4. Executive are asked to:
 - a) **Agree Option One**, appoint an independent body to undertake a full housing stock options appraisal, establish a project budget, agree the project governance structure as outlined in Para 31 to recommend back to Executive a preferred option for the future management of the Housing Revenue Account (HRA) housing stock, including building services and where appropriate recommendations for management and operational delivery of the any other service that should be aligned to the housing and building service.

Reason: To ensure that the council, as part of the review of its corporate operating model, is able to make an evidenced based decision for the future management and ownership options for the HRA housing stock.

- b) To note the financial implications set out in para 49 and to approve an allocation of £100,000 from the General Fund Contingency towards the Stock options report.

Reason: To ensure that the review can be funded from council resources.

Background

5. The housing landlord service is about people and whilst the focus of the service can often be seen on the physical condition of the homes, which in itself is very important, the core principle of the whole service is about the people who live in these homes. The council has approximately 7,750 properties which it directly owns and manages and 400 leasehold properties where the property has been sold but the council still owns the freehold of the land, these leasehold properties are predominantly flats
6. The delivery of the housing landlord service is a significant part of the council's overall service delivery and was last subject to a full stock options appraisal in 2002. Over the last 14 years the operating environment, both locally and nationally has changed significantly.
7. There are approximately 150 members of staff employed who directly deliver the provision, management, maintenance and improvement of the housing stock. Additionally there are a number of staff in other directorates who work supporting the housing landlord service. For the financial year 2016/17 the landlord service has an annual income of £33.5m.
8. Annual expenditure includes the delivery of the housing management service (estate management, allocations and support to tenants), maintaining and improving the housing stock, interest payment for HRA debt, depreciation and corporate recharges result in a net operating cash flow for the year of £3.6m. However, when considering this net in year surplus, it has to be looked at within the long term financial projections for the business plan which in some years shows an in year deficit, and is therefore needed to ensure that the business plan balances financially over the long term.
9. When considering this level of income, it is vitally important to ensure that any decision regarding alternative operating models is fully

evaluated to ensure that the best solution for tenants in term of quality and sustainability of the service and the wider council is reached.

10. The HRA Business Plan, which was approved by Executive in February 2016 sets out the priorities for the business over the next 30 years and demonstrates the challenges for the council in maintaining its housing assets, delivering a high quality customer focused service as well as improving its homes and neighbourhoods. A key focus of the document is how the council will continue to meet the needs of present and future tenants whilst ensuring the long-term financial viability of the plan.
11. The Council's housing stock is well managed and maintained with significant investment over many years, in both people to support and deliver the service and through a structured programme of maintenance and upgrading along with a range of ongoing improvement programmes. The service performs well when benchmarked against other housing providers both regionally and nationally and has customer satisfaction of 89% with the overall service that the council provides.
12. However, there has been a number of recent changes nationally that fundamentally affect the financial viability of the business plan and remove the flexibility built into previous iterations of the plan. Key changes that will have the potential to affect the financial viability of the business plan are:
 - a) The announcement in the July 2015 budget statement that social housing rents will reduce by 1% a year for the next 4 years which will result in a reduction in income over the 4 year period of £12.8m and of approximately £240m over the lifetime of the business plan.

Current guidance suggest that for business planning purposes we should revert back to Consumer Price Index (CPI) +1% for rent increases, post the 4 year reduction. However, officers believe that to continue to plan on this basis would not be prudent as there is much speculation within the housing profession that it is highly unlikely that we will revert back to CPI+1%. If this is the case, the impact over the lifetime of the business plan will be greater than outlined above.

- b) The new Housing & Planning Bill received Royal Assent on 12th May 2016 and introduces an extension of the Right to Buy to Registered Providers (Housing Associations) tenants with the cost of this being cross subsidised by Local Authorities selling their higher value stock when it becomes vacant to compensate the Registered Providers for the discounts. The Bill sets out that:

- (1) *The Secretary of State may by regulations make a determination requiring a local housing authority in England to make a payment to the SoS in respect of a financial year.*
- (2) *The amount of the payment must represent an estimate of:*
 - (a) *the market value of the authority's interest in any higher value housing that is likely to become vacant during the year, less*
 - (b) *any costs or other deductions of a kind described in the determination.*

In the weeks leading up to the final reading of the bill a government amendment was tabled which stated that the sum of money required from a local authority will be based upon the value of their vacant "higher value stock". This replaced the phrase "high value stock". The change in wording has been seen as significant because it allows a more subjective measure of which council homes should be sold off. It therefore could increase the quantity of council homes that needs to be sold off. Regulation setting out what will constitute 'higher value' homes has not been published.

The financial impact of this the high value sales (pre change of wording) were estimated to be in the region of £100m on a best case scenario and £214m on a worst case scenario, post change of wording this could increase. However, the exact cost of this will not be known until the regulations are set by government.

- c) The impact of further welfare reform on the income management of the HRA. This will reduce the level of income some tenants have and is likely to have a significant impact on some tenants and directly affect their ability to pay rent.
13. The combined impacts of these changes (pre recent amendments) mean that the revenue income to the authority will significantly reduce from that projected in the last iteration of the business plan. It is likely that over the life of the business plan that income will, at best be reduced by £340m, and at worst £455m.
 14. Whilst a number of financial interventions can but put in place to help mitigate the impact of this, what is clear is that the impact of this reduction will see a reduction / curtailing of our ability to provide services in the future. The exact nature of any changes / service reduction is not know, however it is likely to significantly reduce if not stop any future council house building programme, it will also mean

reduction in service levels at some point, however the nature of these will need to be agreed with members as part of any revised business plan.

15. The balance on the HRA at April 2017 is currently forecast to be £21m. This balance is being built up in order to repay borrowing when it becomes due. The current approved business plan has taken into account the 1% annual reduction in rents up to 2019/20 as well as increased levels of Right to Buy sales and an assumed level of sales of properties to fund the high value sales levy. These combined impact of these changes by 2019/20 will be an annual reduction in forecast rental income of £7m which equates to a reduction of 19% from the previously forecast level.
16. The graph in fig.1 shows the forecast year end HRA balance for the next 20 years. A rising graph means that in-year surpluses are being generated and a falling graph means that there is forecast to be an in-year deficit due to large debt repayments being made in that year. The balance on the HRA reserve is forecast to increase over the next seven years while surpluses are set aside to repay debt. Loan repayments start to become due in 2023 causing the graph to fall as repayments are made. As debt is repaid, the interest payments will fall which is why the graph begins to level off after 2028 and then rise again after 2034.
17. Savings of £685k have already been approved as part of last year's budget process with a further £815k to be identified over the next 3 financial years in order to ensure that the HRA maintains a sustainable cash flow and is able to repay the current loans in full (the solid line on the graph). If the balance of savings are not made or if additional council house building programmes were introduced the HRA balance may dip below minimum recommended levels and potentially go into deficit (as shown by the broken line in the graph below).

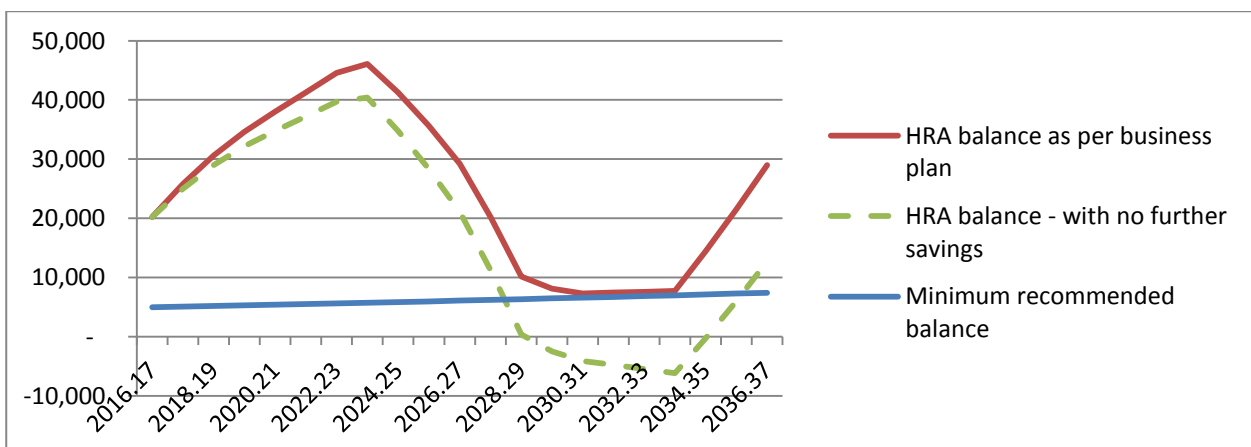


Fig. 1 Projected year end HRA balance

18. There are also still considerable uncertainties around the full financial impact of some of the forthcoming policy changes including the amount that will be payable for the high value sales levy and what levels of rent increase will be allowable after the end of the current rent reductions. Should these changes result in further income reductions for the HRA, the business plan would need to be revised and further savings identified if needed.
19. It should be noted that the current business plan includes provision for repayment of debt in full when the loans become due but that this is not compulsory. The repayments can be re-profiled and debt can be refinanced to give more flexibility over when and if the debt is ultimately repaid. But even taking this into account, it is important that all projections are regularly reviewed to ensure they are still valid and to take into account new policy details as they are released. It is also important to review all options in relation to ownership and management of the stock in order to assess the best way for the council to deal with the significant challenges facing the HRA, to maintain a sustainable balance and to continue to invest in its housing.
20. The requirement to reduce rents by 1% per year for another three years applies to all providers of social housing and the reduction would therefore need to be applied even if a decision were taken to transfer the council's stock to another social housing provider. In addition, the council would have to pay the levy in respect of assumed high value sales even if the stock were transferred so the financial impact of this policy would remain the same regardless of any potential stock transfer.

New Operating Models

21. The council as a whole is reviewing its operating model and considering what is the most appropriate governance and delivery models for the services that we provide. The core operating models / service delivery structures that housing services are reviewing their existing arrangements against and considering which fit best with the future aspirations and needs of the service users are:
 - Transformation of the in- house service
 - Partnerships / shared services
 - Alternative ownership / management
 - i. Social/Community Enterprise / Mutual / Trust
 - ii. Arms Length Management
 - iii. Traditional transfer

22. As part of the early review of the options, discussion has taken place with neighbouring landlords to gauge the appetite for shared services. Whilst there is some potential for sharing at the edges of the service, at the time (early 2016) there was no appetite for the level of whole scale shared services that would be necessary to deliver the economies of scale that this approach can bring that would be needed to help mitigate the future financial challenges the service faces. However, as part of any stock options analysis, this area should be tested again to see if in the intervening period there has been any change.
23. It is therefore proposed that a Housing Stock Options Appraisal is undertaken to consider the advantages and disadvantages of different options set out in Para 21.
24. Any proposed changes to the ownership/governance and management arrangements for the council's housing stock should be developed with full tenant and leaseholder involvement in an accountable and transparent process. The review process needs to have a clear focus on the establishing the impact and benefits of all the options on tenants. Any proposal that leads to a change in the ownership of the housing stock will need to be put before tenants in a ballot.

Housing Stock Options Appraisal

25. To enable the council to effectively consider the benefits and implication of each of the options, it is proposed that a full Housing Stock Options Appraisal is undertaken to analyse how the different management and/or ownership options could deliver the objectives set out within the HRA Business Plan, how any new arrangements sit alongside the council's changing operating model and how any of the options mitigate against the impacts of current and any future changes to national policy.
26. The key focus of any review should be to consider the long term future for the city's council housing stock and consider the options against a set of core principles. Suggested principles are:
 - Deliver improved outcomes for tenants and leaseholders;
 - Ensure the long term financial viability of the business plan;
 - Facilitate the building of new affordable homes;
 - Be co-designed and have communities and neighbourhoods at its heart, creating social value;
 - Safeguard and prioritise the needs of vulnerable residents;
 - Be agile in decision making and fully accountable to a governance structure that includes tenant and councillor membership;
 - Transfer ongoing liabilities and risks away from the council;

- Is resilient to future changes in funding and national affordable housing policy;

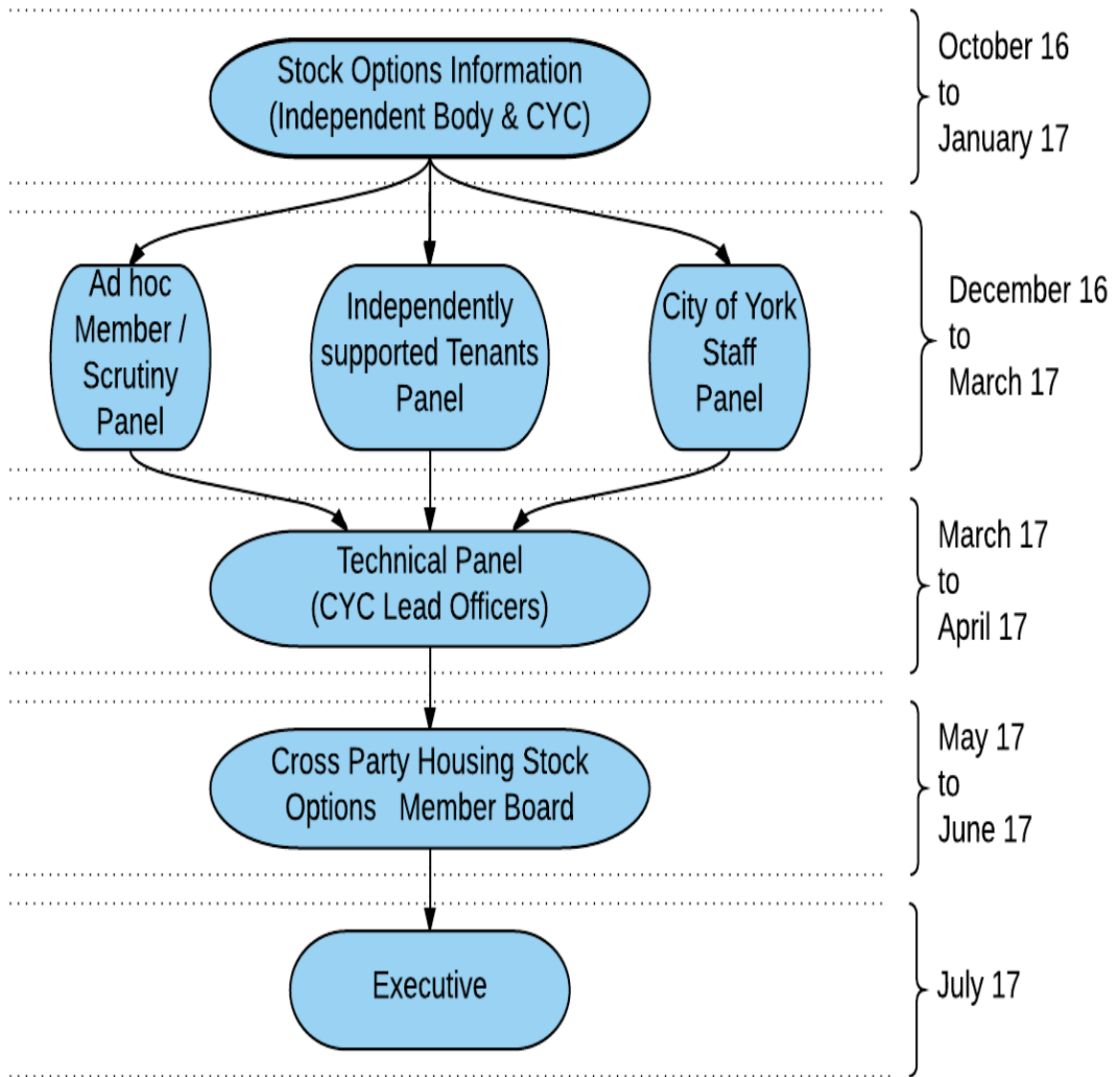
The Proposed Approach

27. Given the council's housing stock is a significant resource that plays a major role in the functions of the council and wider communities, any recommendation to change will need to be carefully considered and evidenced. There will be a number of professional services which need to be procured to support the financial, legal and asset analysis. There will also be considerable resourcing requirements to ensure meaningful tenant, leaseholder and staff engagement throughout this process. The results of this extensive work will enable the Council to work more effectively with residents to devolve more control and achieve value for money in the significant ongoing investment in Council homes.
28. The supporting evidence required to enable a sound judgement to be reached includes:
 - An independent assessment of the three options set out in Para 21, considering the advantages and disadvantages of each from the tenants and leaseholder perspective, a financial and legal HRA perspective and the wider council perspective including staff who work in the provision of the housing landlord service;
 - An tenant assessment of the information provided above and supported by an Independent Tenant Advisor;
 - Asset Analysis information to compare the level and timing of expenditure on the properties with the income stream from rents;
 - A revised baseline analysis of the Council's current Housing Business Plan;
29. A refreshed stock condition survey is to be carried out as part of our normal business planning. Should the outcome of the option appraisal be stock transfer, the refreshed stock condition survey will meet the requirements for any transfer purpose.
30. To ensure that the above can be delivered it is critical the resources are made available to facilitate this work. It is estimated that the project costs to deliver the above to reach the point of an evidenced based options paper to Executive will be in the region of £200k. Whilst this figure may initially seem high, when considering the financial context of the decision, it is 0.6% of the annual income to the HRA that would be spent to determine the long term future of the business. When considered against the business plan projected income over the 30 year life span, it represents a cost of just 0.017% of income.

Project Governance

- 31. When considering a project of this scale and the potential long term impacts, it is vitally important that there is full and effective stakeholder engagement; it is therefore proposed that a project governance structure is established to oversee the work which includes elected members, tenants & officers.
- 32. Alongside this needs to be a clear communications strategy that supports the work and set out how tenants can be involved and influence the review.
- 33. It is proposed that all information is considered by each of the three groups and that the views of each group be used to score the options. A final decision paper will then be brought to Executive.

Visual depiction of proposed governance structure and timeline



34. Essential to the process of reviewing the stock options is effective consultation and engagement with all stakeholders. The proposed governance includes three key panels that will review and consider the technical information arising out of the stock options analysis; a tenant panel, a staff panel and a member scrutiny panel.
35. To ensure a full understanding of all the options it is proposed to undertake a range of visits for panel members to organisations who have changed their organisational models so that they get a first hand perspective from the organisations and their tenants.

Tenant Panel

36. At the heart of any project governance structure and decision making process needs to be the tenants who reside in the homes that are subject to the stock options analysis. It is proposed to establish a tenants' panel with the remit to review all the technical evidence/information brought forward as part of the review and to work with the Council and its advisers to make sure the Council's Stock Options Review considers:
 - The things that matter most to tenants and leaseholders
 - All relevant information and all aspects of the appraisal are communicated to tenants and leaseholders and that tenant and leaseholder views are articulated to the proposed Stock Options Member Board.
37. To ensure that the tenants' panel is representative of our tenant and leaseholder base it is proposed to appoint an Independent Tenant Advisor (ITA) who will support the tenant panel to develop their understanding of the technical information coming out of the options analysis and be in a position to critically assess the options and reached an informed decision having considered all the evidence.

Staff Panel

38. The staff who deliver the service are also critical to the review process and need to be fully engaged from the outset. They deliver the service to tenants and any change to the current arrangements could see them transfer under TUPE from being employed by the council to a new organisation.
39. It is proposed that a staff panel be established with staff from all sections and levels of the housing service and support services where individuals' primary role is supporting the housing landlord function. This panel will consider all the technical information from the review and consider the

impacts of the review from a staff perspective and feed in their views to the final assessment and scoring of the options.

Ad-hoc Member / Scrutiny Panel

40. As part of the council's overall governance model we have member policy and scrutiny committees that have, as part of their remit, the ability to engage in any future policy review. There can be no single bigger change to the councils housing service than the potential change in ownership and management arrangements of its housing stock. It is envisaged that Scrutiny Members may wish to establish a specific task group to review the technical data and consider the impacts of any change and feed in its views to the Housing Stock Options Members Board.

Housing Stock Options Member Board

41. It is proposed that the Member Board is a cross party board with the lead housing spokespersons from the all political parties, chaired by the Executive Member for Housing & Safer Communities. The Housing Stock Options Member Board will receiving all the technical information, the information from all the three panels and be responsible for commissioning the final stock options report recommending the proposed future governance / management arrangements to Executive.

Options

42. Option one – to undertake a full housing stock options appraisal, establish a project budget, agree the project governance structure including establishing tenant and staff panels and invite Scrutiny Members to establish a specific scrutiny panel to support the decision making process and recommend back to Executive a preferred option for the future management of the Housing Revenue Account (HRA) housing stock, including building services and where appropriate recommendations for management and operational delivery of the any other service that should be aligned to the housing and building service.
43. Option two – to not undertake a full housing stock options appraisal.

Analysis

44. Given the size and nature of the Housing Landlord Service, the only way to truly understand the advantages and disadvantages of the different governance and operation models is to undertake what is known as a full Stock Options Appraisal.

45. Undertaking a Stock Options Appraisal is not a decision to change the current arrangements but one to consider all the options, including keeping the current one. It will consider all the options against each other and identify the advantages and disadvantages of each option, from both the tenants' perspective and long term financial viability.
46. A decision not to undertake a stock options appraisal would result in the council not subjecting this important and critical service to challenge.
47. Whilst not a part of any stock options appraisal it is important to note that should the outcome of any appraisal suggest changing the governance/ownership and management arrangements, this would be subject to further Executive consideration and crucially subject to a tenant ballot.

Council Plan

48. The good management of existing housing and any opportunities that help to increase the housing stock supports the Council Plan priority for 'a prosperous city for all – where local businesses can thrive and residents have good quality jobs, housing and opportunities'. Similarly, the proposal to actively engage tenants in the review supports the council commitment to 'listen to residents – to ensure it delivers the services they want and works in partnerships with local communities'.

Implications

49. The implications arising from this report are:
 - **Financial** – The current HRA housing stock is a business that has income of in excess of £34m per annum. The current business plan has highlighted the impact of national changes that will result in a reduction in income of between £340m & £455m over the lifetime of the plan.

Any option that sees the service move out of the local authority has potentially significant financial implications, which will need to be assessed in detail over coming months. These include the operational efficiency of any potential new organisation, and opportunities for efficiency and increased investment, and the implications of potentially "closing" the HRA and the consequent significant financial matters that then will need to be considered should this happen, including any implications for other Council services.

The HRA pays for a number of services it receives from other services of the Council, including housing and community staff,

professional services (finance, legal), ICT service and infrastructure, and property/facilities. Should the service move out of Council control, the new service could choose to buy back some/all of those services, or consider its own arrangements. This has happened with other services that developed different operating models e.g. libraries. Should any new service not buy back such services then the respective services are expected to deal with the implications and reduce their costs. However, in some cases, e.g. ICT infrastructure costs, there may be difficulties in the service making any reduction in its fixed costs, and the review will need to consider any impacts on the wider Council.

The costs of undertaking the review, including the commissioning of the work outlined in Para 28 is expected to be in the region of £200k. Guidance (DoE Circular 8/95 paragraph 29) sets out that the in working up LSVT proposals and balloting tenants majority of costs incurred as part of any are expected to be funded from the General Fund. There will be costs that are able to be charged to the Housing Revenue Account particularly in relation to tenant engagement. The exact breakdown of what will be charged to each account will be determined by the actual work undertaken and the tender returns.

Dependant upon the outcome of the review, if a different ownership / management options is presented, it is expected that the set up costs of any new organisation will be in the region of £1m. However, the costs of any set up will be considered as part of the option analysis and considered against any savings in operating costs as a result of any new operating model.

It is proposed that the Housing Revenue Account funds the elements of the review which can be rightly charged (assumed to be £100k). This will reduce the overall budgeted surplus of the account which is currently forecast to be £21.1m at 31 March 2017. Those costs not attributable to the Housing Revenue Account (assumed to be £100k) are proposed to be funded from the council contingency. The contingency currently stands at £1,340k and should Members accept this proposal it will reduce to £1,240k available for future use.

- **Equalities** – There are no direct equalities implication arising from this report, however that stock options appraisal will consider the equalities implication of the different options as part of the analysis.
- **Legal** – There are no direct legal implications arising from this report, however it is critical that any legal implications arising out of the options analysis are considered and addressed in future any recommendation.

- **HR** – To support the work it will be necessary to appoint a Project Manager to coordinate the work set out in the report. The cost of this will be met from the project budget.

Longer term, should any decision be reached to move away from stock retention and in house management, this would result in staff involved in directly delivering the housing landlord service, and potentially some support staff who work predominantly for the HRA, transferring to any new organisation under Transfer of Undertakings (Protection of Employment) Regulations 1981 (TUPE). The details and impacts of this, should it occur, will be considered as part of the next phase.

- **Crime and Disorder** – None
- **Information Technology (IT)** – None
- **Property** – None

Risk Management

48. Considering the future ownership and management arrangements for the councils housing stock recognises the very significant potential risks to the Council of standing still and doing nothing. There are clear risks that there is a significant cost to do a full and comprehensive review of options, but this is considered critical to identifying the most effective long term solution. As with any potential major change in operating model, the impacts on the rest of the Council will need to be properly considered.
49. It is also important to understand that in considering the future of the council's housing stock, we are not just talking about housing units, we are talking people's homes, and by the very nature of the review, this will cause anxieties for some of those tenants. To minimise the risk of this it is important that alongside the review and the tenants' panel, we have a communication plan to keep all tenants informed of why we are proposing to undertake this review, what it means in reality and how they can engage and be part of the review.

Contact Details

Author:

Steve Waddington

Assistant Director – Housing &
Community Safety

Tel No. 01904 554016

**Chief Officers Responsible for the
report:**

Martin Farran

Corporate Director – Health & Wellbeing

**Report
Approved**

Date

28th Sept 2016

All

Wards Affected: List wards or tick box to indicate all

For further information please contact the author of the report

Background Papers:

HRA Business Plan

This page is intentionally left blank

13 October 2016

Executive

Report of the Director of City and Environmental Services

Coppergate – Representations made to the Traffic Regulation Order

Summary

1. **Part A** - To report the representations made in respect of the statutory consultation on the proposed Traffic Regulation Order (TRO) for members to take into consideration when deciding whether to proceed to the next step in the process to introduce a revised bus priority traffic restriction on Coppergate.
2. **Part B** – In the event that Members resolve to make the TRO under Part A of this report. Part B seeks approval for the permanent and temporary signing proposals, the grace period for drivers after implementation and the post scheme implementation monitoring and reporting.
3. This section also provides an updates on the anticipated timescale for implementation and the start of enforcement (paragraph 30).

Recommendations

4. **Part A** - It is recommended that the Executive:
 - Approves Option 2 below (paragraph 12) - approve the making of the new TRO as planned (with the minor modification to take account of the Emergency Services representations).

Reason: Because it achieves the bus priority aims and allows effective ongoing enforcement of the regulations to take place.

5. **Part B** – Only if Part A above is approved - It is also recommended that the Executive approves:
 - The enhanced street name signing shown in Annex D

Reason: To provide better awareness of where Coppergate is.

- The pre-implementation temporary advance information signing shown in Annex E

Reason: To raise greater awareness of the commencement date for the new bus priority restriction.

- The post-implementation temporary advance information signing shown in Annex E

Reason: To raise greater awareness of the commencement of the new bus priority restriction.

- The permanent advance information signs shown in Annex F

Reason: To ensure there is ongoing information available to drivers before they reach the point of the restriction so that they are better prepared to make a driving decision.

- The regulatory signs at the start of the restriction shown in Annex G and road markings show in Annex H.

Reason: The signs are designed in accordance with the signing regulations and are required to accurately convey the meaning of the TRO. The road markings are aimed at giving additional emphasis to the start of the restriction.

- The grace periods of; 2 weeks for the initial period where all drivers are sent warning letters, followed by a six month period where drivers receive a first offence letter.

Reason: In order to achieve greater compliance without creating a feeling of being unfairly penalised.

- The monitoring and reporting on enforcement action taken in Coppergate set out in paragraph 29. The precise details of what and how the information should be presented to be delegated to officers.

Reason: To keep residents and others who are interested in this issue better informed with accurate information.

Part A

Background

6. The Executive gave approval in June this year to advertise a TRO to provide bus priority in Coppergate that could be enforced using automatic number plate recognition (ANPR) equipment.
7. The TRO was advertised for six weeks and a total of eleven representations were made. These representations, together with officers comments, are outlined in Annexes A, B and C:

8. Annex A - Four representations have been made in support of the proposal.
9. Annex B – Two representations commenting on the wording of an exemption in the TRO have been received from the emergency services. The advertised exemption states Emergency Service vehicles can only use the street during an emergency. However there are circumstances when an incident would not be defined as an emergency but has the potential to rapidly escalate to an emergency. The modification to delete the words “in an emergency” is not considered to substantially change to the TRO and therefore can be made prior to making the TRO in accordance with the relevant regulations without the need for further statutory consultation.
10. Annex C – Five other comments not directly related to the TRO have been received and are included for completeness.

Options for Consideration

11. Option 1 –Proceed with the proposal as advertised to implementation without making the requested modification. This is not the recommended option because it does not take account of the requests made by the emergency services that would allow them to provide a more comprehensive service to the community.
12. Option 2 – Make the requested modification to remove the words “in an emergency” and proceed to make the modified TRO. This is the recommended option because it achieves the bus priority aims and allows effective ongoing enforcement to take place.
13. Option 3 – Decide not to make the TRO and instead approve a re-investigation of the proposal with a view to re advertise a more severe restriction (either time or class of vehicle or both). This is not the recommended option because the current proposal is considered sufficient to achieve the aims of improving bus priority during the peak hours and maintain deliveries during the rest of the day.

Consultation

14. Because this matter had previously generated much interest the statutory consultation was carried out over a 6 week rather than the usual 3 week period.
15. In addition, because there had been concerns raised about the signing of the restriction the consultation information sent out included images of the proposed signing. No comments were received about the proposed sign designs.

Part B

16. This part of the report is wholly dependant on the decision taken following the consideration of the representations made to the proposed TRO. If it is decided to not proceed with the TRO then Part B of this report can be disregarded.

Background

17. The aim of any TRO is to achieve compliance with minimal need for enforcement. Previous schemes of this nature have received some criticism due to what some consider poor signing, poor comprehension of the restriction or location and poor notification of a new restriction coming into being. Hence, the following paragraphs and Annexes aim to set out a strategy to overcome these concerns so that any non-compliance is firmly in the driver's hands bearing in mind their responsibility to know the meaning of traffic signs that are applicable to their vehicle and circumstances and reading the road environment, even when driving somewhere unfamiliar.

Proposed Signing Strategy

18. Whilst somewhere like Coppergate is known to many people there will be significant numbers of visitors to the city, and also York residents, who will be uncertain of where it is. To raise awareness of where Coppergate is it is suggested that for a period of around 6 weeks before the TRO is implemented high visibility temporary black letter on yellow background signs be put in place at either end of Coppergate that are visible for approaching drivers from each direction. Once the TRO is implemented, these street name signs would be replaced by the more usual black on white street name signs together with the camera enforcement symbol and wording below. These two signing proposals are shown in Annex D.
19. To advertise the fact a new TRO restriction is to be implemented the erection of large temporary information signs on all approaches to the city centre is proposed initially for a period of around 6 weeks before implementation. The signs would advise that camera enforcement is due to begin on a specific date. Once the scheme is implemented the signs would be changed to say enforcement is in operation. These signs would remain in position for 3 months, though this could be extended to cover the 2017 summer period. The aim of the sign locations is to pick up as many road users as practical so most drivers will have had to pass two signs before reaching the actual restriction. The signs and locations are shown in Annex E.
20. On the immediate approaches to the Coppergate restriction permanent advance information signs will be erected to advise drivers there is a

restriction ahead and what the unrestricted through route is. The intention of these signs is not to spell out the restriction in detail (because that isn't permitted in the signing regulations) but to advise the driver that they may have to react to an upcoming restriction that may apply to them. The proposed signs and locations are shown in Annex F.

21. The signs in Annex G are those that will be put in place at the start of the restriction. These signs have been designed strictly in line with the signing regulations and have not required any special authorisation. The reason for strict design regulations, particularly for regulatory signs, is so that a driver from anywhere in the country coming upon the sign for the first time at a location will be able to use their driving knowledge to comprehend what action they should take. In addition to these regulatory signs there will be signs advising of camera enforcement which should further prompt a driver to question whether the restriction applies to them.
22. In addition to the regulatory signs at the entrance to the street it is suggested that a road surfacing treatment and markings along the lines shown in Annex H be put in place to give further emphasis to the restrictions on Coppergate.

Enforcement

23. As mentioned above, the aim of this bus priority TRO and associated measures are to achieve greater compliance. Whilst it would be quite in order to start issuing Penalty Charge Notices (PCN's) as soon as the TRO is implemented there will be those who have habitually driven this route and may drive the route in error notwithstanding the number of signs in place to advise them not to. In order to achieve greater compliance without creating a feeling of being unfairly penalised a period of grace is suggested. This could take a variety of forms.
24. **Option 1** would be for a fixed period where a letter would be issued to all drivers contravening the restriction advising them that the restriction is now in place, what the hours are and what the penalty charge will be at the end of the grace period. It is recognised that this would advertise the grace period so as to enable some to make "full use" of the grace period without being penalised. In addition, this option would not address the situation where visitors unfamiliar with the city in the future inadvertently make a mistake. Although the fact they are unfamiliar with the city would normally lead to them being more aware of traffic signs than those who drive more regularly in the city.
25. **Option 2** would be for every driver to be issued one warning letter. The downside to this is that it would normally take several days for the warning letter to arrive in the post in which time the driver may well have driven through several more times.

26. **Option 3** could be a combination of the above; a fixed period where everyone gets a reminder letter followed by a first offence letter for an extended period.
27. None of the options, nor variation of them, will eliminate drivers making a mistake. However as mentioned previously it is the drivers responsibility to take note of and respond according to the prevailing road conditions and any regulations in place. It is suggested that option 3 be applied in this instance.
28. The period of grace is in our gift and a period of two weeks for the initial fixed period where a reminder letter is sent to all vehicle owners is suggested, followed by a further six months period during which a “first offence” letter is sent to warn that any further contraventions will result in a PCN being issued.

Monitoring and Reporting

29. The bus priority restrictions on Coppergate have been of much interest previously and it is therefore suggested that regular updates for a period of time should be made available on the City of York Council website

Timescale

30. If it is resolved to implement the scheme as proposed the following timescale is anticipated.
 - Legal process finalised end of November
 - Scheme in place and start of initial grace period early January.
 - Start of enforcement at end of January.
 - Remove the temporary signs at the end of April.
 - End of the 2nd stage first offence 6 month grace period end of July.

Council Plan

31. The above proposal contributes to the City Council’s draft Council Plan of:
 - A prosperous city for all,
 - A council that listens to residents

Implications

32. This report has the following implications:

Financial – It is anticipated that this traffic management scheme will be self financing.

Human Resources – None

Equalities – None.

Legal – Members must consider representations made during the statutory consultation period before deciding whether to make the order, to comply with the Local Authorities, Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended).

Crime and Disorder – None

Information Technology - None

Land – None

Other – None

Risk Management

33. None.

Contact Details

Authors:

Tony Clarke
Head of Transport
Tel. (01904) 551641

Chief Officer Responsible for the report:

Neil Ferris
Director of City and Environmental Services

Alistair Briggs
Traffic Network Manager
Dept. Transport
Tel: (01904) 551368

Report Approved:

Date:15/9/2016

Specialist Implications Officer(s)

None.

Wards Affected: Guildhall

All

For further information please contact the author of the report.

Background Papers: None.

Annexes:

Annex A	Representations in favour
Annex B	Representations objecting to the proposals
Annex C	Other comments not directly related to the TRO
Annex D	Proposed street name signs
Annex E	Pre and post implementation temporary advance information signs
Annex F	The permanent advance information signs and locations
Annex G	The regulatory signs at the start of the restriction
Annex H	Carriageway Surfacing and Markings

Annex A

Representations in Favour

Précis of Representation	Officer comments
<p>No objection but suggests occupants / owners of Coppergate premises to be included as permit holders.</p> <p>1</p>	<p>There are no on or off street parking places for vehicles, hence restricting vehicles except for loading purposes is appropriate.</p>
<p>Supports the proposal but would like consideration to be given to allow cyclists to turn right into Coppergate from Clifford Street.</p> <p>2</p>	<p>This can be re-considered but not as part of this scheme at this time.</p>
<p>Supports the proposal. Would have liked the 7am to 7pm hours to have been kept to fully cover the peak periods.</p> <p>9</p>	<p>Members have determined the 8am to 6pm period to be appropriate at this time.</p>
<p>The York Bus Forum. Supports the use of camera enforcement Would like sufficient easy to read prominent advance signs to avoid motorists unintentional error. Prefer the signing hours to be the same as others in the area.</p> <p>11</p>	<p>Noted.</p> <p>Advance signs form part of the scheme.</p> <p>Members have determined the time period to be appropriate.</p>

This page is intentionally left blank

Annex B

Representations Objecting to the Proposals

Précis of Representation	Officer comments
<p>From North Yorkshire Police. Would like the phrase “<i>in an emergency</i>” removed from the emergency vehicle exemption in order to lawfully enter the street or pass through to attend a situation before it rises to their definition of an emergency when blue lights would be used.</p> <p>6</p>	<p>This request can be taken forward during the TRO making process without needing to re-advertise as it is a reduced severity of the TRO proposal and does not substantially change the proposal.</p>
<p>From Yorkshire Ambulance Service. There are some circumstances where whilst not an emergency a patient may be sick or in pain and the timeliest route to hospital is desirable. 999 call responses can be urgent but not on a blue light. Ambulances are deployed around the city to ensure emergency cover but these aren't done using blue lights.</p> <p>7</p>	<p>As above.</p>

This page is intentionally left blank

Annex C



Other Comments not Directly Related to the TRO

Précis of Representation	Officer comments
<p>Some people will be unsure where Coppergate is. Will it be too late to avoid a ticket once you see the sign.</p> <p>3</p>	<p>A signing strategy is proposed and there are alternative routes for drivers to take at the start of the restriction.</p>
<p>Will cyclists still be able to use Coppergate.</p> <p>4</p>	<p>Yes</p>
<p>Would like to update their vehicle details for the white list.</p> <p>5</p>	<p>Compiling a white list will take place if the order is approved for implementation.</p>
<p>How will the ANPR cameras check that a vehicle has been loading during the permitted loading hours of 10am-4pm?</p> <p>8</p>	<p>ANPR camera enforcement will be carried out during the bus lane hours of 8 to 10am and 4 to 6pm. Enforcement during the loading hours will most likely be carried out manually to minimise the need for issuing and then having to cancel the penalty charge when the driver demonstrates they were loading.</p>
<p>When the bus lane scheme was previously introduced as a business it was agreed that the restrictions would be detrimental to my business. The 2 vehicles I use were added to the 'white list'.</p> <p>I don't think the traffic levels will diminish with the reintroduction of the 'bus lane', as between 10.00 & 16.00 traffic will still shortcut from Pavement & Piccadilly to Clifford St and Ouse Bridge. I would like to think that more robust restrictions could be implemented on Piccadilly & Pavement/Stonebow which would have a major benefit in reducing traffic, its associated pollution thus making it safer for pedestrians.</p> <p>10</p>	<p>The intention is for no loading activities to take place between 8 to 10am and 4 to 6pm. Any previously agreed individual exemptions would have to be re-considered on their merits.</p> <p>Noted.</p>

This page is intentionally left blank

Annex D

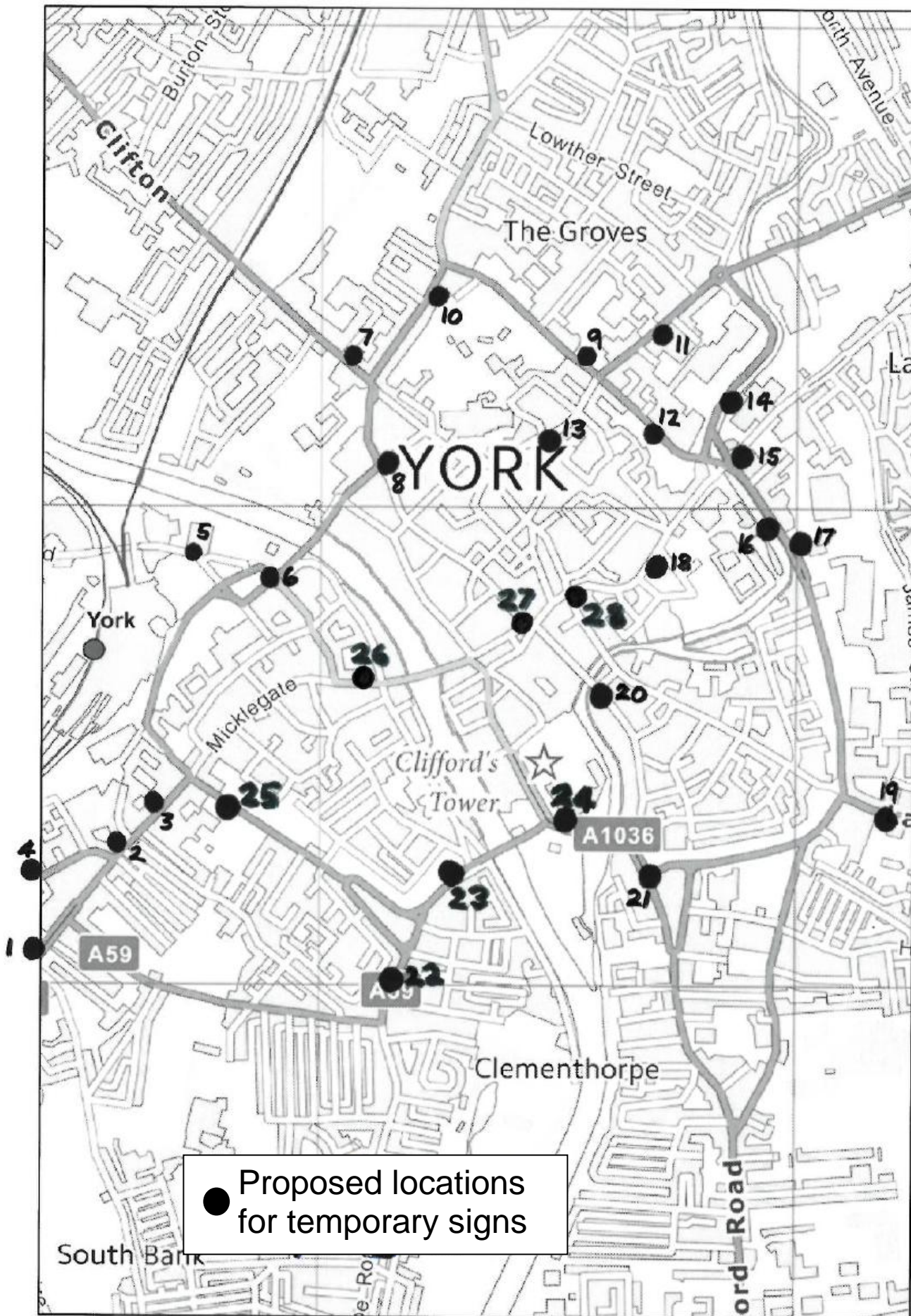
Proposed Street Name Signs

	<p>Initial temporary street name sign to raise awareness</p>
	<p>Permanent street name sign</p>

This page is intentionally left blank




Pre and Post Implementation Temporary Advance Information Signs



<p>Signs to be erected on all main road approaches to the city centre.</p> <p>Signs for 3 weeks before implementation</p> <div data-bbox="193 450 624 763" style="border: 2px solid black; padding: 10px; text-align: center;"> <p>Coppergate camera enforcement begins ??th ???</p> </div> <p>Signs for 3 months post implementation.</p> <p>Also retain those signs within the city wall area (marked* on list opposite) for a further 3 months (approximately) until Sept. 2017.</p> <div data-bbox="193 1099 624 1413" style="border: 2px solid black; padding: 10px; text-align: center;"> <p>Coppergate camera enforcement in operation</p> </div>	<p>Temporary Signing</p> <p>1050 x 750mm signs, 50 to 75mm "x" height, minimum reflectivity.</p> <p>Locations:</p> <ol style="list-style-type: none"> 1 The Mount 2, 3 Blossom Street x 2 4 Holgate Road 5 Leeman Road 6 Rougier Street 7 Bootham 8 Blake Street* 9 Lord Mayor's Walk 10 Gillygate 11 Monkgate 12 St. Maurice's Road 13 Goodramgate* 14 Foss bank 15 Layerthorpe 16, 17 Foss Islands Road x 2 18 Peasholme Green* 19 Lawrence Street 20 Piccadilly* 21 Fishergate 22 Bishopthorpe Road 23 Bishopgate Street 24 Castle Mills Bridge 25 Nunnery Lane 26 Micklegate* 27 Parliament Street* 28 Pavement / Stonebow*
--	---

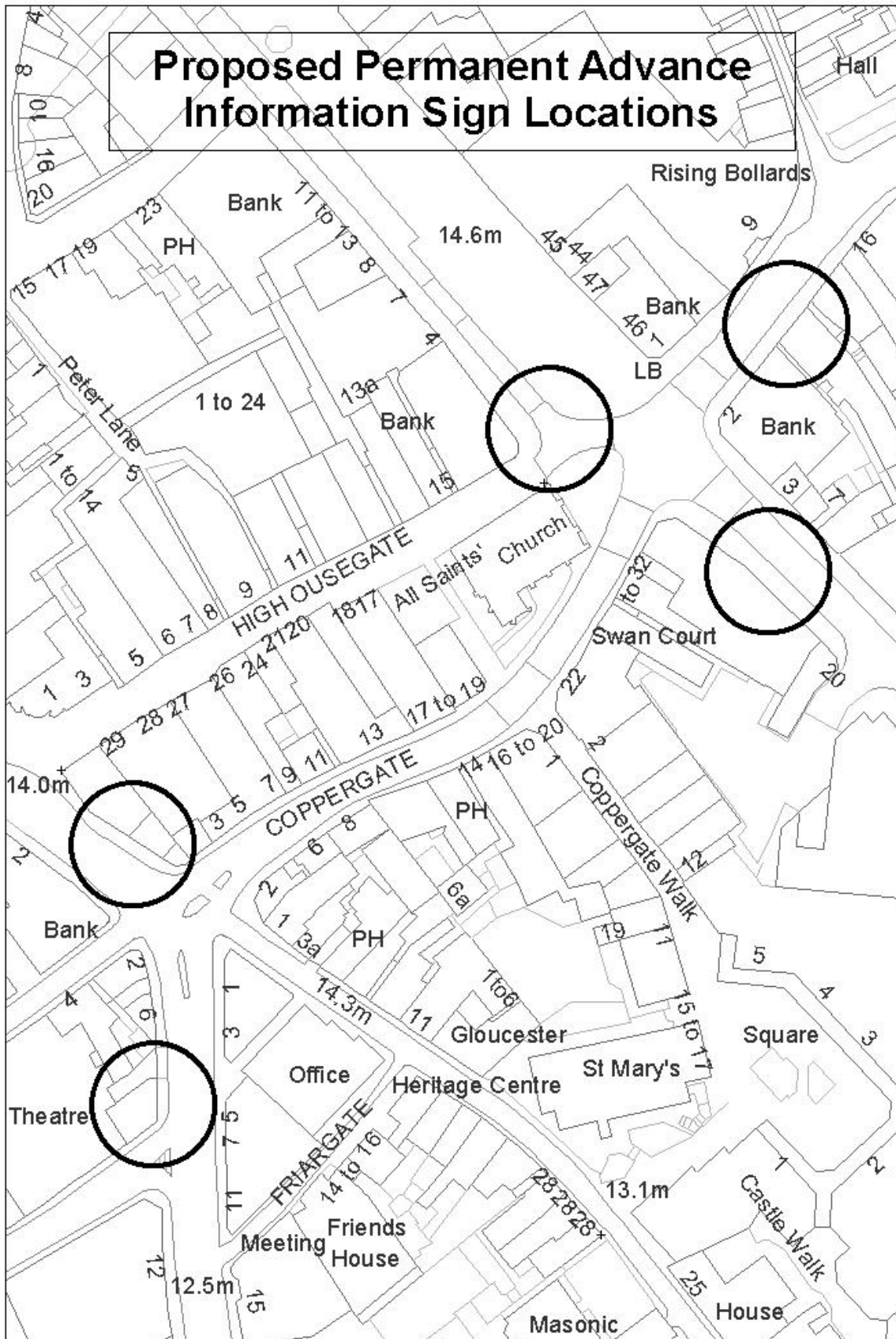


Annex F

The Permanent Advance Information Signs and Locations

 <p>The sign consists of two parts. The top part is a white rectangular sign with a black border, featuring a black arrow pointing right and a red circle containing a black silhouette of a car and a motorcycle. The bottom part is a grey rectangular sign with a white border, containing the text "Traffic enforcement cameras" and a black camera icon.</p>	<p>Parliament Street approach</p>
 <p>The sign consists of two parts. The top part is a white rectangular sign with a black border, featuring a black arrow pointing left and a red circle containing a black silhouette of a car and a motorcycle. The bottom part is a grey rectangular sign with a white border, containing the text "Traffic enforcement cameras" and a black camera icon.</p>	<p>Pavement approach</p>
 <p>The sign consists of two parts. The top part is a white rectangular sign with a black border, featuring a red circle containing a black silhouette of a car and a motorcycle, and a black arrow pointing right. The bottom part is a grey rectangular sign with a white border, containing the text "Traffic enforcement cameras" and a black camera icon.</p>	<p>Piccadilly approach</p>

 <p>The sign features a white square with a black border. On the left, a black arrow points left. In the center, a red circle with a diagonal slash contains a black silhouette of a motorcycle and a car. To the right, a black road signpost symbol is shown. Below the square is a grey rectangular box with the text "Traffic enforcement cameras" and a camera icon.</p>	<p>Nessgate approach</p>
 <p>The sign features a white square with a black border. On the left, a black road signpost symbol is shown. To the right, a red circle with a diagonal slash contains a black silhouette of a right-turn arrow. Below the square is a grey rectangular box with the text "Traffic enforcement cameras" and a camera icon.</p>	<p>Clifford Street approach</p>



This page is intentionally left blank

Annex G

The Regulatory Signs at the Start of the Restriction

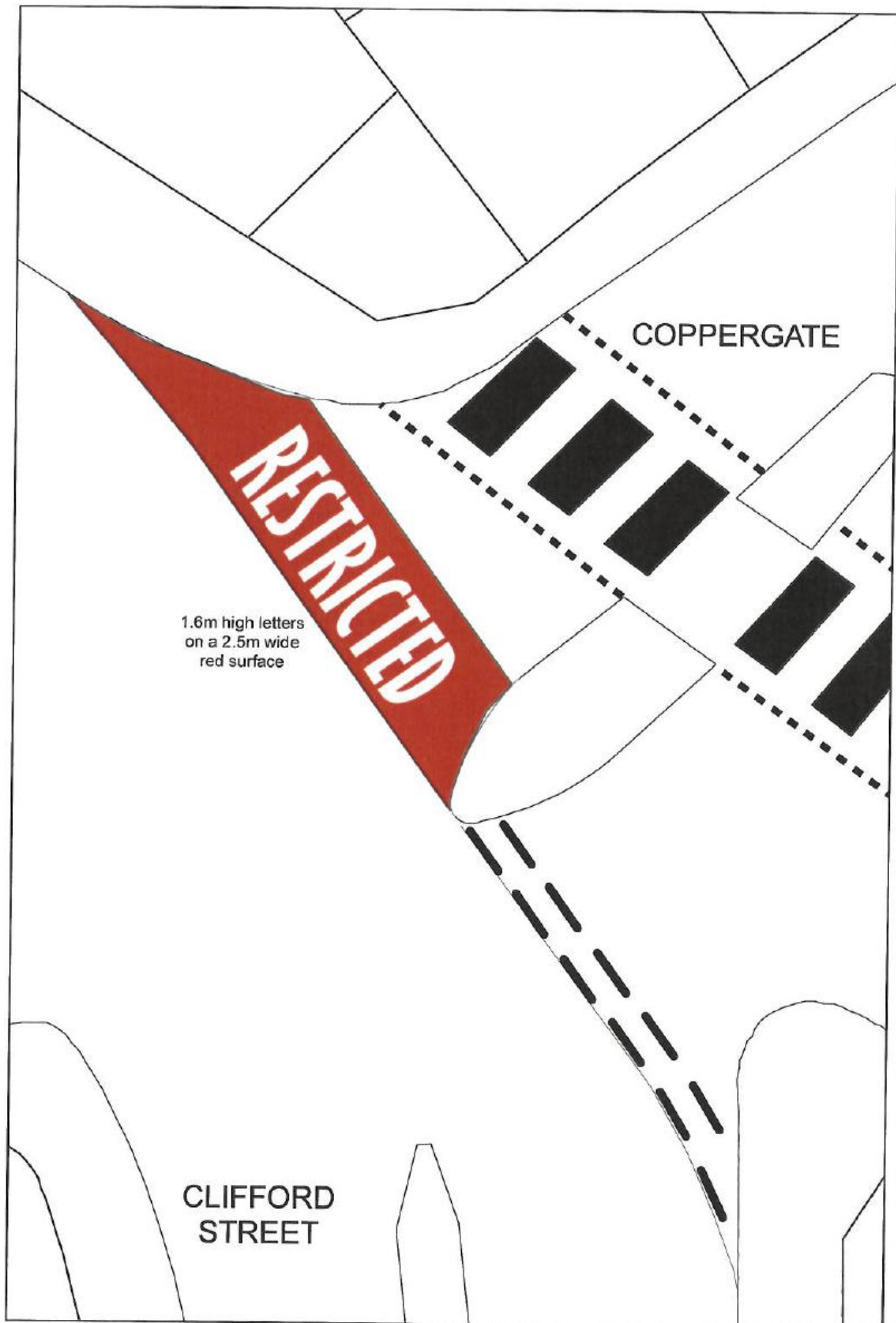


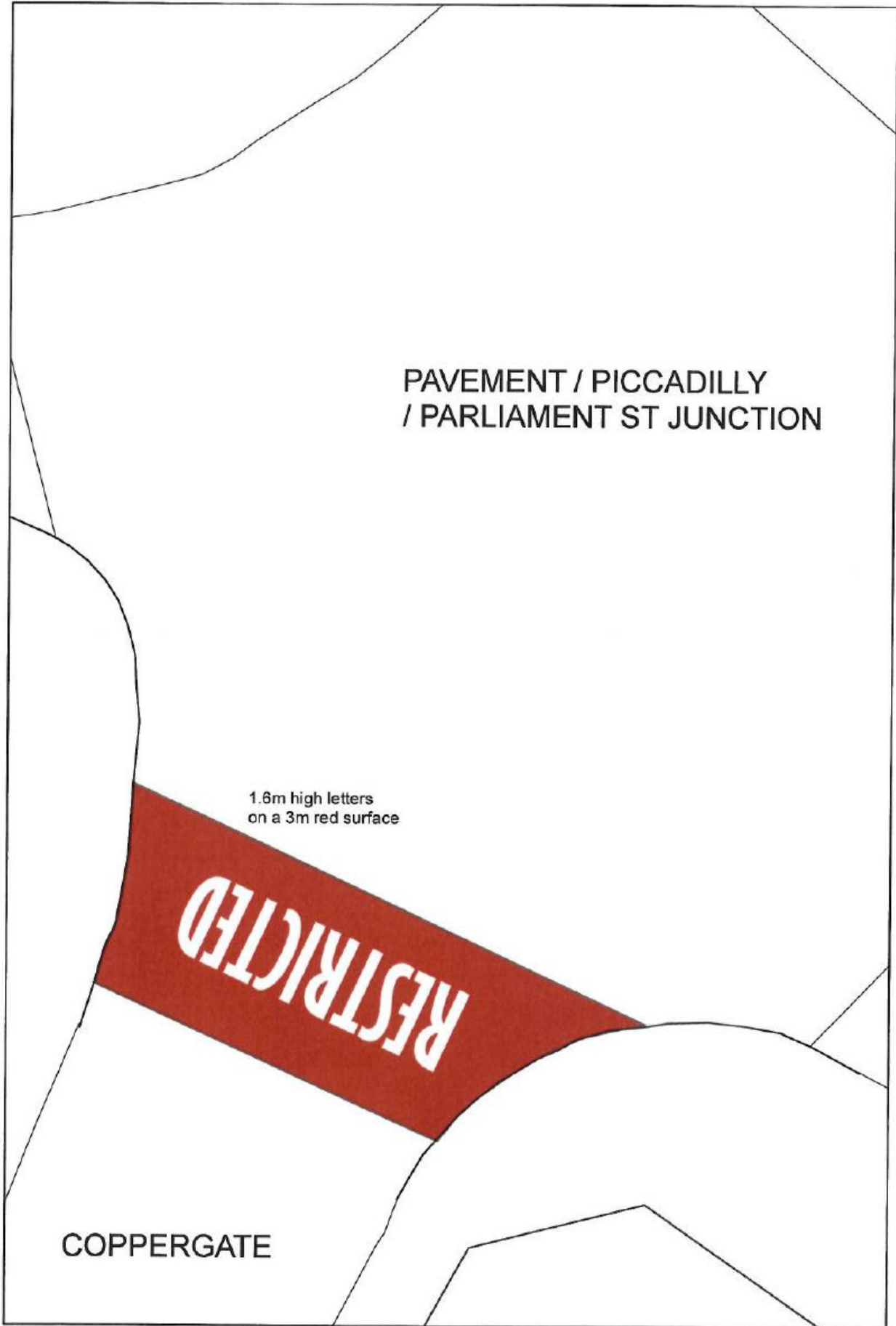
**8 am - 6 pm
except
local buses,
and permit
holders 
and
for loading
10 am - 4 pm**

This page is intentionally left blank

Annex H

Carriageway Surfacing and Markings







Executive

13 October 2016

Report of the Director of Place

Result of Park & Ride Service Operator Procurement

Summary

1. York has a successful, established, network of Park & Ride services. The Park & Ride provides a seven day, high frequency and high quality bus link from six car parks around York to the city centre and is an essential component of the city's transport strategy, enabling York's vibrant economy.
2. The Park & Ride network is currently let as a single contract operated by 'First York'. First's contract is due to expire on 31st January 2017.
3. Following approval by the Council's Executive, a competitive tendering process has been undertaken over the past few months. Although there was strong interest in the contract, no responses meeting the council's financial expectations against the specification tendered were received.
4. However officers are confident that an operator will be secured in the coming months and following dialogue with a number of bus companies, options for addressing the concerns of potential suppliers will be developed. Subject to the approval of the recommendations in this report the results of the operator review will be brought before the Council's Executive in December, prior to the issue of a new invitation to tender.
5. In light of the above officers have negotiated extension options to the current Park & Ride contract with First York to operate from 1st February 2017 for either 6 or 12 months.

Recommendations

6. Members are asked to approve:
 - a) A 12 month extension of the current Park & Ride contract with First York. The price for this extension option is only open to the Council until 14th October 2016; and
 - b) Authorise Council officers to close the current procurement and to enter dialogue with potential bidders to shape a new Invitation to Tender which would be brought before the December meeting of the Executive for approval.
 - c) To a release from contingency of £100k to fund the shortfall in income in 2016/17.
 - d) To note the additional future years costs (£600k) will be incorporated as growth within the budget that council will consider in February 2017

Reason: To ensure continued operation of the York Park & Ride service and to ensure delivery of the most economically advantageous Park & Ride contract moving forwards.

Background

7. The Council has operated one of the country's most successful Park & Ride services for over 20 years. The service currently operates a 7 day high frequency service from six sites around the City's ring road.
8. The Park & Ride service is operated on behalf of the Council by First York under an eight year contract which ends 31st January 2017.
9. The Council has benefitted from a significant licence fee income and high quality service over this contract period.
10. Through the recent procurement process potential bidders demonstrated that, whilst strongly interested in the Park & Ride opportunity, they felt unable to meet the Council's financial and quality expectations at the same time as operating the Park & Ride service profitably and therefore either did not bid or submitted non-compliant bids.

Consultation

11. In preparation for the procurement process, consultation was held with the Procurement, Legal, Financial, Property and Transport and Air Quality departments to ensure that the proposals were aligned to corporate policy and priorities.
12. The views of Park and Ride customers were sought through a customer satisfaction survey carried out in December 2014 - January 2015 to determine the views of the existing users. In addition to the compilation of a range of views, the survey revealed that 98% of Park and Ride users stated that they were either satisfied or very satisfied with the Park and Ride service they used.
13. The views of representatives from 'Visit York' were sought in February 2015.
14. Pre-procurement supplier engagement sessions were undertaken with six potential suppliers to assist the Council in devising the Invitation to Tender.
15. The Executive decision to procure the Park and Ride Contract was subject to Scrutiny Call in and Members expressed a wide range of views as to their high aspirations for the Park and Ride Service specification.
16. The Council now proposes to enter in to further discussion with potential bidders to identify areas of the specification which could be altered, increased or removed to enable the Council to issue a more economically attractive Invitation to Tender.

Options

Option 1

17. Terminate the current procurement process and enter in to a short period of dialogue with potential Park & Ride bidders to inform a number of different specification options. Proposals for an amended specification would then be presented to members at the meeting of the December Executive prior to issuance of a revised Invitation to Tender.
18. Award a contract extension to First York to continue to operate the Park & Ride for twelve months thereafter the new contract would commence.

Option 2

19. Terminate the current procurement process, officers enter in to dialogue with potential Park & Ride bidders and officers to issue a revised, reduced, specification that balances cost and service quality to increase the likelihood of receipt of compliant bids with a view to awarding and commencing the new contract upon expiry of the contract extension with First York.

Analysis

Option 1

20. This option will provide the Council with the opportunity to consult with the market and establish a tender which still enables the Council to better understand the commercial impact of the various elements of the Park & Ride tender specification. Whilst unlikely, the primary risk inherent in this option is that in spite of revisions to the tender specification, the Council may still not receive any bids within its proposed budget following a further tendering competition.
21. Under this option a report to Executive in December will allow a decision to be made as to the specification of the Park and Ride service that would be subsequently put to market. Considering the significant number of users, the importance to the City's transport infrastructure and the financial value of the contract this option allows for public participation through the democratic decision making process.
22. Due to the receipt of no compliant tenders, Council officers have taken steps to negotiate and agree possible six or twelve month extensions to the current Park & Ride contract with First York. Officers are recommending the twelve month extension to allow maximum lead in times to potential new suppliers and thereby reduce the level of risk and cost likely to be included in tender proposals. The six month extension option would be very challenging and it is officers' view that this could restrict the number of operators willing to tender for the work. Either extension option would deliver a reduced income to the Council, but in all other respects would provide the same level of service (and at the same fare) for Park & Ride users.
23. Without an extension to the existing Park and Ride contract there is insufficient time before the current contract ends to procure an alternative supplier to ensure continuation of the Park and Ride service.

24. The procurement exercise would commence as soon as possible following approval of the preferred alterations to the Invitation to Tender at the Executive meeting on 8th December. Table 1 below indicates the likely timescales of the proposed procurement exercise.

Table 1

Date (week commencing)	Activity
October 2016	Supplier engagement
December 2016	Executive approval of tender specification
End Jan 2017	Tender submission deadline
End March 2017	Contract award
April – July 2017 or January 2018	Mobilisation period
August 2017 or February 2018	New contract commences

Option 2

25. This option would enable the Council to move more swiftly to ensure that a new contract was issued for the Park & Ride contract. However, the benefit would be marginal, measured in weeks, giving no significant advantage and would reduce both the transparency and democratic accountability of the process to secure a Park & Ride contractor.
26. It is envisaged that the current specification and tender documents would remain largely unchanged, but the Council could, for example, alter the following requirements:
- Hourly service capacity – enable the bidder to specify what level of service they would provide for each hour of the day;
 - Vehicle specification - allow the bidder to specify which vehicles they would provide to operate the service;
 - Fares – allow the bidder to specify the fares they would look to charge passengers for use of the service

27. The Invitation to Tender would be issued as soon as possible following the October Executive meeting. Table 2 below indicates the likely timescales of the proposed procurement exercise.

Table 2

Date (week commencing)	Activity
November 2016	Issue revised invitation to tender
End Dec 2016	Tender submission deadline
End Feb 2017	Contract award
March – July 17 or Jan 18	Mobilisation period
August 2017 or Feb 2018	New contract commences

Procurement

28. Whichever option is selected, for the new Park & Ride contract a European procurement route will be followed. It is proposed to evaluate the tenders using a Most Economically Advantageous Tender model which would allow cost and quality to be assessed. The details of evaluation model will be agreed with the Corporate Procurement Team and will not exceed a quality to cost ratio of 60/40 in accordance with the financial regulations.

Corporate Priorities

29. The Park & Ride service is a key element of the Council's transport strategy set down in the Local Transport Plan. In addition it supports the Council's strategy to increase the use of public and environmentally friendly modes of transport. Park & Ride also provides the capacity for the City to grow in transport terms to accommodate the emerging Local Plan.

Implications

30. The provision of a successful and efficient Park & Ride service is essential for the continued prosperity of the city and the desire to reduce congestion and improve air quality in the city centre. There

are implications across a wide range of areas both within the Council and externally.

Financial Implications

31. The current Park & Ride contract provides a significant income of £811k per year to the council. This is prior to additional payments that the council is currently making in relation to Poppleton Park & Ride where usage levels have meant compensation payments of £100k are currently being made.
32. In the current tendering process, no bids have been received that provide an income to the Council. There are a number of financial issues which need to be considered.
 - i.* The income anticipated to be received by the council from the Park and Ride contract is dependent on the level of fares set, quality of specification (principally vehicles and frequency) and competition from city centre car parking (charges and capacity). The impact on the operation of the Park & Ride service (and income to the Council) will need to be considered if any changes are proposed to the operation of the council's car parks within the city.
 - ii.* It is intended that the proposed December report will include options to allow members to consider the quality of service within the specification.
 - iii.* In the December report members, in addition to adjustments to the specification, may be asked to consider Capital Funding and Policy options to demonstrate the Council's ongoing commitment to the Park and Ride service. These options would be designed to increase the policy and economic certainty of the environment in which the Park & Ride operators would be tendering in to.
33. A twelve month extension negotiated with First York (February 2017 – January 2018) would result in gross income to the Council of £216k (six months £102k). This would lead to a reduction of £100k compared to budget in 2016/17 and a loss of £500k for the first ten months of 2017/18. The impact beyond February 2018 is currently not known but assuming a new contract can be procured without subsidy the lost income would be in the region of £600k.
34. **Human Resources (HR)** There are no Human Resource Implications for staff employed by the council. It is however likely

that if a new operator won the contract staff employed by First would be eligible for transfer to the new supplier under the TUPE Regulations.

35. **Equalities** There are considered to be no equalities implications if the concessionary fares provision is maintained as the existing arrangement. The Park & Ride operations will be compliant with all current Equalities legislation.
36. **Legal** Legal advice has been provided identifying the procurement, contractual and competition issues which need to be addressed. Ongoing legal support will be taken throughout the procurement process.
37. **Crime and Disorder** There are no crime and disorder implications.
38. **Information Technology (IT)** There are no IT implications. The supply of additional equipment to enable the provision of real time information will be included as part of the extension of the existing Real Time Passenger Information contract. Improvements to the interface with smart ticketing such as online payments will be developed during the contract period.
39. **Property** Draft leases have been prepared for each of the sites.
40. **Other** None.

Risk Management

41. In compliance with the Council's risk management strategy the main risks that have been identified in this report are those which could lead to financial loss, non-compliance with legislation, damage to the Council's image and reputation and failure to meet stakeholders' expectations.
42. The Council will be able to mitigate against these risks, however a decision on the part of the Executive not to agree to extension of the current Park & Ride contract would result in significant risk to the Council and City, both in operational and reputational terms.
43. In addition, the Council faces potential budgetary pressures, should it fail to deliver any revenue from the tender process.

Contact Details

Author:

Andrew Bradley
Sustainable Transport
Manager
Tel No. 01904 551404

Tony Clarke
Head of Transport
Tel No. 01904 551641

**Chief Officer Responsible for the
report:**

Neil Ferris
Director of Place

**Report
Approved**

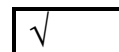


Date 5th October
2016

Specialist Implications Officer(s)

Patrick Looker
Finance Manager
Tel no. 01904 551633

Wards Affected: *List wards or tick box to indicate all* **All**



For further information please contact the author of the report

Background Papers: None

Annexes: None

This page is intentionally left blank



Executive

13th October 2016

Report of the Director of City and Environmental Services

Minerals and Waste Joint Plan – Publication Draft

Summary

1. Work has been progressing on the preparation of a Minerals and Waste Plan. The new Plan is being prepared jointly with North Yorkshire County Council and the North York Moors National Park Authority. Following extensive Issues and Options consultation during 2014 and a Preferred Options consultation in 2015/16, approval is now sought to publish the Joint Plan (attached as Annex A to this report) to provide an opportunity for representations to be made on the soundness of the Plan and whether it is legally compliant.
2. It is anticipated that comments made at this stage will be brought to Local Plan Working Group and Executive in March 2017. Approval for the Plan for submission for Examination in Public is a function of Full Council which is expected to be sought at the City of York Full Council meeting on 16th March 2017. The timetable for the progression of the Joint Plan follows that approved by Executive in June 2016 as part of the Local Development Scheme (LDS).
3. This report is being presented to Members of Local Plan Working Group on 10th October for discussion and to make recommendations to Executive. Draft minutes from this meeting will be circulated to Members ahead of the Executive meeting on 13th October. In addition, it will be reported to Members at North Yorkshire County Council on 18th October and Members at the North York Moors National Park on 20th October. Dependent on the outcome from the three Joint authorities, further discussion and amendments may be required.
4. In addition to the main document (Annex A to this report) several supporting documents will also be made available as part of the consultation and members may wish to consider them when making a judgement on the content of the main document. These are attached as annexes to this report and comprise:

- Annex B – Allocated Sites
- Annex C – Safeguarded Sites
- Annex D – Monitoring Framework
- Annex E – Saved Policies
- Annex F – SA/SEA incorporating SFRA and HRA
- Annex G – SA/SEA Non-Technical Summary
- Annex H – Duty to Co-operate Statement
- Annex I – Consultation Statement

Recommendations

5. Members are asked to agree:

- i. That the draft Minerals and Waste Joint Plan for York, North Yorkshire and North York Moors National Park (Annex A) be approved for the purposes of publication in accordance with the requirements of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012;

Reason:- So that an NPPF compliant Joint Waste and Minerals Plan can be progressed

- ii. That the Executive Member (Planning) be authorised to make non-substantive editorial changes to the main document (Annex A) and other supporting documents (Annexes B to I) proposed to be published alongside the Plan prior to publication

Reason:- So that an NPPF compliant Joint Waste and Minerals Plan can be progressed

- iii. That the Executive Member (Planning) be authorised to make changes to the main document (Annex A) and other supporting documents (Annexes B to I) arising from the equivalent Executive meetings at North Yorkshire County Council and North York Moors National Park Authority provided that they are non-substantive in terms of their impact on the City of York area.

Reason:- So that the three authorities can make changes specific to their authority areas where they will not impact on the other Joint areas.

Background

6. The City of York Council as a unitary authority is also a waste and minerals planning authority and to satisfy the provisions in Planning Policy Statement 10 and the National Planning Policy Framework, it must develop the necessary policies for minerals and waste. This statutory responsibility effectively involves identifying all waste arising in the area from all sources, such as, household, commercial, hazardous and agricultural, and demonstrating how this is dealt with spatially. With regard to minerals it is necessary to identify the requirement for minerals including aggregates and how these will be sourced. Both these tasks have to be addressed for the lifetime of any development plan.
7. City of York is currently preparing a Local Plan with strategic policies on minerals and waste and a separate joint minerals and waste development plan document with North Yorkshire County Council and the North York Moors National Park Authority. This is known as the Minerals and Waste Joint Plan.
8. The Joint Plan addresses a range of issues relating to the future supply of minerals and needs for waste infrastructure over the period to 31 December 2030. Key issues include:
 - Planning for the future supply of aggregates minerals such as sand and gravel and crushed rock, as well as other minerals currently worked in the area;
 - Developing policy to respond to newer forms of development such as shale gas;
 - Identifying requirements for additional waste management capacity needed to fill any capacity 'gaps' in the existing network of facilities;
 - Addressing requirements for safeguarding minerals resources and important infrastructure;
 - Developing a range of new development management policies to help determine planning applications for minerals and waste development;
 - Identifying a range of site allocations for minerals and waste development where development would be regarded as acceptable in principle (see Appendix 1 to the Preferred Options consultation document).
9. It is proposed that, subject to member approval within the three Authorities, the Joint Plan be published for representations to be made on soundness and legal compliance. In due course the Plan will need to be submitted for

independent Examination in Public prior to adoption by the three Authorities.

10. A decision to prepare a joint plan for minerals and waste was taken in 2013, recognising the benefits and efficiencies that can arise through joint working, including in terms of helping to satisfy the statutory Duty to Cooperate in plan making. Since then a substantial amount of work has taken place, including development of the evidence base, the undertaking of a detailed 'Issues and Options' consultation commencing in Spring 2014 and, following approval by Executive in October 2015, a 'Preferred Options' consultation in Winter 2015/6. Although not a formal statutory requirement, the Preferred Options stage of plan making has provided an opportunity to present and seek views on a first full draft of the proposed new Joint Plan, prior to its finalisation for submission for independent examination in public.
11. The next formal step in preparing the Joint Plan is the Publication stage. The purpose of this is to provide a statutory 6 week period for interested parties to make representations on the soundness of the Plan. Representations made at this stage will be submitted for consideration by an Inspector alongside the Joint Plan when it is submitted for Examination in Public.

Previous Stages of Consultation

12. The Minerals and Waste Joint Plan has involved a number of key public consultation stages to ensure there is every opportunity for community involvement. The key stages include:
 - First Consultation (completed May/June 2013)
 - Issues and Options Consultation (Completed March/April 2014)
 - Additional or Revised Sites Consultation (Completed January/February 2015)
 - Preferred Options Consultation (Completed November 2015 -January 2016)
 - **Publication stage** (Scheduled to commence November 2016)
 - Submission stage (Scheduled for April 2017)
 - Examination in Public (Scheduled for May-September 2017)
 - Adoption (estimated November 2017)
13. Reports containing the outcome of these consultations can be found at: <http://www.northyorks.gov.uk/article/26218/Minerals-and-waste-joint-plan>. Due to their size, it is not possible to attach as an Annex to this report.
14. The first consultation stage took place in May and June 2013. This stage presented initial information about the Plan and sought views on what the

Plan should contain. The comments received were assessed, along with relevant evidence, and fed into the Issues and Options consultation documents.

15. The Issues and Options stage was consulted on in March/April 2014 and was a key stage of the process involving the identification of realistic and reasonable options to address the issues identified and to give other parties an opportunity to suggest alternative options. 2405 responses were received at this stage and these have influenced the subsequent stages.
16. One of the outcomes from the issues and options consultation was the submission of new and revised sites which were subsequently published for consultation in the supplementary sites document in January 2015.
17. Following the Further Sites stage of consultation, all of the sites have been subject to a detailed assessment using the site identification and assessment methodology and the Sustainability Appraisal and Strategic Environmental Assessment process.
18. The Preferred Options was the third main step on the way to preparing the Minerals and Waste Joint Plan. It presented a new draft Vision and Objectives, draft planning policies for minerals and waste, and identified possible new sites for minerals and waste development. The Preferred Options stage was consulted on for 8 weeks from November 2015 – January 2016 and provided an opportunity for the people to view and comment on the draft policies and sites before these representations were assessed and used to inform and help draft the next stage of the Plan process; the Publication draft.
19. Responses were received from 603 individuals or organisations, generating a total of 2,934 specific comments. Annex I contains a summary of the comments received, together with a suggested response by the Authorities. In some cases comments have been grouped into particular themes for convenience.
20. Key matters raised through the consultation were:
 - Oil and gas - concerns about impacts from shale gas development and related fracking in the area
 - Concerns about particular sites proposed for allocation
 - Concerns about the approach to the protection of local communities and the environment
 - The approach to planning for strategic waste management capacity
 - Planning for specific types of minerals such as aggregates, silica sand and potash

21. The responses received have been considered in producing the draft Plan and, where practicable or appropriate, have been reflected in the content of the Plan.

Publication Draft

22. In line with The Town and Country Planning (Local Planning) (England) Regulations 2012, the Publication stage plan should be the document that the local authority considers ready for examination. This Plan must be published for representations by the local planning authority, together with other “proposed submission documents”, before it can be submitted to the Planning Inspectorate for examination. This provides a formal opportunity for the local community and other interests to consider the Local Plan, which the local planning authority would like to adopt.
23. As a comprehensive local plan for minerals and waste the draft Plan addresses strategic issues for minerals and waste, contains detailed development management policies and identifies sites to meet expected needs for future development.
24. The draft Plan sets out a summary vision that;

Over the period to 31 December 2030 the Joint Plan area will move towards the more sustainable provision of minerals and waste infrastructure and services, maintaining a careful balance between meeting future needs whilst protecting and enhancing the Joint Plan area’s environment, protecting and supporting its communities and strengthening its economy.

25. An important role of the Joint Plan is to identify expected future requirements for minerals and waste development. A range of work has taken place towards developing the evidence base for this, including preparation of a Local Aggregates Assessment and the commissioning of a ‘capacity gap’ analysis for waste management infrastructure needs. These assessments have both been updated since completion of the Preferred Options consultation to ensure they reflect the most up to date position.
26. Although the Plan necessarily deals with a wide range of issues, a number of key matters are identified below.

Minerals

27. Planning for minerals is addressed mainly in Chapter 5 of the Plan. Key issues arising are summarised below.

Hydrocarbons (oil and gas)

28. The Joint Plan area contains resources of onshore gas and members will be aware that in December 2015 new Government licence areas in North Yorkshire for oil and gas exploration and development were announced, leading to an expectation of increased commercial interest in the area, including for shale gas extracted using ‘fracking’ techniques. Executive will be aware that the significance of this issue has evolved rapidly during preparation of the Plan. Since completion of the Preferred Options consultation stage this area of policy has been reviewed to ensure that a comprehensive approach is in place. Whilst the scope of the Plan is necessarily limited by national planning policy and guidance, the relevant policies in the draft Plan, particularly Policies M16, 17 and 18, provide robust protection whilst recognising that national policy requires a positive approach to planning for development.
29. At the City of York Full Council Meeting on Thursday, 11th December, 2014 6.35 pm, Cllr Semlyen proposed the following Motion about Hydraulic Fracking in the York area:
- “This council believes that:
- Climate change is real and is resulting in deaths and cross border migration;
 - That fracking (hydraulic fracturing for shale gas) contributes to climate change.
 - This council recognises the over 2,100 name petition submitted by Frack Free York requesting a City of York Council decision on fracking. The petition asks that Councillors’ vote that York should, where possible, publicly state their resistance to planning applications for drilling for shale gas as it is believed that this could deter applications from drilling companies.
 - We believe that it would be better to reduce the need for extra energy supplies and will seek to promote an increase in energy efficiency, sustainability and self-sufficiency.
30. Council asks the Leader to send a copy of this motion to the Secretary of State for Energy and Climate Change and the Minister of State for the Department for Energy and Climate Change and to all York’s MPs.”
31. On being put to the vote, the motion, was CARRIED and it was it was resolved that the motion be approved.
32. National planning policy states that both conventional and unconventional hydrocarbons (oil and gas) are minerals of national and local importance and that minerals plans should include policies for their extraction.

Development plans which do not deal with fracking or simply seek to restrain it will at best be accorded little weight by the Secretary of State on appeal leaving applications to be judged purely against the general policies of the NPPF.

33. Given the context above, the Council will need to address Shale Gas and other unconventional gas through the Joint Minerals and Waste Plan. At Issues and Options stage, Members discussed at a Local Plan Working Group on 13th January 2014, the inclusion of shale gas policies in the Plan and recognised the need for a full range of options to allow for the public to make representations after viewing all the potential options available.
34. The Preferred Options draft policies on Hydrocarbons included an overall spatial policy which generally stated where such developments will and will not be supported. Further hydrocarbon policies addressed the different phases of oil and gas development (exploration, appraisal and production) citing the requirements that need to be met for example, assessment of potential impacts.
35. Taking account of the responses received at Preferred Options stage, and changes arising at the national policy level the draft hydrocarbon policies and supporting text in the Publication draft have been amended considerably. The policies address all stages of the process rather than splitting the different stages into different policies, there is also more emphasis on the criteria that need to be considered and satisfied as part of a hydrocarbon development application. The Publication draft contains a draft policy which sets out key spatial principles for hydrocarbon development across the Plan area. A further draft policy sets out detailed criteria for hydrocarbon development in relation to accessibility and transport, cumulative impact, local economy, and local amenity considerations. A final draft policy covers specific issues relating to waste management and injection wells, and decommissioning and restoration.
36. A petition was submitted to City of York Council in June 2016 and additional signatures to the same petition were submitted in September 2016. With a total of 611 signatures, this petition 'recognises that national laws and regulations mean that the authorities can not exclude gas drilling completely from the Joint Plan but believe that the local authorities have influence to set conditions to protect residents and the outstanding countryside of North Yorkshire' The petition therefore "calls on the City of York Council to include in the Joint Waste and Minerals Plan:
 - Buffer zones of one mile between residential development, schools and hospitals and natural gas extraction infrastructure (e.g. well pads, compressor stations, pipelines etc);

- Buffer zones of three miles between national parks, Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, World Heritage Sites, groundwater source protection zones and natural gas extraction infrastructure;
 - A minimum distance of six miles between drilling sites, as asked for by Kevin Hollindrake MP for Thirsk and Malton in a Westminster Hall debate in 2015, to prevent the industrialisation of the North Yorkshire countryside.”
37. The draft Joint Plan attached at Annex 1 does include buffer zones to avoid significant harm to National Parks and AONBs and a separate buffer which would enable the development to take place without giving rise to unacceptable impacts on residential amenity as well as a density limit for well pads/individual wells to ensure that unacceptable cumulative impact does not arise. Policies M16 and M17 and the supporting text contained at Annex A set out the details of this but in summary, the Joint Plan policies propose:

Proposed Buffer/Density	Basis for the buffer/density
A 400 m buffer between surface hydrocarbon development involving activity over 24 hour periods and residential buildings or other sensitive receptors	Distance identified to be generally consistent with the definition of a 'protected building' as defined by the GPDO. Is also recognised as an 'established distance of impact' in terms of impact on residential amenity.
A 3.5km buffer around National Parks and AONBs	Based on typical planning practice relating to assessment of landscape and visual impact for EIA purposes, where it may be justified to 'screen out' consideration of a 35m tall and relatively linear structure beyond a distance of 3.5km from the receptor.
A limit of 10 well pads per 100km ² PEDL area	Suggested by the industry as a viable density figure. This is lower than elsewhere in the world and will also depend on the location of the wells within the PEDL area.

38. For clarity, the Policy indicates that the residential buffer could be less than 400m subject to specific locational circumstances or characteristics of the proposed development, including any proposed mitigation. Given the relatively recent introduction of hydrocarbon development in the UK, there is no specific National policy regarding buffering and density for this type of development. Therefore, the figures above are based on similar types of development and experience elsewhere. If National policy changes occur, this will need to be factored in to any decision making and may lead to a review of the Plan in the future.

39. In relation specifically to the York area draft policy M16 (Key Spatial Principles for hydrocarbon development) states that surface proposals for hydrocarbon development will only be permitted outside designated areas which include Scheduled Monuments, Grade I and II* Registered Parks and Gardens, Areas which protect the Historic Character and Setting of York and nature conservation designations including Special Protection Areas, Special Areas of Conservation, Ramsar sites and Sites of Special Scientific Interest. The policy also states that sub-surface proposals for these forms of hydrocarbon development including lateral frilling underneath the designations referred to above will only be permitted where it can be demonstrated that significant harm to the designated asset will not occur.
40. The supporting text for the hydrocarbon policies looks specifically at the situation in the Plan area in terms of PEDL license blocks and any historic applications and works relating to gas exploration and extraction. The text also explains the application process, highlighting the different regulatory regimes that are responsible for the different stages. This clarifies that Mineral Planning Authorities (the Council) only have control over the planning application stage. The Department of Energy and Climate Change (DECC) are responsible for issuing licences like those announced in August 2015. The Environment Agency and Health and Safety Executive also assess and regulate the environment, water and seismic risks before permits for operation are issued.

Aggregate minerals (sand and gravel and crushed rock)

41. National planning policy requires that areas with minerals resources make an appropriate contribution to supply, including supply requirements which arise in other areas where necessary, for example as a result of supply shortages in those areas. Supply and demand imbalances for aggregate minerals in the Yorkshire and Humber and Tees Valley result in continuing pressure on North Yorkshire (which has relatively abundant resources of aggregate) to maintain supply to both internal and external markets.
42. Plans for economic growth and increased rates of house building in and adjacent to the Joint Plan area suggest that demand for aggregate is likely to continue and will probably increase from the suppressed levels experienced during the recent economic downturn. Forecasting work undertaken to support the Joint Plan suggests that, over the next few years, demand is likely to return to a level similar to that prevailing before the recession. This means that additional provision will need to be made in the Plan, particularly for sand and gravel for which the current supply position is less robust, including through the allocation of sites which are considered to

be suitable in principle for development. Appendix 1 to the Joint Plan identifies a number of site allocations to help meet these requirements.

Other minerals resources

43. A range of other minerals resources are present in the Joint Plan area. This includes silica sand, clay, building stone, potash/polyhalite and coal. Materials with the potential for use as alternative sources of supply are also present, such as power station ash and colliery spoil. The Joint Plan contains policies, and where necessary allocates sites, for all these forms of development in order to help ensure that continuity of supply can be maintained.

Waste

44. Planning for waste is addressed mainly in Chapter 6 of the Joint Plan. The position with regard to future requirements for waste management capacity has also evolved during the period over which the Plan has been prepared. This has necessitated updating of the evidence base and suggests that a relatively flexible approach is required in the Plan. It should be noted that, following the progress made with the Allerton Waste Recovery Park, the main focus for consideration of new waste management infrastructure needs in the Plan is around other waste streams, particularly commercial and industrial waste and construction and demolition waste.
45. To provide a basis for planning for these, the Joint Plan makes a number of assumptions about the likely scale of future arisings and the extent to which such waste is likely to be diverted away from landfill towards more sustainable forms of management. These can be compared against current waste management capacity in the area to allow 'capacity gap' scenarios to be identified. These in turn form the basis for the scale of new provision to be made in the Plan. In summary evidence suggests that, although extensive waste management infrastructure now exists in the area, or has planning permission for development, there are some remaining requirements for increased recycling and treatment capacity for Commercial and Industrial waste and Construction and Demolition waste as well as for the landfill of certain residual wastes. Support for these is contained in the Plan, including through site allocations where necessary, in order to move towards greater 'net self-sufficiency' of the area in the management of waste, in line with strategic policy objectives.

Supporting Infrastructure and Safeguarding

46. These issues are addressed in Chapters 7 and 8 of the Joint Plan. This includes policy support for the delivery of supporting infrastructure needed to facilitate minerals and waste development, including infrastructure which promotes more sustainable transport of minerals and waste. Safeguarding minerals resources and important minerals and waste infrastructure, to protect their long term availability, is a key element of national planning policy.

Development Management

47. National planning policy indicates that local plans should contain a limited set of development management policies to support decision making on planning applications. Chapter 9 of the Plan addresses this by identifying a number of policies that, where relevant, would apply to all forms of minerals and waste development proposed in the area. Their main aim is to ensure that development is supported where it can take place without unacceptable harm to local communities and the environment and that appropriate mitigation and controls can be imposed where necessary to achieve this, in line with the vision for the Joint Plan. Specific sites proposed for safeguarding are identified in Annex C to this report.

Site Allocations

48. To help with delivery of identified requirements for minerals and waste it is necessary for the Joint Plan to identify site allocations, where development will be regarded as acceptable in principle, subject to consideration of a detailed planning application. Annex B to this report identifies a range of site allocations, consistent with the strategic policies in the Plan. These are principally for development of aggregate minerals but allocations are also proposed minerals supply infrastructure and for working clay and building stone, as well as for a range of waste management facility types. An Area of Search for sand and gravel has also been identified to make up a potential shortfall in provision as it has not been practicable to allocate sufficient specific sites to meet all identified needs.
49. Proposed allocations have been identified by applying a site selection methodology, including sustainability appraisal, to a range of sites put forward for consideration by industry, landowners and other interested parties. In total 21 minerals sites, 20 waste sites and 2 minerals infrastructure sites are identified as allocated sites. 21 minerals sites, 6 waste sites and 1 minerals infrastructure site have been discounted from allocation. 9 sites or parts of sites have been withdrawn from consideration by submitters during preparation of the Plan. In some cases sites

considered suitable for allocation in the Plan are allocated on the basis of a revised boundary compared with that under consideration at Preferred Options stage. In other cases, sites considered as suitable for allocation at Preferred Options stage are now proposed to be discounted or, conversely, sites proposed to be discounted are now allocated. These changes in status reflect circumstances including availability of additional evidence, views received during consultation at Preferred Options stage and/or further review of the 'strategic fit' between allocations and the Policies in the Plan.

50. Four sites have been identified as draft allocations in the York area, these sites have been identified as draft allocations but it is not anticipated that the emerging York Local Plan would exclude these sites from the green belt:

- **WJP02 North Selby Mine, Deighton**

Anaerobic Digestion facility which has an unimplemented planning permission.

- **WJP11 Harewood Whin, Rufforth**

Retention of the following facilities beyond 2017 – landfill, recycling (incl. treatment, bulking and transfer) and liquid waste treatment, energy from waste (Biomass and landfill gas utilisation), kerbside recycling and waste transfer operation and construction of a new waste transfer station (subject to further discussions as part of application reference 16/00357/FULM and 16/005341/FULM).

- **MJP52 Duttons Farm, Upper Poppleton**

Extraction of clay as a proposed extension to former quarry

- **WJP05 Duttons Farm, Upper Poppleton**

Landfill and recycling of waste from construction industry

51. Four sites have been identified as potential safeguarded waste sites in the York area (Annex C to this report contains more details):

- Harewood Whin – non-hazardous landfill, recycling, composting
- Hazel Court – Transfer (hazardous)
- North Selby Mine - Anaerobic digestion
- Towthorpe – Household Waste Recycling Centre (HWRC)

52. Sustainability Appraisal of a Local Plan is a statutory requirement under the Planning and Compulsory Purchase Act 2004 and Strategic Environmental Assessment is required by European law. The two assessments have been undertaken simultaneously in relation to the Joint Plan under the term Sustainability Appraisal. The Sustainability Appraisal assesses the potential effects of the Joint Plan at each stage in relation to sustainability objectives. Where appropriate, recommendations arising from the appraisal process have been incorporated into the content of the Joint Plan.
53. The Sustainability Appraisal/Strategic Environmental Assessment for this stage of the Joint Plan process is attached at Annex F along with a non-technical summary attached at Annex G.

Duty to Cooperate (DtC)

54. A statutory duty to cooperate on strategic cross-boundary planning issues, including minerals and waste, was introduced in 2011. The main purpose of the Duty is to enable strategic planning at a wider than local level following the revocation of Regional Spatial Strategies.
55. Whilst preparation of the Plan itself on a joint basis represents a response to the requirements of the Duty, a range of other relevant activity has taken place during its production. This includes:
- Preparation of evidence on requirements for aggregate minerals on a sub-regional basis, taking into account requirements arising in adjacent areas of Yorkshire and Humber and the North East;
 - Commissioning of a sub-regional analysis of waste capacity requirements and undertaking extensive dialogue with other waste planning authorities on cross-boundary movements of waste;
 - Active participation in the work of the Yorkshire and Humber Aggregates Working Party and Technical Advisory Body for Waste and other relevant groups;
 - Preparation of memoranda of understandings with the Yorkshire Dales National Park Authority and Redcar and Cleveland Borough Council in relation to cross-boundary minerals and waste issues;
 - Targeted cooperation with a range of other relevant minerals and waste planning authorities where specific issues have been identified.
56. This and other related work has informed the content of the Joint Plan. A Duty to Co-operate Statement is provided as Annex H to this report.

Publication Consultation

57. Subject to the necessary member agreement within the three Authorities there is a statutory requirement to publish the Plan and relevant supporting documents for a 6 week period in order that representations can be made on the soundness of the Plan. Given that the Publication stage of plan production is a statutory stage as recognised in The Town and Country Planning (Local Planning) (England) Regulations 2012, the consultation must be undertaken in line with Regulation 19.
58. It is anticipated that a 6 week public consultation period on the Publication documents will take place in November and December 2016. The consultation will be in line with the Statement of Community Involvement (SCI) adopted by City of York, North Yorkshire County Council and the North York Moors National Park Authority.
59. The consultation will involve the distribution of a letter to all consultees on the three authorities Local Plan databases informing them of the consultation and where they can view the documents and how to submit representations. This will bring the consultation to the attention of residents, developers, landowners, operators as well as statutory consultees and others. Copies of the document will be available electronically on the Joint Plan webpage as well as hard copies in all the libraries within the Joint Plan area and Council Office receptions. During the consultation period, exhibitions will be held across the Joint Plan Area where officers will be available to provide information and answer questions.
60. A range of consultation material will be available including the main documents, a leaflet, and posters. These will be available online and at the venues listed above.

Options

61. Officers request that Members consider the following options:
 - i) That the Executive approve the Minerals and Waste Joint Plan Publication documents attached at Annexes A-J for the purpose of public consultation;
 - ii) That the Executive approve the Minerals and Waste Joint Plan Publication documents attached at Annexes A-J subject to amendments agreed at this meeting;

- iii) That the Executive reject the Minerals and Waste Joint Plan Publication documents and request that further work is undertaken.

Analysis

- 62. It is considered that the best option is to approve the Minerals and Waste Joint Plan Publication documents for consultation in November-December 2016. This will ensure that the key milestones in the Local Development Scheme are achieved and the industry and public are given the opportunity to view the contents of the document and the potential sites for minerals and waste operations at the earliest date.

Next Steps

- 63. The progression of the Plan would be subject to the agreement of Members from the North Yorkshire County Council and North York Moors National Park Authority following their Executive meetings on 18th October and 20th October.
- 64. Should all Members from the three authorities approve this Plan for consultation purposes, it is anticipated that a 6 week consultation will run in November and December 2016 to allow people to make representations on the content of the Plan. The Authorities will need to consider representations received during the Publication period and decide whether any further changes should be made. Changes at this stage should be minor in nature, the Authorities having published what they consider to be a sound Plan.
- 65. Any representations on the Publication version of the Joint Plan and any proposed minor modifications, along with supporting documents will be brought to Local Plan Working Group and Executive in March 2017.
- 66. The Submission draft Plan will then be presented to Full Council on 16th March 2017 prior to submission to Secretary of State in April 2017. Approval of the Plan for Submission and for Examination in Public is a function of Full Council which will also be required from North Yorkshire County Council and North York Moors National Park Authority.
- 67. The Submission documents will include those that were made available at the Publication stage (updated as necessary), including details of who was consulted when preparing the Joint Plan (at Regulation 18 stage) and how the main issues raised have been addressed. Details of the representations made following publication of the Joint Plan and a summary of the main issues raised will also be included. A Statement of Representations Procedure will be published alongside the submission version of the Joint Plan.

68. A pre-examination meeting, Examination in Public, and Inspector's report will follow during summer 2017, with an anticipated adoption of the Joint Plan before the end of 2017.

Financial Implications

69. The estimated costs related to this stage of the production of the Minerals and Waste Joint Plan are outlined in the table below. The costs will need to be contained within budgets across the directorate that support the Local Plan and Waste Strategy.

Task	Total Cost	York cost (55:25:20)
Consultation (printing/posting)	£5,000	£1,250 (+ York consultee letters)
Evidence Base : Waste update	£6,000	£1,500
Peer Review	£7,020	£1,755
Counsel Advice (£200/hr)	£5,400	£1,350
Administrative assistance	£100	£100
Total		£5,955

70. The cost of the Examination process is anticipated to be incurred in 2017/18. This cost alongside one off costs involved in delivering the Local Plan will be considered as part of the 2017/18 budget report to Full Council in February 2017.

Council Plan

71. Under the draft Council Plan objectives the project will assist in the creation of a Prosperous City for All, and be a Council that listens to residents particularly by ensuring that:
- i. Everyone who lives in the city can enjoy its unique heritage and range of activities.
 - ii. Residents can access affordable homes while the greenbelt and unique character of the city is protected.
 - iii. Visitors, businesses and residents are impressed with the quality of our city.
 - iv. Local businesses can thrive.
 - v. Efficient and affordable transport links enable residents and businesses to access key services and opportunities.
 - vi. Environmental Sustainability underpins everything we do.
 - vii. We are entrepreneurial, by making the most of commercial activities.
 - viii. Engage with our communities, listening to their views and taking them into account.

Implications

72. The following implications have been assessed.

- **Financial** – These are detailed in paragraphs 69-70 above.
- **Human Resources (HR)** – The production of a Minerals and Waste Joint Plan and associated evidence base requires the continued implementation of a comprehensive work programme that will predominantly, although not exclusively, need to be resourced within CES.
- **Community Impact Assessment** - A Community Impact Assessment (CIA) has been carried out as the plan has developed and will be undertaken again at the next stage of production. This is attached at Annex J.
- **Legal** – The statutory process must be followed in preparing and consulting upon the joint plan and decisions must be taken by each of the separate Authorities involved in their own constitutional decision making processes. The statutory duty to co-operate applies (created by S110 Localism Act 2011). If the Minerals and Waste Joint Plan is adopted by all three Councils, it will eventually become part of the statutory development plan for York along with the emerging York Local Plan. The Plans should therefore be in conformity particularly in relation to any site allocations and safeguarded areas proposed within the York area in the Joint Minerals and Waste Plan.
- **Information Technology (IT)** - There are no IT implications
- **Crime and Disorder** – None.
- **Information Technology (IT)** – None
- **Property** – The Plan includes land within Council ownership.
- **Other** – None

Risk Management

73. In compliance with the Council's risk management strategy, the main risks in producing a Minerals and Waste Plan are as follows:

- The need to steer, promote or restrict minerals and waste development across its administrative area:
- The potential damage to the Council's image and reputation if a development plan is not adopted in an appropriate timeframe; and
- Risks arising from failure to comply with the laws and regulations relating to Planning and the SA and Strategic Environmental Assessment processes and not exercising local control of developments.

74. Measured in terms of impact and likelihood, the risks associated with this report have been assessed as requiring frequent monitoring.

Contact Details

Author:

Rebecca Harrison – Development
Officer, Forward Planning Team
Tel No. 551667

**Chief Officer Responsible for the
report:**

Mike Slater
Assistant Director of CES
Tel: 551448

**Executive Members Responsible for
the Report:**

Cllr Ian Gillies
Cllr Andrew Waller

Report Approved



Date 4 October
2016

Specialist Implications Officer(s)

Financial – Patrick Looker
Finance Manager
Tel No. 551207

Legal – Sandra Branigan
Senior Solicitor
Tel No. 55 1040

Wards Affected:

All

For further information please contact the author of the report

Annexes:

- Annex A -Joint Waste and Minerals Publication Draft Plan
- Annex B – Allocated Sites
- Annex C – Safeguarded Sites **[available online]**
- Annex D – Monitoring Framework **[available online]**
- Annex E – Saved Policies **[available online]**

Annex F – SA/SEA incorporating SFRA and HRA **[available online]**

Annex G – SA/SEA Non-Technical Summary (to follow)

Annex H – Duty to Co-operate Statement **[available online]**

Annex I – Statement of Consultation **[available online]**

Annex J – Community Impact Assessment **[available online]**

Background Papers:

- North Yorkshire Sub-region Local Aggregates Assessment
- Minerals Safeguarding Studies for North Yorkshire, York and North York Moors National Park
- Yorkshire and Humber Waste Position Statement 2016-09-09 North Yorkshire Sub-region Waste Arisings and Capacity Reports 2013, 2015 and 2016

List of Abbreviations

AONB	Area of Outstanding Natural Beauty
DECC	Department of Energy and Climate Change
EIA	Environmental Impact Assessment
GDPO	General Permitted Development Order
HRA	Habitat Regulations Assessment
LDS	Local Development Scheme
MPs	Members of Parliament
NPPF	National Planning Policy Framework
PEDL	Petroleum, Exploration and Development Licence
Ramsar Sites	A Ramsar Site is a wetland site designated of international importance under the Ramsar Convention.
SA/SEA	Sustainability Appraisal/Strategic Environmental Assessment
SFRA	Strategic Flood Risk Assessment

Annex A: Joint Waste and Minerals Publication Draft Plan

Minerals and Waste Joint Plan

Publication Draft Plan

October 2016

DRAFT

Foreword

As planning authorities for minerals and waste in each of their areas, North Yorkshire County Council, City of York Council and the North York Moors National Park Authority have a responsibility to take decisions on planning applications for related development. The three Authorities, (referred to as 'the Authorities'), also have a duty to produce planning policies to help to take those decisions, which can often be controversial because of the scale and nature of development involved.

Minerals such as sand and gravel, limestone and clay are essential to meeting society's needs for economic growth and development. Other minerals, such as onshore gas, are important in helping to meet our needs for energy. The North Yorkshire area is rich in minerals resources and there is a long history of mining and quarrying. In some areas the jobs and economic benefits of mineral extraction are an important part of local community life.

North Yorkshire is also rich in high quality landscapes and the historic built environment and includes 2 National Parks, 4 Areas of Outstanding Natural Beauty and a Heritage Coast. Therefore it is especially important to ensure that the working of essential minerals takes place without causing harm to these and other special areas.

It is now well known that Government, commerce, industry and individuals all need to do more to ensure that the waste we produce can be dealt with in less harmful and more efficient ways. In particular, waste needs to be viewed less as a problem and more as a resource, which can be reused, recycled, or from which other value can be recovered.

Ensuring the continued supply of the minerals which may be required and the availability of the facilities we need to manage waste effectively, can lead to pressure for new development, such as new or extended quarries and waste management sites. As well as bringing benefits, these forms of development can of course affect our environment, communities, quality of life and climate change, for example through lorry movements and impacts on the landscape and from noise and dust.

The Authorities have therefore worked jointly to prepare this Minerals and Waste Plan, referred to as the 'Joint Plan', containing planning policies to help us to take decisions about matters such as where, when and how minerals and waste developments should be planned and controlled up to 31 December 2030.

About this Document

This **Publication Draft Plan** represents the outcome of an extensive consultation process. Following a further statutory 6 week period in which representations can be made on matters of soundness and legal compliance with relevant legislation, it will be submitted, along with any proposed changes and other submission documents, for examination in public by an independent planning inspector.

How to get involved

Representations submitted at this stage must be made on grounds of legal compliance or soundness (see below) and be supported with evidence to demonstrate why these tests have not been met. Any representations received will be considered by the inspector as part of the examination in public.

Legal Compliance

To be legally compliant the Joint Plan has to be prepared in accordance with the Duty to Cooperate and legal and procedural requirements including the 2011 Localism Act and Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Tests of Soundness

The National Planning Policy Framework states that a Local Plan should be:

- Positively prepared – the plan should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

The Publication Draft Plan and supporting documents, as well as full details or how to make representations on the Joint Plan, are available on our website: www.northyorks.gov.uk/mwconsult. Paper copies of the documents will be available to view at Council offices and libraries throughout North Yorkshire and the City of York.

We recommend that you use the response form provided as this will enable us to record your representations correctly, which is particularly important at this stage. All representations should include a paragraph and/or a policy reference number or site reference. The reference number can be found in the top left hand corner of each policy box presented in the Joint Plan or with the individual site allocations in Appendix 1.

You can send us your completed response form either by post to:

Minerals and Waste Joint Plan Team
Planning Services
Business and Environmental Services
North Yorkshire County Council
County Hall, Northallerton
DL7 8AH

Or by email to: mwjointplan@northyorks.gov.uk

The closing date for representations is **1700 hours on XX December 2016**

PLEASE NOTE THAT WE ARE UNABLE TO ACCEPT REPRESENTATIONS RECEIVED AFTER THE DEADLINE.

If you would like to speak to someone about this Publication Draft Plan please contact us using the contact details below:

North Yorkshire County Council: Tel: 01609 780780

City of York Council: Tel: 01904 552255

North York Moors National Park Authority: Tel: 01439 772700

Contents

	Page
Chapter 1: Background	10
Timeframe and geographical scope of the plan	10
Statutory Requirement	11
Why produce a Joint Plan?	11
What's been done so far both individually and jointly?	11
Scope and purpose of Minerals and Waste Joint Plan	12
Sustainability Appraisal and Habitats Regulations Assessment	13
Chapter 2: Context	14
Spatial Portrait of the Plan area	14
Policy Context	17
Evidence Base	24
Mineral and Waste specific context	26
Addressing Duty to Cooperate	33
Chapter 3: Issues and Challenges	35
Chapter 4: Vision and Objectives	37
Vision and priorities	37
Objectives	39
Policies map and key diagram	42
Monitoring and Review	46
Chapter 5: Minerals	47
Aggregates supply	47
Scale of provision of sand and gravel over the Plan period	50
Scale of provision of crushed rock over the Plan period	53
Maintenance of primary aggregates supply	56
Secondary, Recycled and Marine Aggregates	64
Silica Sand	66
Clay	69
Building Stone	72
Hydrocarbons (oil and gas)	74
Coal	99
Potash Polyhalite and Salt	102
Gypsum	104
Vein Minerals	105
Borrow Pits	106
Chapter 6: Provision of Waste Management Capacity and Infrastructure	108
Introduction	108
Moving waste up the waste hierarchy	111

Strategic role of the Plan area in the management of waste	113
Meeting future waste management needs	117
Overall locational approach to provision of waste management capacity	135
Site identification principles for new waste management capacity	139
Chapter 7: Minerals and Waste Transport and Other Infrastructure	143
Non-road Transport Infrastructure for Minerals and Waste	143
Minerals Ancillary Infrastructure	146
Chapter 8: Minerals and Waste Safeguarding	149
Safeguarding mineral resources	149
Development of Mineral Resource Safeguarding Areas	152
Waste management facility safeguarding	155
Minerals and waste transport infrastructure safeguarding	156
Minerals ancillary infrastructure safeguarding	158
Consultation areas	159
Safeguarding exempt criteria	160
Sites proposed for safeguarding	160
Chapter 9: Development Management	161
Presumption in favour of sustainable minerals and waste development	161
Development Management Criteria	162
Protection of important assets	166
Water Environment	180
Reclamation and afteruse of minerals and waste sites	183
Sustainable design, construction and operation of development	187
Protection of agricultural land and soils	191
Coal Mining Legacy	192
Section 106, Community Infrastructure Levy and Planning Performance Agreements	194
Chapter 10: Introduction to site allocations	195
Appendices (these are published as separate documents)	
Appendix 1: Allocated sites	
Appendix 2: Safeguarded sites	
Appendix 3: Monitoring framework	
Appendix 4: Saved policies to be replaced by Minerals and Waste Joint Plan policies	
Glossary	197

Index of Policies

Policy Policy Title

Strategic policies for minerals

M01	Broad geographical approach to supply of aggregates
M02	Provision of sand and gravel
M03	Overall distribution of sand and gravel provision
M04	Landbanks for sand and gravel
M05	Provision of crushed rock
M06	Landbanks for crushed rock
M07	Meeting concreting sand and gravel requirements
M08	Meeting building sand requirements
M09	Meeting crushed rock requirements
M10	Unallocated extensions to existing quarries
M11	Supply of alternatives to land-won primary aggregates
M12	Continuity of supply of silica sand
M13	Continuity of supply of clay
M14	Incidental working of clay in association with other minerals
M15	Continuity of supply of building stone
M16	Key spatial principles for hydrocarbon development
M17	Other spatial and locational criteria applying to hydrocarbon development
M18	Other specific criteria applying to hydrocarbons development
M19	Carbon and gas storage
M20	Deep coal and disposal of colliery spoil
M21	Shallow coal
M22	Potash and polyhalite and salt supply
M23	Supply of gypsum
M24	Supply of vein minerals
M25	Borrow pits

Strategic policies for waste

W01	Moving waste up the waste hierarchy
W02	Strategic role of the Plan area in the management of waste
W03	Meeting waste management capacity requirements - Local Authority Collected Waste
W04	Meeting waste management capacity requirements – Commercial and Industrial waste (including hazardous C&I waste)
W05	Meeting waste management capacity requirements - Construction, Demolition and Excavation waste (including hazardous CD&E waste)
W06	Managing agricultural waste
W07	Managing low level (non-nuclear) radioactive waste
W08	Managing waste water and sewage sludge

W09	Managing power station ash and incinerator bottom ash
W10	Overall locational principles for provision of waste capacity
W11	Waste site identification principles

Minerals and waste supporting infrastructure policies

I01	Minerals and waste transport infrastructure
I02	Locations for ancillary minerals infrastructure

Minerals and waste safeguarding policies

S01	Safeguarding mineral resources
S02	Developments proposed within Minerals Safeguarding Areas
S03	Waste management facility safeguarding
S04	Transport infrastructure safeguarding
S05	Minerals ancillary infrastructure safeguarding
S06	Consideration of applications in Consultation Areas

Development management policies

D01	Presumption in favour of sustainable minerals and waste development
D02	Local amenity and cumulative impacts
D03	Transport of minerals and waste and associated traffic impacts
D04	Development affecting the North York Moors National Park and the AONBs
D05	Minerals and waste development in the Green Belt
D06	Landscape
D07	Biodiversity and geodiversity
D08	Historic environment
D09	Water environment
D10	Reclamation and afteruse
D11	Sustainable design, construction and operation of development
D12	Protection of agricultural land and soils
D13	Consideration of applications in Development High Risk Areas

List of Abbreviations

ALC	Agricultural Land Classification
AWRP	Allerton Waste Recovery Park
AD	Anaerobic Digestion
AONB	Area of Outstanding Natural Beauty
BGS	British Geological Survey
BREEAM	Building Research Establishment Environmental Assessment Methodology
CEEQUAL	Civil Engineering Environmental Quality Assessment and Award
CPRE	Campaign to Protect Rural England
CCS	Carbon Capture and Storage
CYC	City of York Council
CMM	Coal Mine Methane
C&I	Commercial and Industrial Waste
CIL	Community Infrastructure Levy
CDEW	Construction, Demolition and Excavation Waste
DCLG	Department for Communities and Local Government
DECC	Department of Energy and Climate Change (Note following departmental restructuring in July 2016 oil and gas licensing now falls within the Department for Business, Energy and Industrial Strategy - DBEIS)
DEFRA	Department of Environment, Food and Rural Affairs
EA	Environment Agency
EIA	Environmental Impact Assessment
FBA	Furnace Bottom Ash
GVA	Gross Value Added
HSE	Health and Safety Executive
LVIA	Landscape and Visual Impact Assessment
LCA	Landscape Character Assessment
LAA	Local Aggregate Assessment
LACW	Local Authority Collected Waste
LEP	Local Economic Partnership
LLR	Low Level (non-nuclear) Radioactive Waste
MCAs	Mineral Consultation Areas
MPA	Mineral Planning Authority
MSAs	Mineral Safeguarding Area
MWJP	Minerals and Waste Joint Plan
NORM	Naturally Occurring Radioactive Materials
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance
NTS	National Transmission System
NYMNPA	North York Moors National Park Authority
NY	North Yorkshire
NYCC	North Yorkshire County Council
OGA	Oil and gas authority
PEDL	Petroleum Exploration and Development Licence

PFA	Pulverised Fuel Ash
RSS	Regional Spatial Strategy
SSSI	Sites of Special Scientific Interest
SAC	Special Area of Conservation
SPA	Special Protection Area
SiDCaMP	Sustainability in Design, Construction and Management of Properties
SuDS	Sustainable Drainage Systems
UCG	Underground Coal Gasification
UKOOG	United Kingdom Onshore Oil and Gas Group
WDA	Waste Disposal Authority
WPA	Waste Planning Authority
WHS	World Heritage Site
YDNPA	Yorkshire Dales National Park Authority

A glossary of terms used in the Minerals and Waste Joint Plan is provided at the end of this document.

Chapter 1: Background

Timeframe and Geographical scope of the Joint Plan

- 1.1 The Minerals and Waste Joint Plan will cover the period 1 January 2016 to 31 December 2030. The geographical scope of the Joint Plan is the three minerals and waste planning authority areas of North Yorkshire, the City of York and the North York Moors National Park. Figure 1 below shows the area covered by the Joint Plan, referred to subsequently in this document as the 'Plan area'. Whilst a large part of the adjacent Yorkshire Dales National Park area also forms a part of the North Yorkshire sub-region, that authority is producing a separate local plan, which includes minerals and waste policies. Liaison has been maintained with the Yorkshire Dales National Park Authority during production of the respective Plans.

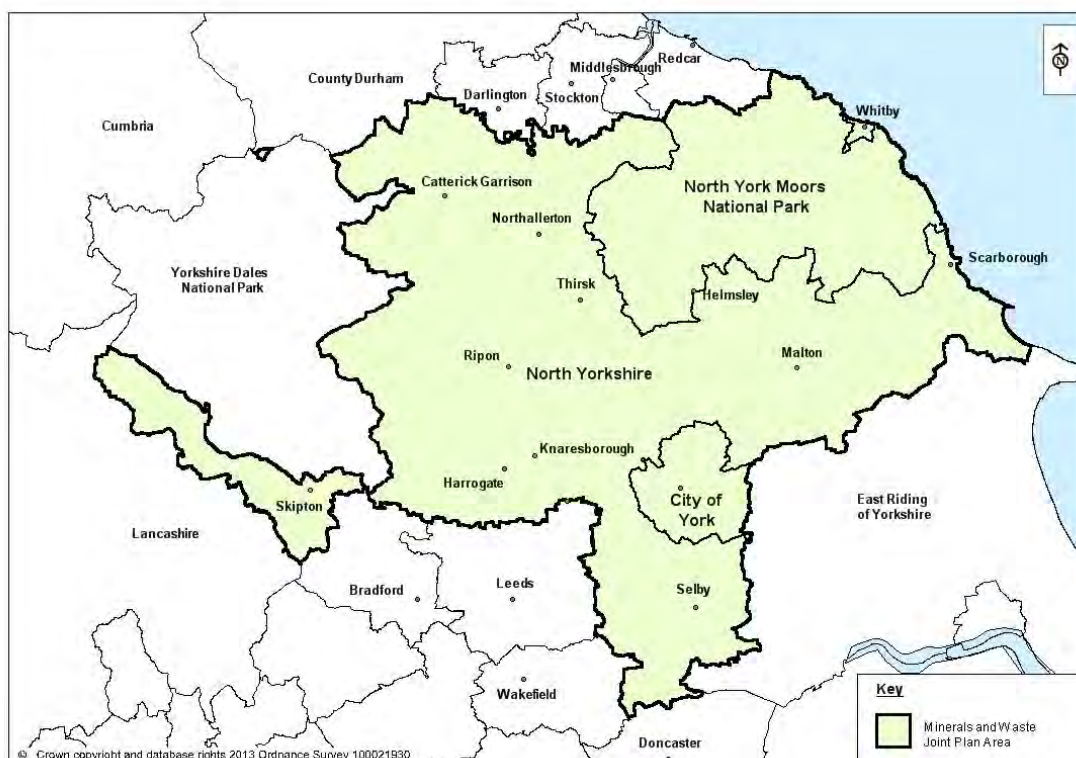


Figure 1: The Plan area

Statutory Requirement

- 1.2 Planning authorities are required, either individually or jointly with other planning authorities, to prepare a Development Plan setting out policies for the development and use of land in their area. Unitary authorities, National Park Authorities and County Councils are minerals and waste planning authorities, with the former two, along with District and Borough councils, also being local planning authorities having responsibility for all other types of development. Thus, in the Plan area, the County Council is the minerals and waste planning authority for the parts of the county located outside of the two National Parks, with the City of York Council and the North York Moors National Park Authority being responsible for minerals and waste planning within their areas. A map showing the boundaries of all the planning authorities in the Plan area is provided below.

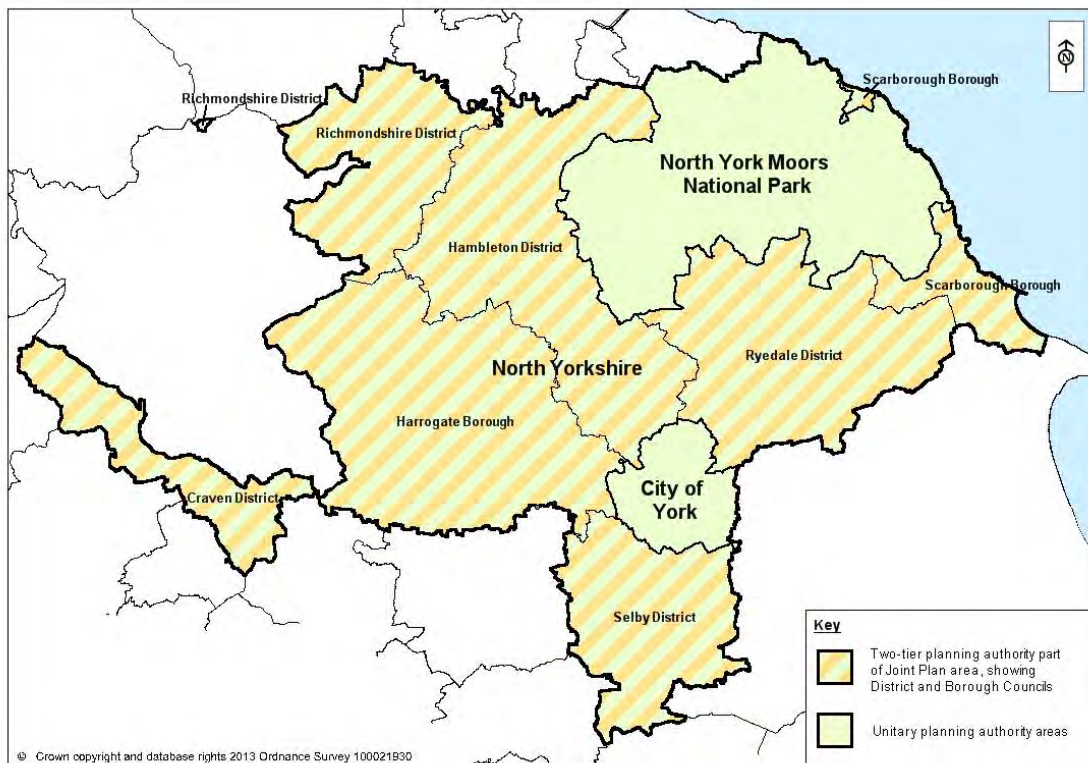


Figure 2: Planning Authority boundaries in the Plan area

Why produce a Joint Plan?

- 1.3 There is a recognition that minerals and waste planning issues often affect larger than local areas and can best be planned for at a wider than local level. In addition, one of the key changes to the planning system under the 2011 Localism Act has been the introduction of the 'duty to co-operate', which seeks to enhance the way planning authorities work together in preparing their plans. The National Planning Policy Framework (NPPF) also encourages planning authorities to consider preparing joint plans. As a result, the Authorities have decided to prepare a joint Local Plan, referred to as the Minerals and Waste Joint Plan, recognising a number of inter-relationships in the provision of minerals and the management of waste.
- 1.4 As the sole planning authorities for their areas, the City of York Council and the North York Moors National Park Authority also have responsibility to plan for other matters such as housing and commercial development land. City of York Council is currently producing a Local Plan. The Plan contains high-level policies on minerals and waste and will provide part of the strategic context for the Joint Plan. The North York Moors National Park Authority adopted its Core Strategy and Development Policies in 2008. This contains policies on minerals and waste, which will be replaced by the Joint Plan. The National Park has commenced work on a new Local Plan which will replace the Core Strategy and Development Policies. A schedule of existing policies adopted by the three authorities, which it is proposed will be replaced by new policies in the Joint Plan, is provided in Appendix 4 for information.

What's been done so far both individually and jointly?

- 1.5 The First Consultation on the Joint Plan was carried out in May/June 2013 in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This provided an introduction to some of the key

information relating to minerals and waste in the area and marked the launch of the preparation of the Joint Plan. Views were invited on what the Joint Plan should contain. The issues raised in the consultation responses, together with issues raised in previous consultations helped us to prepare an Issues and Options consultation for the Joint Plan, which was launched for consultation in February 2014. This set out a range of policy options which could be followed to help to deal with the issues identified, and invited views on these and any other options which should be considered.

- 1.6 In addition to the First Consultation and Issues and Options consultation, a 'call for sites' was also issued. This provided an opportunity for relevant parties to provide details of sites that they would wish to see identified as being suitable in principle for future minerals or waste related development. Two previous 'call for sites' had also been issued, by City of York Council in August 2012 and North Yorkshire County Council in January 2011. The various sites submitted have been considered in preparing this Joint Plan and allocated sites are set out in Appendix 1.
- 1.7 A Preferred Options consultation, representing a first full draft of the Joint Plan, was undertaken in late 2015 and early 2016 and the outcome of that process has helped finalise the Joint Plan. Prior to commencement of work on the Joint Plan, North Yorkshire County Council was in the early stages of preparing separate minerals and waste plans. Relevant information gathered from work on those plans has been carried forward into the development of the Joint Plan. Details of the responses received to the main stages of consultation can be found on the Joint Plan website at www.northyorks.gov.uk/mwjointplan.

Scope and purpose of the Minerals and Waste Joint Plan

- 1.8 The main purpose of the Joint Plan is to provide guidance to developers, local communities and other interested parties on where and when minerals and waste development may be expected over the next 15 years or so, as well as how it will be managed to reduce any adverse impacts and maximise any benefits. Minerals development includes activities such as mining, quarrying and gas extraction. Waste development includes activities such as waste recycling and the treatment and disposal of waste.
- 1.9 The Joint Plan forms part of the statutory development plan and the Authorities will use it as the starting point for decisions on planning applications for development relating to these activities. Where the Joint Plan contains relevant policies, decisions will be made in accordance with the Joint Plan unless there are other material considerations, related to planning, which indicate otherwise.
- 1.10 When using the Joint Plan to help with such decisions, it must be read as a whole. Whilst the specific policies in the Joint Plan are particularly significant in setting out the key principles on which decisions will be based, the supporting text explains in more detail how the individual policies will be interpreted and applied. It will therefore be used by the planning authorities, in conjunction with the policies, to guide their approach to decision-making.
- 1.11 The Joint Plan needs to deal with a wide range of matters and set out a clear local approach on relevant issues. It also needs to meet a number of tests of 'soundness' set by Government. These require that a plan is: Positively prepared - it meets identified needs for development, including needs arising outside the area where appropriate;

- Justified - it represents the most appropriate strategy for the area based on proportionate evidence;
- Effective - it is capable of being delivered, and;
- Consistent - it is generally consistent with national planning policy

Meeting these tests inevitably constrains the scope and content of the Joint Plan and requires that a balanced approach is taken on the various issues that can arise.

- 1.12 As well as contributing to the supply of important raw materials and sources of energy, minerals and waste development can give rise to a range of adverse impacts, such as on the environment, local communities and businesses, which need to be minimised. Helping to achieve a suitable balance between these potentially conflicting objectives is a key role of the Joint Plan.
- 1.13 In this respect, an important matter addressed in the Joint Plan is the potential for a rapid rise in commercial interest in development of shale gas resources in the eastern part of North Yorkshire. This follows the recent announcement of new Government exploration and development licences in the area, which may lead to the submission of more proposals for this form of development during the lifetime of the Joint Plan.
- 1.14 Accommodating new development of this nature, whilst ensuring a high degree of protection to the environment and local communities, is a key challenge. To reflect the significance of this rapidly evolving issue, the Joint Plan sets out a comprehensive range of policies and supporting information for oil and gas that will need to be taken into account, both by developers in coming forward with proposals and by the planning authorities in taking relevant decisions. In summary, the Joint Plan provides a degree of flexibility for development to take place in suitable locations, and where it can be carried out in a way which ensures a high degree of protection to those existing qualities of the area which make it a particularly distinctive and valued place in which to live, work and visit. The planning authorities will be guided by this principle when fulfilling their planning responsibilities.

Sustainability Appraisal and Other appraisals to support the Joint Plan

- 1.15 Sustainability Appraisal of a Local Plan is a statutory requirement under the Planning and Compulsory Purchase Act 2004 and Strategic Environmental Assessment is required by European law. The two assessments have been undertaken simultaneously in relation to the Joint Plan under the term Sustainability Appraisal. The Sustainability Appraisal assesses the potential effects of the Joint Plan at each stage in relation to sustainability objectives. Where appropriate, recommendations arising from the appraisal process have been incorporated into the content of the Joint Plan. Information relating to Sustainability Appraisal is available in the Sustainability webpage: www.northyorks.gov.uk/mwsustainability.
- 1.16 Habitats Regulations Assessment, required by European law, is concerned with ensuring that the Joint Plan will not cause harm to the integrity of Special Areas of Conservation, Special Protection Areas and Ramsar sites. Each policy and site has been assessed in terms of its likely significant effects and the outcome of this process can be viewed in the Habitats Regulations Assessment report on the sustainability webpage.
- 1.17 A Strategic Flood Risk Assessment (SFRA) has also been carried out and is available as part of the evidence base for the Joint Plan.

Chapter 2: Context

- 2.1 This Chapter provides information relating to current planning policy, both national and local, supporting evidence for the Joint Plan and a description ('spatial portrait') of the Plan area, setting out information about what the area is like now, as well as an introduction to minerals and waste development. It provides a summary of the background information identifying the issues and challenges the Joint Plan needs to address.

Spatial Portrait of the Plan area

- 2.2 A detailed description of the Plan area can be found within the evidence supporting the Joint Plan, all of which can be found on the Joint Plan website at www.northyorks.gov.uk/mwevidence.
- 2.3 The Plan area covers the combined area of the three minerals and waste planning authorities of North Yorkshire County Council, (NYCC), the City of York Council, (CYC), and the North York Moors National Park Authority (NYMNP). The three authority areas form the major part of the North Yorkshire sub-region, along with the adjacent Yorkshire Dales National Park Authority area. A separate local plan, including minerals and waste issues, is being prepared by the Yorkshire Dales National Park Authority. Although the majority of the North York Moors National Park Authority area lies within North Yorkshire, a small part in the north of the National Park falls within Redcar and Cleveland Borough Council (see fig. 7). The National Park Authority is the planning authority for the whole of the area of the National Park but Redcar and Cleveland Borough Council remains the Waste Management Authority for the part of the National Park within Redcar and Cleveland, with responsibility for the collection and disposal of waste.
- 2.4 The total extent of land covered by the Plan area is 6,718 square kilometres – this is a particularly large and diverse area. The NYCC area is largely rural, containing a number of small market towns and numerous villages, along with the larger urban areas of Scarborough and Harrogate. The CYC area is focussed upon the historic city of York and is mostly urban, with a rural hinterland. The NYMNP is very rural and sparsely populated. It was designated as a National Park due to its 'intrinsic merits as an area of beautiful and unspoilt country and magnificent coast with a wealth of architectural interest.'
- 2.5 There are seven District or Borough Councils within the NYCC area¹. These are all producing or updating a local plan for their area. The decisions by these Councils in respect of their own plans have implications for the wider area in terms of housing growth and economic development. In turn these provide relevant context for the policies in the Joint Plan. The area of Craven District which lies outside the Yorkshire Dales National Park (and hence falls within the Plan area - see fig 2) is partly separated from the remainder of the Plan area, in administrative terms, by the National Park. However, in functional terms (for example in relation to waste management arrangements) the area is closely linked to the remainder of the Plan area, as well as to other parts of the Leeds City Region located to the south-east.

¹ These are Craven, Hambleton, Richmondshire, Ryedale and Selby Districts and the Boroughs of Harrogate and Scarborough.

- 2.6 A total of about 829,000² people live within the Plan area. At an average of 123 people per km² it is more sparsely populated than many English counties, even taking account of relatively high population density in York. Most of these live within the NYCC area whilst 204,400 live in York and 23,200 live in the North York Moors National Park. It is forecast that the population of the Plan area will grow to around 874,300³ by 2030. York is a fast growing city with a population increase of 9.2% between 2001 and 2011. It is forecast that this relatively high growth will continue, with the population of York reaching around 228,900 by 2030. Relatively high growth is also projected for Selby District, whereas growth in other parts of the Plan area is expected to be more modest. Increase in population is expected to be accompanied by a proportionately higher increase in the number of households, as a result of an expected decline in average household size. Correspondingly high rates of housing growth are proposed in some parts of the Plan area in response to these expected changes.
- 2.7 The largest commercial and industrial sectors in the Plan area are retail, accommodation and food services and manufacturing, although in York transport and storage is also a prominent sector and in the North York Moors National Park agriculture, mining, forestry and fishing are important. Selby District contains a significant proportion of the area's industry, including power generation. However, coal mining in Selby District ceased at the end of 2015. Within NYCC a very high proportion of the area is occupied by agricultural land, much of which is graded as being of 'best and most versatile' quality. The high quality of the Plan area's natural and cultural heritage and environment and the presence of a substantial length of attractive coastline mean that tourism and recreation is also of importance to the local economy.
- 2.8 Unemployment in the Plan area is generally lower than the regional and national average. Employment in mining and quarrying represents around 1% of employment, although Boulby Potash Mine is the largest employer in the North York Moors National Park. Approval has recently been granted for a second polyhalite mine in the Park and this is planned to be developed within the course of the Plan period, providing substantial additional employment in this sector. Around 1,800 people work in industries related to waste in North Yorkshire.
- 2.9 The main transport links in the area run on a north-south axis, via the A1M and A19 and the East Coast Main Line. East-west routes are generally poorer except from York and the East Coast Mainline, and many of the more rural parts of the area are particularly remote from major transport networks.
- 2.10 The Spatial Plan for York, North Yorkshire and East Riding indicates that the overall focus for growth is to realise the benefits of significant development and investment opportunities in the North-South Corridor focussed on the A1/A19 and East Coast Mainline. Although the Spatial Plan is not a Statutory Plan it is a material consideration in decision-taking. The Plan area is also closely related to its more urban neighbours – the Tees Valley to the north and the Leeds City Region to the south. The Districts of Craven, Harrogate and Selby, along with York, are all part of the Leeds City Region. The economies of the Tees Valley and Leeds City Region are particularly relevant to North Yorkshire as commuter patterns cross into these areas. Population and household growth in adjacent urban areas is also expected to

2 ONS 2014 mid-year estimate

3 ONS 2014 based sub-national projections

be relatively high, particularly in West Yorkshire, and population and economic growth in these areas may have implications for minerals demand in North Yorkshire.

- 2.11 The North York Moors National Park was designated in 1952. The diverse landscape of the National Park includes open heather moorland, interspersed by narrow dales, extensive woodland areas, high coastal cliffs and dramatic geological features such as Sutton Bank and Roseberry Topping. The statutory purposes for National Parks, as set out in the 1995 Environment Act, are to 'conserve and enhance the natural beauty, wildlife and cultural heritage of the Park and promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public'. In pursuing these two purposes the 1995 Act also places a duty on National Park Authorities 'to seek to foster the economic and social well-being of local communities'.
- 2.12 There are two AONBs wholly within the Plan area - Howardian Hills and Nidderdale - as well as small parts of two others, Forest of Bowland and North Pennines. In terms of national planning policy the AONBs enjoy the same level of landscape protection as National Parks. The primary aim of the designation is to conserve and enhance the natural beauty of the landscape. Much of the coastline of the Plan area is defined as Heritage Coast for its natural beauty. A number of local landscape designations have been identified by the District and Borough councils. The implications of a large part of the Plan area being designated as either National Park or AONB are significant in terms of planning for minerals and waste, which are typically relatively large-scale developments of industrial character, as there is a presumption against major development in these areas.
- 2.13 As well as large areas being designated as a National Park or AONB, the Plan area contains numerous other important environmental and heritage designations. Large tracts of the area, particularly the uplands, are designated at European level as a Special Area of Conservation for habitats or Special Protection Area for their importance to wildlife. There are also around 865km² of Sites of Special Scientific Interest, some of which are also subject to the European designations such as the River Derwent and Derwent Ings, as well as five National Nature Reserves and 15 Local Nature Reserves. There are also many locally designated wildlife sites across the Plan area. This network of sites contributes to the overall biodiversity and geodiversity of the Plan area. Much of the woodland in the Plan area is located in the North York Moors National Park, which has around 310km², and there is around 80 km² of ancient woodland in the Plan area. There are also many non-designated parts of the Plan area which are nevertheless very important for biodiversity and local amenity and leisure, such as within towns and villages, on agricultural land or along road verges.
- 2.14 There is 361km² of Green Belt designated in the Plan area around York, although the inner boundary is still to be defined. The general aim of Green Belt policy is to maintain open space around large urban areas, although the main purpose of the York Green Belt is to protect the historic character and setting of the City. Parts of the western fringe of Selby District fall within the West Yorkshire Green Belt.
- 2.15 Within the Plan area there are 327 Conservation Areas, over 14,000 Listed Buildings and 1,605 Scheduled Monuments as well as thousands of other non-designated heritage assets. Fountains Abbey and Studley Royal World Heritage Site is also located in the Plan area. The relatively flat and low lying landscape of York allows for views of the Minster and the green wedges and strays are an important part of the setting of York. The City's status as an Area of Archaeological Importance recognises the value of the Minster, around 2000 listed structures and a number of scheduled monuments, including the city walls, Clifford's Tower and St Mary's

- Abbey. The cultural heritage of the North York Moors National Park was one of the reasons behind its designation and it contains a particularly high concentration of Scheduled Monuments.
- 2.16 The Plan area contains numerous opportunities for recreation, leisure and research including over 12,000km of public rights of way, many gardens, historic houses and castles, the historic city of York and the North York Moors National Park and is therefore important as a visitor destination.
- 2.17 Ecosystems services are the services provided by the natural environment which help to support human life. Ecosystems services provided by the Plan area include food production, raw materials, recreation, landscape and aesthetic benefits, opportunities for carbon capture, pollination and climate and water regulation. Maintaining biodiversity is important in the provision of ecosystems services.
- 2.18 Large parts of the lower lying areas covered by the Joint Plan are at risk from flooding, particularly around York, Selby and the Vale of Pickering. Some parts, particularly around Northallerton, the area to the west of York, the area to the south of Selby and the southern parts of the North York Moors National Park are classified as Groundwater Source Protection Zones and most of the lower lying parts of the area are classified as Nitrate Vulnerable Zones, where water quality needs to be protected. In addition Principal Aquifers, which usually provide a high level of groundwater storage, have been designated in some locations. They may support water supply and/or river base flow on a strategic scale, and therefore need additional protection.
- 2.19 Air quality is generally good but a small number of urban locations have been designated as Air Quality Management Areas, including in Knaresborough, Ripon, Malton and three in York. The York AQMAs are based on breaches of health-based objectives for nitrogen dioxide. Nitrogen dioxide is the result of emissions from a variety of different sources, however by far the main source is transport-related emissions including from diesel engines and HGV traffic. As such, it is possible that the boundaries of the existing AQMAs may change over time (or indeed new AQMAs may be declared) as a consequence of more development across the City. The City Council has recently adopted a Low Emissions Strategy and is developing planning guidance to reduce the emissions impact of new developments.
- 2.20 The assets referred to in the paragraphs above combine to create networks of green infrastructure across the Plan area, providing habitats for wildlife as well as opportunities for recreation.

Policy Context

National policy

- 2.21 The National Planning Policy Framework (NPPF) contains the Government's overarching policies on minerals planning. It contains a number of policies relating to specific minerals types which are considered later in the Joint Plan. The NPPF identifies a need to ensure that a continuous supply of minerals is available to support the economy and states that great weight should be given to the economic benefits of minerals extraction, whilst also making clear that minerals should be used sustainably. It identifies a range of minerals that are of 'local and national importance' for which planning authorities should have policies. Minerals 'of local

and national importance' of relevance to the Plan area are aggregates, brickclay, silica sand, gypsum, salt, fluorspar, coal, gas, potash and building stone.

- 2.22 The NPPF sets out specific policies in relation to the supply of a number of types of minerals. It requires the maintenance of landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, at least 10 years for silica sand sites (more in some circumstances) and at least 25 years for clay sites. It also requires planning authorities to consider how to meet demand for minerals for the repair of historic assets.
- 2.23 In aiming to reduce the need to extract primary minerals and also find uses for waste materials, the NPPF requires planning authorities to take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials before considering extraction of primary materials. It also places an emphasis upon safeguarding mineral resources for future use and safeguarding minerals infrastructure.
- 2.24 In relation to gathering appropriate evidence on minerals the NPPF states:
- 'Minerals Planning Authorities should work with other relevant organisations to use the best information to:
- Develop and maintain an understanding of the extent and location of mineral resources in their areas; and
 - Assess the projected demand for their use, taking full account of opportunities to use materials from secondary and other sources which could provide suitable alternatives to primary minerals'.
- 2.25 These policies have been addressed through the production of a range of evidence papers which support the Joint Plan.
- 2.26 The NPPF also places emphasis upon conserving important landscape and heritage assets by requiring that landbanks for non-energy minerals are provided outside National Parks, AONBs, Scheduled Monuments and World Heritage Sites. This is relevant as a relatively large proportion of the Plan area is subject to such designations. In National Parks and AONBs many minerals and waste developments would be classed as 'major development' and should not be permitted except in exceptional circumstances as defined by a series of considerations known as the 'major development test' (see Glossary). The NPPF advises that in considering planning applications substantial weight should be given to any harm to the Green Belt but also advises that minerals extraction is not considered to be inappropriate development within Green Belt, provided the development would not conflict with the purposes of including land within it. This is addressed further in Chapter 9 Development Management.
- 2.27 National waste planning policy is informed by European waste policy such as the Waste Framework Directive (2008), which introduced the concept of the Waste Hierarchy. The Landfill Directive (1999) is a key driving factor behind the diversion of waste from landfill and aims to reduce the negative effects of landfilling on the environment and human health. This Directive sets a 2020 target to reduce the total amount of biodegradable municipal waste sent to landfill by 35%, using 1995 as a baseline year. A further important consideration, relevant to planning for both waste and minerals, is the Climate Change Act and an associated requirement at a national level to reduce greenhouse gas emissions by 80% below 1990 levels by 2050.
- 2.28 The NPPF does not contain specific policies on planning for waste management although its policies remain generally relevant. A new National Waste Planning

Policy was published in October 2014. It operates alongside the Waste Management Plan for England and National Policy Statements for Waste Water and Hazardous Waste. The new policy states that planning strategies should help to drive waste up the waste hierarchy, deliver sustainable development and resource efficiency, provide appropriate infrastructure and enable businesses and communities to take more responsibility for their own waste without harming human health or the environment, including protecting the Green Belt. The waste hierarchy, shown in Figure 3 below, places priority on the prevention of waste, followed by re-use, then recycling, then other recovery (which can include recovering energy from waste) and finally disposal as a last resort.

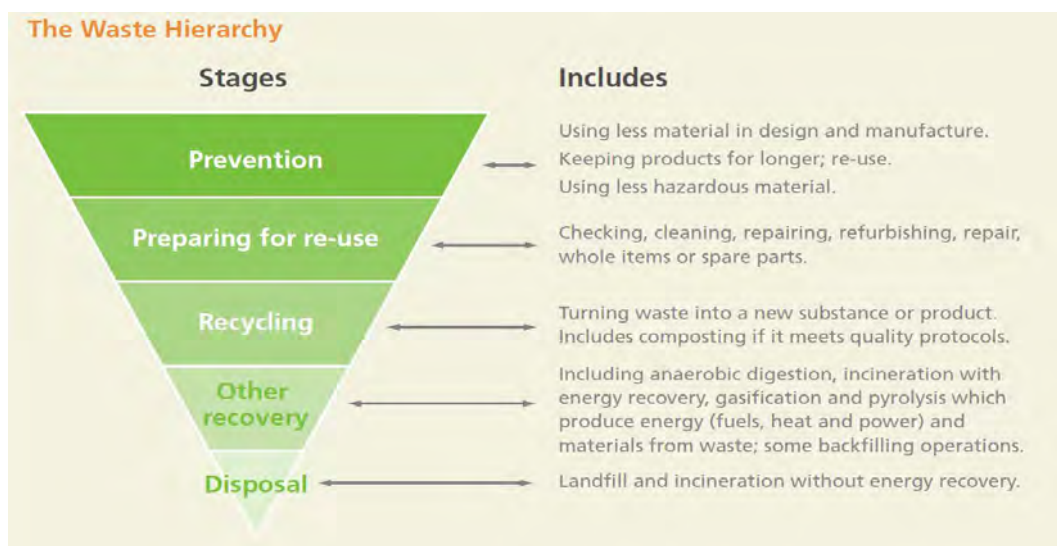


Figure 3: Waste hierarchy (Defra, Government Review of Waste Policy 2011)

- 2.29 Waste planning authorities are required to identify sites and areas for new or enhanced waste management facilities for the management of the waste needs in their areas. In identifying suitable sites and areas, they should identify the broad type or types of waste management facility that would be appropriately located on the allocated site or area, plan for the disposal of waste and recovery of mixed municipal waste in line with the proximity principle, consider opportunities for on-site management of waste where it arises and look for opportunities to co-locate facilities with complementary activities. The new national policy indicates that planning authorities should first look outside the Green Belt for suitable sites and areas for waste facilities which, if located in the Green Belt, would be inappropriate development.
- 2.30 It also places greater emphasis on considering needs for waste management capacity of more than local significance, and on joint working between waste planning authorities to provide a suitable network of facilities through considering waste arising across neighbouring authority areas.
- 2.31 In 2004 the UK implemented the EU Water Framework Directive, which sets out a range of objectives aimed at protecting and improving the ecological health of rivers, lakes, estuaries and coastal and groundwaters. The Directive places a range of obligations on developers and planning authorities to further these objectives and these have informed the content of the Joint Plan.

Local Policy and Strategies

- 2.32 A number of local policy or strategy documents provide relevant context for the Joint Plan. The key relevant local policy documents forming part of the evidence base for the Joint Plan can be viewed at www.northyorks.gov.uk/mwevidence.

Municipal Waste Management Strategies

- 2.33 The waste disposal authorities covering the Plan area (NYCC, CYC and Redcar and Cleveland Borough Council) set out the approach to management of municipal waste (now often referred to as local authority collected waste).

- 2.34 A small part of the North York Moors National Park lies within Redcar and Cleveland Borough and the local authority collected waste generated within that area has been considered as part of the adopted Tees Valley Minerals and Waste Core Strategy. The most relevant strategy for the Joint Plan is therefore the joint Municipal Waste Management Strategy for the City of York and North Yorkshire. This was adopted in 2006 and sets targets and policies for the period up to 2026. The strategy's objectives and targets are:

- To reduce the amount of waste produced in York and North Yorkshire to make us one of the best performing areas in the country by 2013
- To promote the value of waste as a natural and viable resource by:
 - Re-using, recycling and composting the maximum practicable amount of household waste;
 - Maximising opportunities for re-use of unwanted items and waste by working closely with community and other groups;
 - Maximising the recovery of materials and/or energy from waste that is not re-used, recycled or composted so as to further reduce the amount of waste sent to landfill.

- 2.35 With regard to recycling and composting the Strategy aims to achieve the following targets as a minimum:

- Recycle or compost 45% of household waste by 2013
- Recycle or compost 50% of household waste by 2020.

In addition to the targets above the Strategy also sets a target to, as a minimum:

- Divert 75% of municipal waste from landfill by 2013.

- 2.36 These targets are considered in more detail and in relation to current performance and future requirements in Chapter 6 of the Joint Plan.

Local Plans

- 2.37 CYC is a 'unitary planning authority' while the National Park is the 'sole planning authority', meaning that they are the only planning authority for their areas and are therefore responsible for local planning (e.g. housing, employment uses, etc.) as well as minerals and waste planning⁴. The Joint Plan will operate alongside the wider planning policies for these areas which will also be factors in determining minerals and waste planning applications.

⁴ The National Park Authority is defined as the 'sole planning authority' for the National Park in the 1995 Environment Act.

- 2.38 City of York Council officers produced a publication draft Local Plan in autumn 2014. This process however was halted by a Council resolution on 9th October 2014. In response to both the Council resolution and the changed context in terms of housing figures, officers initiated a work programme cumulating in the 'Local Plan – Preferred Sites 2016' document and the other supporting technical documents which were published for public consultation July-September 2016.
- 2.39 The 'Local Plan – Preferred Sites 2016' documents focus on additional work relating to housing and employment land need and supply. A 'Local Plan – Publication Draft' which will contain all proposed allocations and planning policies will follow in late 2016 with submission expected in May 2017. This will include a strategic approach to minerals and waste setting out the main principles for York.
- 2.40 As the York Local Plan is still under preparation, its progress, including the definition of a permanent Green Belt for York, will be reflected within subsequent documents produced in relation to the Joint Plan. York Green Belt has been established for many years but has never been formally adopted. Whilst the Regional Strategy for Yorkshire and Humber has otherwise been revoked, its York Green Belt policies have been saved together with the key diagram which illustrates those policies and the general extent of the Green Belt around York.⁵
- 2.41 NYMNPAs adopted its Core Strategy and Development Policies in 2008. This contains strategic planning policies as well as development management policies. The minerals and waste policies (Core Policy E and Core Policy F) will be replaced by the Joint Plan, however all other policies will remain in place pending the preparation of a new Local Plan for the National Park. Of particular relevance is Core Policy A which sets the overall principles for development in the National Park, and aims to 'further the National Park purposes and duty by encouraging a more sustainable future for the Park and its communities whilst conserving and enhancing the Park's special qualities'. Of further relevance to the Joint Plan and the supply of minerals are the conservation and design policies, which specify that the use of the correct materials is important in ensuring new development can be assimilated into the landscape.
- 2.42 The development plans of local planning authorities within and around the Plan area set out future requirements for housing and employment development, including through allocations of land for such uses, as well as identifying major building projects in the area. Some of these plans are still at a draft stage. Economic growth and new building are linked to demand for minerals and the generation of waste. It is therefore important to understand the likely scale of development which may take place over the Plan period. An analysis of current housing requirements reveals that there are plans for around 3,250 new houses per annum in the North Yorkshire Sub-region. Housing growth is also expected to be linked to additional development for employment purposes and a range of social and economic infrastructure. In addition, major infrastructure projects, some of which are planned at a national level, such as the High Speed 2 rail line and the proposed gas-fired power station near Knottingley may, if developed, also generate demand for minerals. Specific figures for new housing growth and employment land are likely to change over time as new or revised local plans are prepared.
- 2.43 The information above nevertheless suggests that the Joint Plan should support the continued supply of minerals in order to meet local development and economic

⁵ The Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013 came into force on 22nd February 2013.

needs. The scale of new development expected within the Plan area will also have a bearing on the range, and scale of waste management capacity and facilities that should be planned for, and this has been considered in the waste arisings and capacity work which is discussed in Chapter 6.

Sustainable Communities Strategies

- 2.44 The North Yorkshire Sustainable Community Strategy is produced by the Chief Executives Group North Yorkshire and York and Local Government North Yorkshire and York Partnership Group, an organisation comprising a range of public, private and voluntary sector bodies. The North Yorkshire Community Plan relates to the period 2014-2017 and sets out three key priorities for the Partnership to focus on over the next three years. These are to:
- facilitate the development of key housing and employment sites across North Yorkshire by delivering necessary infrastructure investments through partnership;
 - support and enable North Yorkshire communities to have greater capacity to shape and deliver the services they need and to enhance their resilience in a changing world; and
 - reduce health inequalities across North Yorkshire.
- 2.45 The City of York Council's Strategic Plan, 'The Strategy for York 2011 – 2025', was produced by the Without Walls partnership of public, voluntary and business organisations. The guiding principles of the strategy are focused on 'inclusion and enrichment' and 'reducing our environmental impact'. The long-term objective is that 'York will be a leading sustainable city by demonstrating strong performance in tackling climate change, resource efficiency, environmental protection and enhancement (natural and built environments), sustainable transport and quality of life for all, and whilst respecting its special qualities and capacity for growth accordingly'.

North York Moors National Park Management Plan

- 2.46 National Park Authorities must produce a National Park Management Plan setting out the vision, aims and policies for the management of the National Park over a 15 year period. Planning Practice Guidance on the natural environment states that, although not part of the statutory development plan, National Park Management Plans may be material considerations when determining planning applications. The North York Moors National Park Management Plan was adopted in 2012. Within the context of delivering the statutory National Park purposes, the Plan focuses upon the Park's ecosystem services, setting out a strategy to conserve and enhance the National Park's special qualities and improve habitat networks whilst at the same time supporting new woodland, increased agricultural production, more visitors and renewable energy generation. The Plan aims to protect the Park's landscape, biodiversity, natural and historic environment and tranquil areas, provide opportunities for enjoying and understanding the Park's special qualities, promote the North York Moors brand and support the local economy. It contains a policy which aims to reduce the amount of waste generated and increase the amount of waste which is re-used or recycled. Although covering a 15 year period, National Park Management Plans are to be reviewed on a five yearly basis to take account of any changes in circumstances, pressures or opportunities facing the National Park. At the time of preparing the Joint Plan the National Park Authority was in the process of carrying out its first review of the Management Plan, which will be finalised in 2017.

Strategic Economic Plan

- 2.47 The Strategic Economic Plan for North Yorkshire, City of York and the East Riding was published by the Local Enterprise Partnership (LEP) for the area in March 2014. In addition to setting out a vision for the area to become 'a thriving prosperous place where businesses are growing in size, number and long term profitability', the Strategy identifies a number of matters of more specific relevance to the Joint Plan. These include a focus on the area becoming a 'UK leader in food manufacturing, agriculture and biorenewables', and 'Driving Growth in our towns and the City of York'. The Strategy recognises a strong connection between food and agriculture and natural resources, especially biorenewables, for example using farm waste to produce energy through anaerobic digestion. It also indicates an intention to focus strategic investment in growth towns identified within the area's local plans, as well as development in the City of York to support its ambition to be a top 5 UK City. In smaller towns and rural areas the focus is on locally led economic development. The Strategy makes specific reference to the inward investment potential of the proposed second potash mine in the North York Moors National Park, as well as the biomass and carbon capture and storage proposals at Drax power station. Specific messages of relevance to the MWJP are:
- Ambition to: create 20,000 jobs; generate £3 billion growth; major investment in agri-tech and bio-renewables and double the rate of house building.
 - £1billion generated annually in exports from the proposed potash mine.
 - Potential for sustainable energy and resource efficiency in farm and food businesses - this includes producing energy from waste with significant investment already made in this technology within the area, as well as an overall aim to grow the bio-economy by 40%.
 - Support for investment in energy and resource efficiency, turning waste into a resource of renewable energy and income stream, with the overall outcome to achieve a reduction in waste and carbon emissions.
- 2.48 The southern part of the Plan area (Craven, Harrogate, York and Selby council areas) also falls within the Leeds City Region Local Enterprise Partnership Area. The Leeds City Region Strategic Economic Plan (March 2014) sets out four strategic priorities: Supporting business and enterprise; Enabling a skilled and flexible workforce; Fostering a low carbon, sustainable economy; and, Creating the infrastructure for growth.
- 2.49 Although only a small part of the Plan area falls within the Tees Valley Local Economic Partnership area, managed by Tees Valley Unlimited, it is still important to consider the influence which economic growth from outside the Plan area may have. The Strategic Economic Plan, published May 2014, contains a number of ambitions relevant to the Joint Plan, including: to drive the transition to a High Value Low Carbon economy, focused on renewable energy, new technology, biological feed stocks and reduction in carbon foot print of existing industries; a growing demand for advanced manufacturing products and services with potential to exploit the restructuring of domestic energy and environmental markets, onshore and off shore low carbon opportunities, energy from waste and the potential to exploit shale gas, and leading the way in energy from waste.

Climate Change

- 2.50 Addressing the causes and effects of climate change, and contributing to wider targets, is being taken forward through a number of local strategies. The City of York Council approved a Climate Change Framework and accompanying Action Plan in 2010 to ensure that, over time, York accelerates actions to reduce carbon emissions.

It commits the City to a 40% reduction in CO₂ emissions by 2020 (based on a 2005 baseline) and an 80% reduction by 2050 (based on a 1990 baseline). It also commits the City to making full use of the potential for low carbon, renewable and localised sources of energy generation and highlights 10 key issues for the City to focus on, including sustainable planning and waste management. North Yorkshire County Council's Climate Change Strategy aims to reduce the impact of climate change across North Yorkshire by firstly looking at its own services and operations and secondly working with partners to support the wider community of North Yorkshire to reduce the impact on climate change. Mitigating and adapting to climate change is identified as one of the key pressures for change in the North York Moors National Park Management Plan and is integral to many of its policies and actions. A new climate change target was adopted by the UK Government in late 2015 as a result of the Paris agreement. A range of work is taking place alongside preparation of the Joint Plan to help ensure that relevant issues are taken into account, including a Sustainability Appraisal incorporating Strategic Flood Risk Assessment.

Evidence Base

- 2.51 Some of the key documents used in preparing the draft Joint Plan are listed below and these, along with other evidence documents are available at www.northyorks.gov.uk/mwevidence.

Minerals and Waste Joint Plan Evidence Papers

- 2.52 Each of the authorities has produced specific evidence papers relating to their area. These provide a detailed account of the geological distribution, technical properties and uses, historic and current activity and policy framework for each mineral in each planning authority area. A Yorkshire and Humber Waste Position Statement has been produced jointly by all WPAs in Yorkshire and Humber to help to provide a wider evidence base for waste plans. Evidence papers relating to economic and environmental aspects of the Plan area, as well as on a number of other specific topics, have also been produced on a joint basis. Some of the main ones are identified below.

Local Aggregates Assessment

- 2.53 All minerals planning authorities are required to produce a Local Aggregates Assessment (LAA). This must be based on a rolling average of 10 years sales data and other relevant local information and include an assessment of all supply options for aggregate minerals (including marine-dredged, secondary and recycled sources). The Authorities, along with the Yorkshire Dales National Park Authority, published their first Local Aggregates Assessment in March 2013. A review was carried out with updated information, including a revised approach to forecasting future demand for aggregate, leading to a revised LAA being produced in 2015. A further review and updating was carried out in 2016 and it is intended to review the LAA on an annual basis. Specific findings of the LAA are considered within the aggregate minerals sections in Chapter 5.

Marine Dredged Sand and Gravel

- 2.54 The minerals planning authorities in the Yorkshire and Humber area appointed consultants (URS Environment and Infrastructure UK Ltd) to assess the extent to which off-shore sand and gravel resources could increase supply to the area, which could have implications for the amount of sand and gravel required to be supplied from land-based quarries. This is identified in the Local Aggregate Assessment (see

above) as a matter which needs to be kept under review. The report published in January 2014 suggests that there is potential for a significant increase in supply of marine aggregate into the Yorkshire and Humber area, but that this is unlikely to occur in the short term (within 5 years), whereas over the medium to long term, particularly the latter, there is potential to provide a significant increase in supply subject to additional investment in existing and new infrastructure. A shift in supply towards marine sources is relevant to the Plan area because of the potential implications for sand and gravel supply requirements from land won resources in North Yorkshire, although it is considered unlikely to have a substantial impact over the current Plan period.

Minerals Safeguarding Studies

- 2.55 The National Planning Policy Framework requires planning authorities to define Minerals Safeguarding Areas, to protect resources from sterilisation by other forms of development. British Geological Survey was commissioned to carry out work to identify Mineral Safeguarding Areas within the Plan area. The outcome of the work has been used to help to inform the approach to Mineral Safeguarding taken within the Plan.

Updated sand and gravel assessment

- 2.56 As part of the work on minerals safeguarding, a re-assessment of the distribution of potentially viable sand and gravel resources in the area was also undertaken by British Geological Survey on behalf of NYCC and CYC. This has identified a revised overall distribution of potential resources and has formed the basis for identifying safeguarding areas for sand and gravel, as well as assisting with identifying locations for future development.

Waste Arisings and Projections

- 2.57 The Authorities commissioned consultants Urban Vision to provide evidence in relation to waste arisings and capacity for the Joint Plan authority areas. The Yorkshire Dales National Park Authority was also involved and information relating to the Yorkshire Dales National Park forms part of the outputs.
- 2.58 The work provides an assessment of likely future arisings to 31st December 2030 in relation to local authority collected waste⁶, commercial and industrial waste, construction, demolition and excavation waste, hazardous waste, agricultural waste, local level non-nuclear radioactive waste and waste water / sewage sludge. These projections are set within the context of varying growth scenarios. The work, which was updated in 2016, identifies the available capacity of existing waste management facilities and any potential 'gap' between existing capacity and capacity likely to be required over the Plan period. The work and its conclusions are discussed in Chapter 6. Information has also been drawn from the Yorkshire and Humber Waste Position Paper, prepared jointly by waste planning authorities in the area and updated during 2016.

⁶ The study does not generate new projections of arisings for LACW but incorporates projections already generated by the York and North Yorkshire Waste Management Partnership, who have responsibility for management of this waste stream, as these projections are considered to be robust

Sustainability Appraisal

- 2.59 The Sustainability Appraisal helps to ensure that environmental, social and economic considerations are integrated into the production of the Joint Plan. Sustainability Appraisal has shaped the content of the Joint Plan. The Sustainability Objectives used to assess the Joint Plan have been developed by taking account of the objectives of many other plans, policies and programmes which are relevant to the Plan area, along with other considerations and have been agreed through consultation on the Scoping Report. This consultation took place alongside the initial consultation on the draft Joint Plan in 2013, including two workshops with key stakeholders. The scoping report and other sustainability appraisal reports supporting the Joint Plan can be accessed here: www.northyorks.gov.uk/mwsustainability.

Mineral and Waste specific context

- 2.60 The purpose of this section is to provide more background to the development of the policies in the Joint Plan. It is derived mainly from information in the evidence base for the Joint Plan, which can be accessed at www.northyorks.gov.uk/mwevidence. More information on minerals and waste issues is contained in Chapters 5 and 6.

Minerals

- 2.61 Minerals are important as they provide many of the raw materials necessary for construction, energy and industry. They are therefore essential in helping to sustain economic growth. For these reasons, Government attaches importance to planning for their supply, whilst at the same time requiring that the impacts of extracting them are kept within acceptable limits. An important consideration in planning for minerals is that they can only be worked where they occur in sufficient quantity and quality and this fundamental geological constraint will always be a key influence on minerals planning. Figures 4 and 5 below show the overall distribution of potential minerals resources in the Plan area.

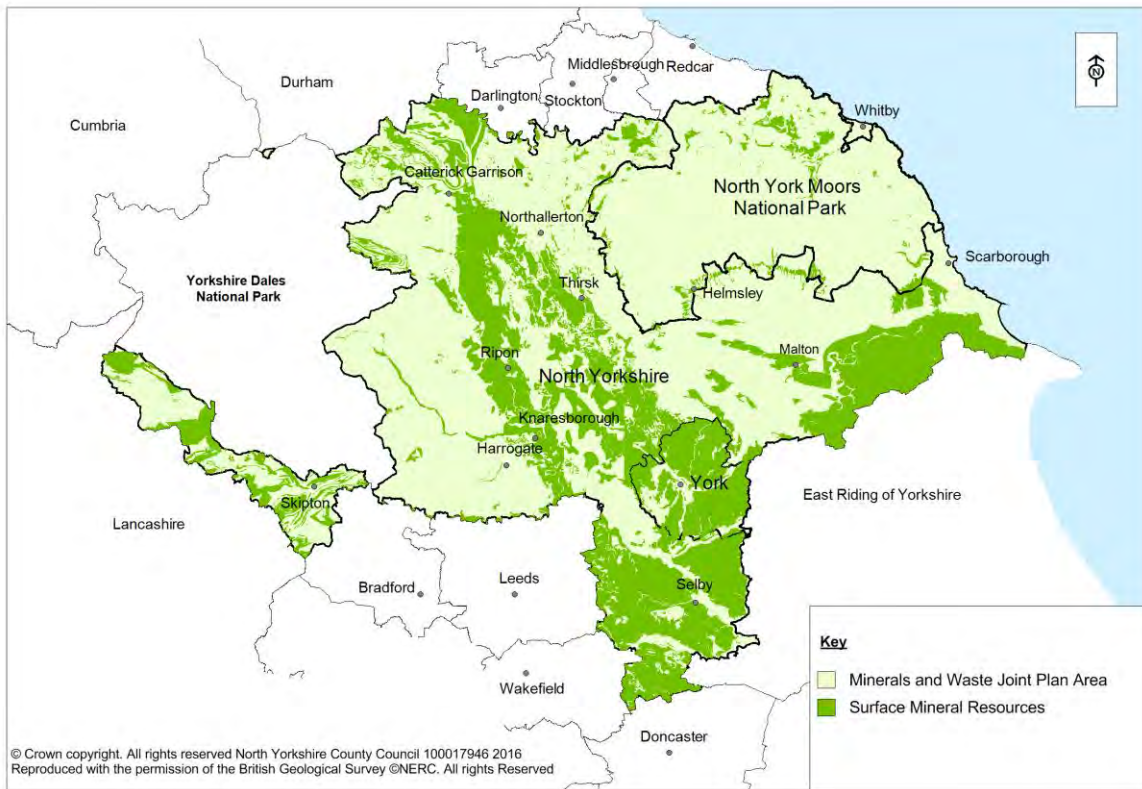


Figure 4: Distribution of surface mineral resources within the Plan area

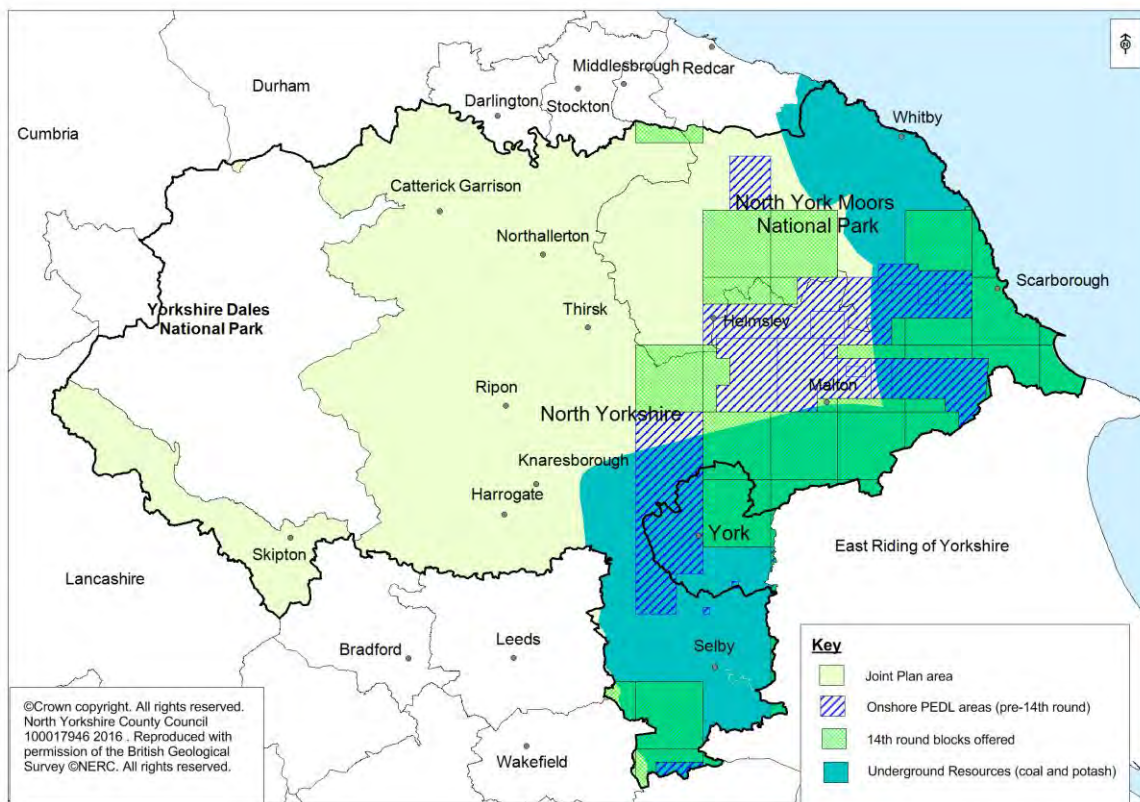


Figure 5: Distribution of underground mineral resources within the Plan area

- 2.62 Despite this relatively broad distribution of resources, there are certain areas where the quarrying industry is well-established and infrastructure exists to help to process minerals and transport them to markets. This has resulted in concentrations of working in certain parts of the Plan area such as the valleys of the Rivers Swale and Ure, the western and southern parts of Selby District and in parts of Ryedale District in the eastern part of the Plan area. Most current mineral workings are in the NYCC part of the Plan area, although an important exception to this is Boulby potash/polyhalite mine, located in the northern part of the North York Moors National Park.
- 2.63 With over 50 working quarries, the Plan area is a significant producer of minerals at a regional and, in some instances, national scale. Aggregate minerals (sand and gravel and crushed rock) are particularly important, with the Plan area being the largest supplier of concreting sand and gravel within Yorkshire and Humber, all of which is extracted in the NYCC area. Other important minerals include potash (Boulby Mine in the North York Moors National Park is the UK's only operational potash/polyhalite mine, although permission has been granted recently for a major new polyhalite mine in the Park) and silica sand, which is a scarce and nationally significant mineral worked on a relatively small scale at Burythorpe Quarry and formerly worked at Blubberhouses Quarry, where reserves still remain. Onshore gas is exploited in the Vale of Pickering in one of the UK's largest onshore conventional gas fields, and approval has recently been given for extraction from a well at Eberston in the North York Moors National Park. Other minerals quarried on a smaller scale are clay and building stone, which are worked mainly in the NYCC area, although two building stone quarries exist in the National Park.

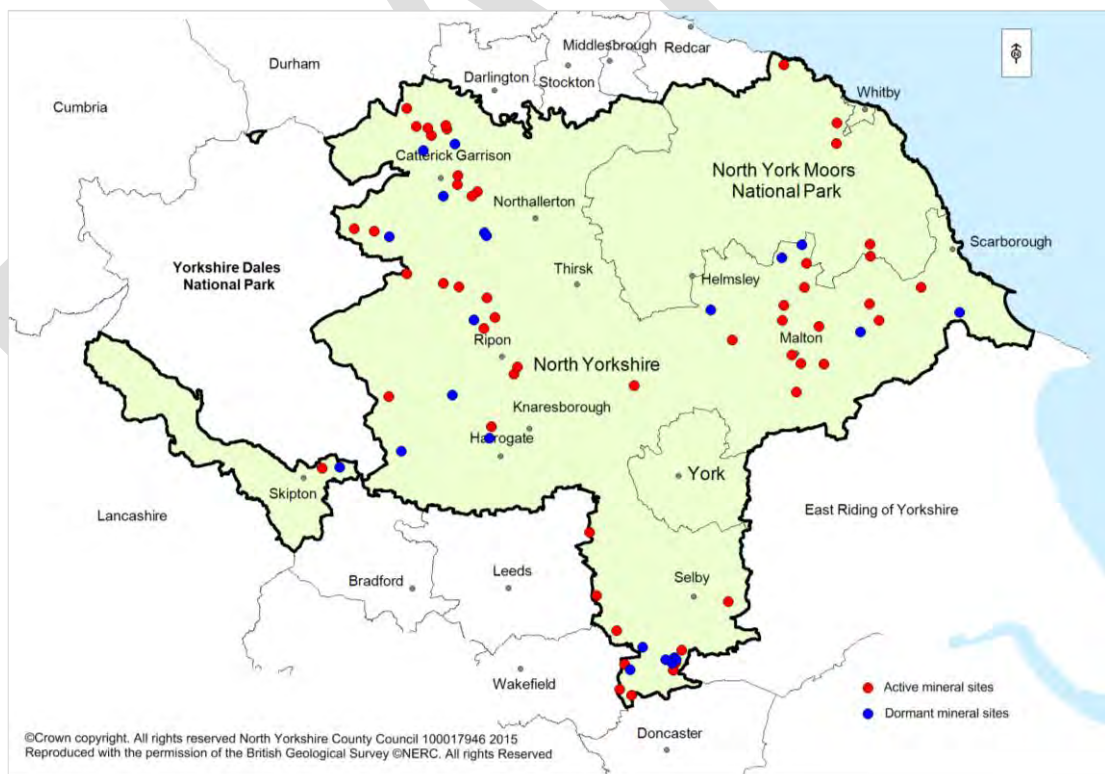


Figure 6: Distribution of active and dormant quarries in the Plan area

- 2.64 In addition to these 'primary' minerals resources of commercial significance, the Plan area is also a supplier of secondary aggregate, in the form of waste ash from power stations located in Selby District. The Plan area also produces recycled aggregate from construction and demolition waste. These are both important sources of supply as they can act as more sustainable alternatives to the extraction of primary

resources. Marine aggregates constitute another potential source of aggregate but do not currently form an important element of supply in the area, although their significance may increase in future.

- 2.65 As well as quarries and mines, the Plan area contains a range of other infrastructure associated with the supply of minerals. These include plant for the manufacture of concrete and coated roadstone and the production of blocks made from aggregate, as well as facilities used or with potential for use to help to transport aggregate, such as rail heads and river wharves. This infrastructure is important as it helps to ensure that minerals can be supplied in forms which the market requires and to the locations where it is needed. The large majority of this infrastructure is located within the NYCC area.
- 2.66 Markets for minerals are not restricted by administrative boundaries and evidence indicates that a number of export and import movements occur. Although predominantly rural, the area is located between major urban areas to the south and north (West and South Yorkshire and Teesside respectively) and it is therefore not surprising that minerals are transported into these areas, where demand tends to be greater than in more rural locations and there are known supply constraints. Information about minerals movements is not available in full detail but we know that, in 2014, around one-half of all the sand and gravel and approximately one-third of all crushed rock produced in the area was transported to other locations in Yorkshire and Humber or into the North East Region, mainly Durham and Teesside.
- 2.67 Less information is available for other minerals but it is understood from the mine operator that around a third of potash produced from the Boulby potash mine is exported from the UK. Smaller scale known exports from the Plan area include silica sand, which has a national market and gas extracted in the Vale of Pickering, which is used to generate power and fed into the national grid. Most of the building stone worked in the area is sold locally, although some is known to have served more distant markets, including Scotland. Clay is used mainly at local manufacturing facilities within the Plan area.
- 2.68 The overall scale of imports of minerals is relatively small compared with total consumption, although data is limited. Known imports in 2014 include aggregate from the Yorkshire Dales National Park, the North East region, Cumbria, Doncaster, the East Riding, Nottinghamshire and Sunderland, although the specific pattern and volume of movements is likely to vary year-on-year in response to market circumstances. Silica sand is also imported in to the Plan area as a raw material for a glass manufacturing plant near Selby, as well as to other locations in the Yorkshire and Humber area. These imports are thought to relate mainly to minerals which meet specifications which cannot be provided from within the Plan area, or where local market conditions exist near the boundaries of the area.
- 2.69 Transport of minerals within the Plan area is mainly by road although potash extracted from Boulby mine is transported by rail, whilst gas is transported by pipeline. Some minerals are imported into the Plan area by rail, but this is currently limited to two sites in Selby district.
- 2.70 The continued availability of reserves of some minerals, particularly sand and gravel and silica sand, is under pressure, with current reserves expected to run out during the Plan period in the absence of new permissions. By comparison, the current supply situation for other minerals, such as crushed rock and potash is relatively healthy. It is likely that there will be a need to make significant new provision for sand and gravel working in particular, if security of supply in accordance with current arrangements is to be maintained.

- 2.71 Since work started on the Joint Plan, there has been a greatly increased focus on the potential for developing shale gas resources in the Plan area. This follows the announcement of new oil and gas exploration and development licences in December 2015 and a decision by NYCC in May 2016 to grant permission for hydraulic fracturing of an existing well at Kirby Misperton in the Vale of Pickering.
- 2.72 In June 2015, the North York Moors National Park Authority resolved to grant, permission for development of a major new polyhalite mine in the north eastern part of the National Park. The permission was issued in October 2015.
- 2.73 Whilst planning for the future supply of minerals is clearly important, there is also a need to ensure that other aspects of the Plan area that are highly valued, such as its high-quality landscapes and natural, built and cultural heritage (which includes the North York Moors National Park and AONBs and the historic core of York), its local communities and businesses, are protected from any harmful effects of minerals working and transport.

Waste

- 2.74 Dealing with waste is a major challenge for society and needs to be addressed alongside other initiatives to improve the sustainability of our environment and economy. Many items discarded as waste have the potential to be re-used, recycled or used as a resource. Managing waste in these ways has benefits in reducing the amount of natural resources that are consumed. For example re-using or recycling materials generated during demolition activity can reduce the need for extraction of new minerals. At the same time, it can reduce the need for landfilling of waste, which is itself an inherently unsustainable practice in many circumstances. Treating waste as a resource can also lead to new opportunities for the economy, with the outputs of modern waste management processes acting as inputs to businesses which can use them. The management of waste can be relatively energy and resource intensive, for example as a result of transportation requirements and the nature of certain waste management practices themselves. In recent years there has been rapid change in the policy and regulatory context for waste management, as well as in the means by which waste is being managed, and this is expected to continue, suggesting a need for some flexibility in the Joint Plan.
- 2.75 Waste arises from a wide range of domestic, commercial and industrial activities. The main waste types (streams) arising within the Plan area include:
- Local Authority Collected Waste (LACW, which includes Household waste and other similar wastes collected by the Local Authorities)
 - Commercial and industrial waste (C&I)
 - Construction, demolition and excavation waste (CDEW)
 - Hazardous waste
 - Agricultural waste
 - Low level (non-nuclear) radioactive waste (LLW)
 - Waste Water.
- 2.76 LACW, C&I and CDEW are the three main types which need to be considered in the Joint Plan, although the Plan also contains appropriate policy for other important waste streams known to arise. Of the three main streams, CD&E waste is the most significant by volume in the Plan area.
- 2.77 The amount and type of waste produced, and the ways in which it is managed, partly reflects the environmental, social and economic characteristics of the area.

Concentrated populations and commercial/industrial activities, as are found in the City of York and the towns of Harrogate and Scarborough, along with industrial activity in the Selby area, are the largest producers of waste and this tends to be reflected in the overall pattern of waste management facilities. However, large parts of the area are also highly rural, with population and development sparsely distributed. The amounts of waste generated in these areas are likely to be lower (with the exception of agricultural waste) but managing waste in such areas can present challenges as arisings are more dispersed and significant transport of waste may be needed if local facilities cannot be provided.

- 2.78 The majority of waste in the Plan area has, historically, been disposed of through landfill and this continues to be the case today for some waste types. This is partly due to the fact that parts of the area have a high number of quarries which traditionally have been restored via landfill, and landfill has been a relatively cheap means of dealing with waste. However, in line with the waste hierarchy⁷, current national policy seeks to change this position and deliver substantially greater levels of re-use, recycling and recovery of waste, such that only 'residual' waste (i.e. that which cannot be re-used, recycled or composted or put to beneficial use in some other way) is disposed. The Government defines such a position as a 'zero waste economy'.
- 2.79 In addition to increased re-use, recycling and composting of waste, alternative methods of dealing with residual waste have been developed, including technologies such as mechanical and biological treatment, anaerobic digestion, incineration with energy recovery and advanced thermal treatment processes such as pyrolysis and gasification. Some of these (such as anaerobic digestion and incineration with energy recovery) are well-established in the UK on a commercial scale. Others, such as pyrolysis and gasification technologies, are less well established.
- 2.80 There are many organisations involved in the overall process of dealing with waste and the actions of individuals are important too. The three waste planning authorities have a particular responsibility to ensure that up to date planning policies are in place to help to support the more sustainable management of waste. This can include setting out the general scale, distribution and nature of waste management capacity that is likely to be needed in the area over the next 15 years, as well as policies to ensure that any proposals for new waste facilities can be developed without unacceptable impact on communities, businesses and the environment.
- 2.81 It is not the role of the Joint Plan to specify how waste is collected, or the detailed processes and technologies by which it must be managed. These are mainly matters for business and the waste collection and disposal authorities. Figure 7 below shows the waste disposal authorities covering the Plan area. Most of the waste arising in the North York Moors and Yorkshire Dales National Parks is managed outside the Parks but within the NYCC area, and this situation is expected to continue.

⁷ The Waste Hierarchy is a concept endorsed at all levels of planning policy which places five categories of waste management in their order of priority: Prevention, Preparing for Re-Use, Recycling, Other recovery, Disposal.

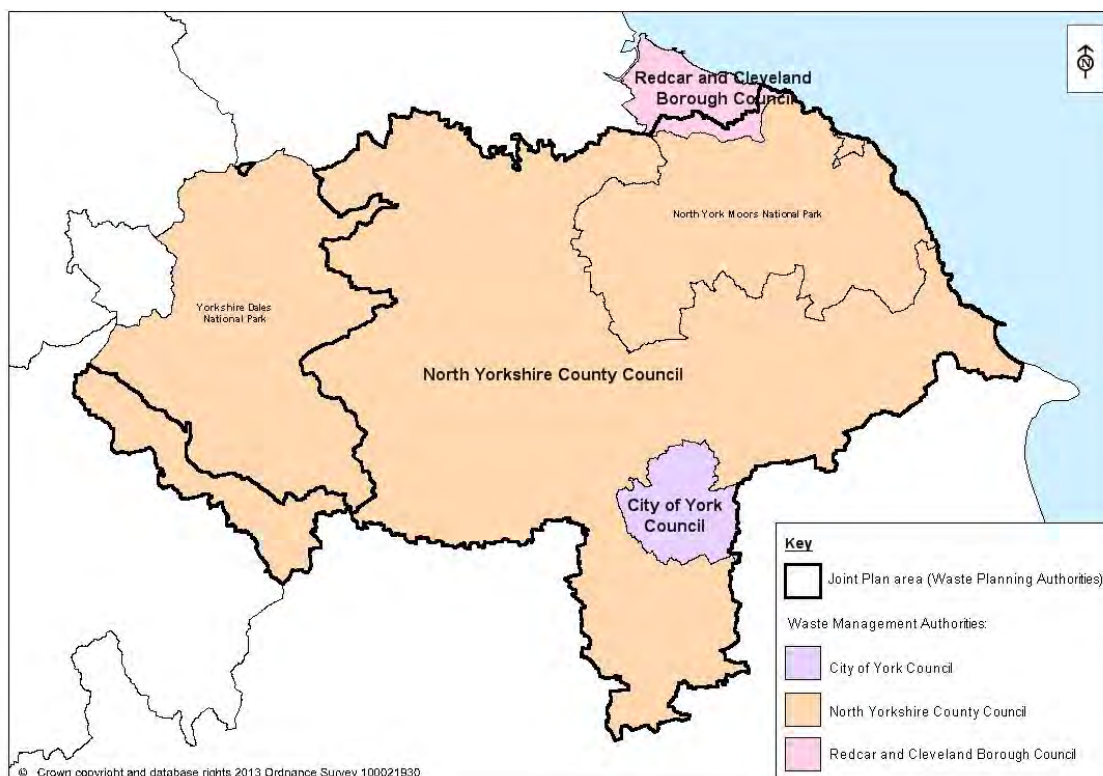


Figure 7: Waste Disposal Authorities covering the Plan area.

- 2.82 Specific local targets for recycling, composting and diversion of household waste from landfill have been set by the York and North Yorkshire Waste Partnership (which comprises the seven District Councils in North Yorkshire together with the County Council and CYC). Targets for waste management in the part of the North York Moors National Park falling within Redcar and Cleveland Borough are set out in the Tees Valley Joint Waste Management Strategy. Whilst these matters are clearly of relevance to the Joint Plan, as they may have implications for the general range and quantity of waste management capacity that may be needed in the area, they are identified separately from it.
- 2.83 The management of waste is not necessarily constrained by local authority boundaries. Evidence suggests that there are both imports and exports of waste across the North Yorkshire sub-region boundary, as well as imports of waste from the adjacent Yorkshire Dales National Park Authority area. Whilst some of these movements may be part of well-established patterns of waste management, other movements may take place in a more ad hoc way depending on shorter term commercial and market considerations. Previous or current patterns of movement may not necessarily continue in the future in response to a wide range of market and other considerations. This represents a considerable challenge to comprehensive planning for the management of waste and suggests a need for a degree of flexibility in the Joint Plan.

Links between minerals and waste development

- 2.84 There are important links between minerals and waste development. The efficient use of materials such as waste power station ash, as alternatives to primary minerals, can help to conserve natural resources. Quarries may have potential for the disposal of waste via landfill, as part of the reclamation process, in circumstances where any need for landfill capacity has been identified, and in some cases the

disposal of residual inert waste via landfill can help to improve the quality of derelict or degraded land. These links need to be reflected in the content of the Joint Plan.

- 2.85 Minerals and waste developments can also deliver benefits. For example, through the careful design, operation and reclamation of mineral sites it may be practicable to enhance wildlife habitats, improve the provision of floodwater storage capacity or deliver other environmental benefits help support local businesses and the economy. Some waste developments may be able to produce power or heat for use by local consumers.
- 2.86 Both forms of development, due to their nature, also have the potential to give rise to adverse impacts, for example on the landscape, through the impact of vehicle movements and the generation of noise or other forms of pollution. A key role for the Joint Plan is to develop planning policies which balance the need for development with ensuring that any harmful impacts are minimised through the appropriate location, design and operation of development.

Addressing the Duty to Cooperate

- 2.87 It is a legal requirement that local plans are prepared having regard to the statutory Duty to Cooperate on strategic cross-boundary issues. Cooperation with a range of organisations, including other planning authorities and prescribed bodies, is required where necessary. Both minerals and waste development can give rise to strategic matters of importance to more than one local authority area. The decision to prepare the Plan on a joint basis is itself a response to the requirements of the Duty, reflecting the benefits of a consistent and coordinated approach which acknowledges existing cross-boundary issues and relationships.
- 2.88 Development of the evidence base for the Joint Plan, together with the outcome of a range of consultation activity, has identified a number of issues on which cooperation with other bodies has been required in order to ensure a coordinated approach. These include:
- Cross boundary movements of aggregate minerals, particularly exports to the West and South Yorkshire areas and to the North East and the implications of potential shortfalls in indigenous supply in parts of these areas.
 - Cross boundary supply issues relating to silica sand, which is a mineral of national significance
 - Cross boundary movements of waste, particularly exports of waste from the Plan area to a range of other WPA areas
 - Safeguarding of minerals and waste sites and infrastructure within the two tier parts of the Plan area.
- 2.89 Cooperation with a wide range of relevant organisations has taken place in relation to the above matters, resulting in the following specific actions:
- Preparation of a joint Local Aggregates Assessment for the North Yorkshire sub-region to help to establish the scale of future requirements for aggregates minerals
 - Preparation of a Yorkshire and Humber Waste Position Statement presenting evidence on waste arisings and capacity issues over the Yorkshire and Humber area
 - Preparation of a joint evidence study on waste capacity needs for the North Yorkshire sub-region

- Agreed memoranda of understanding with the Yorkshire Dales National Park Authority and Redcar and Cleveland Borough Council in relation to arrangements for the management of waste
- Liaison with a wide range of specific minerals and waste planning authorities in relation to identified cross-boundary movements of minerals and/or waste
- Liaison with relevant prescribed bodies in relation to the development of policies for inclusion in the Joint Plan.

2.90 A statement⁸ summarising work undertaken in relation to the Duty to Cooperate can be found in the evidence pages on the Joint Plan website.

DRAFT

⁸ Duty to Cooperate Summary Document for Publication Stage

Chapter 3: Issues and Challenges

- 3.1 In order to plan for minerals and waste development, it is important to understand the relevant issues and challenges facing the area and the implications of these for the Joint Plan.
- 3.2 The need to ensure relevant issues have been taken into account is reinforced through the NPPF, which requires the Joint Plan to be justified and based upon proportionate evidence.
- 3.3 The issues and challenges that the Joint Plan needs to address have been identified through:
- Review of the NPPF, PPG, the National Planning Policy for Waste and other relevant national policy
 - Consideration of any relevant local policies and strategies, including local waste management strategies, Sustainable Communities Strategies and the North York Moors National Park Management Plan
 - Review of factual, technical and independently sourced information contained in the evidence base
 - Specific items of evidence produced to support the Plan
 - Comments received during consultation on the Joint Plan

Issues and Challenges Summary

- 3.4 The issues and challenges considered to be of most significance are summarised below. These are addressed in more detail in Chapters 5 to 9 of the Joint Plan.

Minerals

- Ensuring a continuity of supply of minerals, reflecting where practicable the likely levels of economic and housing growth and future requirements for minerals;
- Encouraging the use of alternative sources of supply of minerals such as secondary, recycled and marine aggregate over primary land won minerals extraction;
- Maintaining the required land banks for sand and gravel, crushed rock, silica sand and clay, but as far as practicable providing for these outside of the National Park and AONBs;
- Continuing to provide a supply of building stone for repair of traditional buildings and for new build;
- Considering how to address the potential positive and negative impacts of exploiting unconventional hydrocarbon resources such as shale gas as well as planning for conventional forms of energy minerals;
- Addressing commercial interest for potash mining in the National Park;
- Safeguarding important minerals resources and infrastructure from sterilisation by other uses;
- Ensuring there are sufficient safeguards in place to minimise the impacts of minerals extraction on communities, the environment and other important assets;
- Providing for a range of enhancements, including ecological services and biodiversity, particularly through reclamation of workings; and
- Developing an appropriate locational strategy for minerals supply, taking account of cross-boundary supply issues where relevant.

Waste

- Promoting the management of waste further up the waste hierarchy i.e. reducing the amount going to landfill and encouraging the re-use, recycling, composting and recovery of waste, as well as supporting an overall reduction in the generation of waste;
- Supporting the delivery of the additional waste management capacity expected to be required, in line with any identified needs;
- Incorporating flexibility to reflect uncertainties resulting from waste data limitations and evolving technologies and practice;
- Developing an appropriate locational strategy for new waste management facilities, taking account of cross-boundary movements where relevant;
- Considering opportunities to co-locate waste management facilities with complementary uses;
- Ensuring there are sufficient safeguards in place to minimise the local impacts of waste management on communities, the environment and other important assets; and
- Safeguarding strategically important waste management infrastructure.

General

- Establishing policies which are appropriate across the diverse characteristics of the Plan area;
- Developing an appropriate approach to the protection and enhancement of the Plan areas' important landscapes, and natural and heritage assets including the North York Moors National Park, AONBs and World Heritage Site, the historic city of York, numerous Conservation Areas, Sites of Special Scientific Interest, Special Areas of Conservation, Ramsar Sites, Special Protection Areas, Sites of Importance for Nature Conservation, Heritage Coast, Green Belt, nature reserves and listed buildings and ground and surface water supply and quality; as well as the wide range of non-designated assets which are important for their own intrinsic value;
- Ensuring minerals and waste development contributes to and supports economic growth both within the Plan area and nationally, including the employment opportunities that they provide;
- Seeking to reduce carbon emissions, particularly in relation to the transportation of minerals and waste, promoting re-use and recycling of materials and recovery of energy from waste; and providing opportunities to assist in adapting to the effects of climate change, such as reducing flood risk and enhancing habitat connectivity;
- Considering accessibility to major transportation networks and sustainable transport infrastructure, recognising constraints on opportunities for the movement of minerals or waste;
- Recognising the potential for mutually beneficial links between minerals and waste activities, such as utilising specific waste streams in the sustainable restoration of mineral workings; and
- Ensuring an element of flexibility is built into the Joint Plan.

Chapter 4: Vision and Objectives

- 4.1 Having a vision and objectives gives direction to the policies in the Plan and helps to ensure it delivers what we want to achieve. The vision and objectives in this Chapter respond to the issues and challenges facing the area and reflect the outcomes of public consultation, as well as the evidence base and the wider policy context.

Vision and Priorities

Over the period to 31 December 2030 the Plan area will move towards the more sustainable provision of minerals and waste infrastructure and services, maintaining a careful balance between meeting future needs whilst protecting and enhancing the Plan area's environment, protecting and supporting its communities and strengthening its economy.

The following interconnected priorities underpin the vision and objectives:

- Delivering sustainable waste management
- Achieving the efficient use of minerals resources
- Optimising the spatial distribution of minerals and waste development
- Protecting and enhancing the environment, supporting communities and businesses and mitigating and adapting to climate change.

Delivering Sustainable Waste Management

- i. *Less waste will be generated and the Plan area will have moved substantially closer to a zero waste economy, with more waste being used as a resource and disposal of waste arising in the Plan area only taking place as a last resort. National and local targets for recycling and diversion of waste will, as a minimum, have been met and, where practicable, exceeded. Important waste management infrastructure will have been safeguarded for the future and the Plan area will have delivered sufficient waste management capacity to meet needs equivalent to waste arising in North Yorkshire and the City of York, with waste only being exported out of the Plan area where necessary or more sustainable.*

Achieving the Efficient Use of Minerals Resources

- ii. *Whilst maximising the use of alternatives to primary minerals, the provision of an adequate and steady supply of minerals will have been maintained, recognising the important role the Plan area has in the supply of a range of minerals and in particular recognising the area's role in aggregates provision in the Yorkshire and Humber area and the adjacent North East region. Provision will have also reflected the importance of using local minerals to help to maintain and improve the quality of the area's built environment. Important minerals resources and minerals supply infrastructure will have been safeguarded effectively for the future.*

Optimising the Spatial Distribution of Minerals and Waste Development

- iii. *Where geological, environmental and infrastructure considerations allow, opportunities to ensure a good match between locations of minerals supply and demand will have been taken, and appropriately located mineral workings will also*

be playing a role as locations for the re-use and/or recycling of construction and demolition and excavation waste.

- iv. For both minerals and waste development, an adequate network of suitably scaled and sustainably located facilities will have been delivered in order to meet requirements identified in the Joint Plan and the distribution of these will reflect the availability of adequate transportation networks, any opportunities for modal shift and the benefits of minimising the overall distance waste and minerals are transported.*
- v. Waste arising in both urban and rural areas will be managed as near to where it arises as practicable, appropriate to the waste stream and scale of arisings, through a network of facilities accessible to local communities and businesses. New waste facilities in both urban and rural locations will, where practicable, have been co-located with complementary industries, businesses and producers or users of waste, in order to maximise the overall efficiency of waste management and the delivery of wider benefits to local businesses and the economy, including from the generation of heat and power through the recovery of waste.*
- vi. In identifying appropriate locations for the delivery of both minerals and waste development the distinguished natural, historic and cultural environment and unique and special landscapes of the Plan area will have been protected, with particular protection afforded to the North York Moors National Park, the Areas of Outstanding Natural Beauty, the historic City of York and the World Heritage Site at Fountains Abbey/Studley Royal*

Protecting and Enhancing the Environment, Supporting Communities and Businesses and Mitigating and Adapting to Climate Change

- vii. Minerals and waste development will be taking place in accordance with the highest practicable standards of design, operation and mitigation throughout the life of the development in order to ensure that the amenity and health of local communities, the sustainability of local businesses and the high-quality environment of the Plan area are given robust protection, including from any adverse cumulative impacts arising from development of shale gas resources. Liaison between developers and local communities, businesses, regulators and landowners will have been key in delivering this.*
- viii. Improved efficiency in energy and resource use, including increased use of alternatives to primary minerals and appropriate design and mitigation to address effects on, and from, climate change, including reducing the carbon footprint associated with minerals and waste and reducing flooding will have occurred, and a high standard of reclamation and afteruse of minerals and waste sites will be being delivered, providing a range of benefits for local communities and the environment of the area, including connecting local access and enhancing biodiversity and ecological networks at a landscape scale where practicable, as well as protecting and restoring high quality agricultural land.*

Objectives

- 4.2 Based on the Vision and the priorities identified above, the following objectives provide a means of taking them forward. They are split into four groups reflecting the interconnected priorities.

Delivering sustainable waste management

Objective 1	Encouraging the management of waste further up the hierarchy
Explanation	This means supporting the efficient use of materials in the design and construction of development and supporting a reduction in the amount of waste generated by individuals and organisations; meeting national and local targets for high quality recycling, composting and diversion of waste from landfill; using waste as a resource; incinerating waste without effective energy recovery and disposing of waste via landfill only as a last resort or to ensure that landfill sites, quarries or degraded land are restored to beneficial use, and identifying appropriate links between waste and minerals policy.

Objective 2	Making adequate provision for the waste management capacity needed to manage waste arising within the sub-region and safeguarding important waste management infrastructure
Explanation	This means planning for the delivery, where practicable, of the new waste management infrastructure needed to manage a level of arisings equivalent to the anticipated future arisings of waste in the Plan area, including arisings of Local Authority Collected Waste arising within the adjacent Yorkshire Dales National Park Authority area; and; safeguarding and supporting the best use of important waste management infrastructure and ensuring appropriate co-ordination with District and Borough Councils in North Yorkshire to ensure a joined-up approach to safeguarding. It also helps to support the contribution of the waste industry to the local and wider economy.

Achieving the efficient use of minerals resources

Objective 3	Safeguarding important minerals resources and minerals infrastructure for the future
Explanation	This means safeguarding relevant surface and underground minerals resources of national and local importance, important aggregates supply and transport infrastructure such as railheads, wharfs, roadstone coating and concrete plants; and ensuring appropriate co-ordination with District and Borough Councils in North Yorkshire to ensure a joined-up approach to safeguarding.

Objective 4	Prioritising the long-term conservation of minerals through facilitating provision of sustainable alternatives to primary minerals extraction, including increasing the re-use and recycling of minerals and the use of secondary aggregates
Explanation	This means identifying an appropriate local contribution from alternative sources to primary land won minerals; supporting the development of such alternative sources in appropriate locations; encouraging the efficient use of minerals resources through the sustainable design and construction of new development; and identifying appropriate policy links between minerals and waste policy.

Objective 5	Planning for the steady and adequate supply of the minerals needed to contribute to local and wider economic growth, built development, quality of life, local distinctiveness and energy requirements, within the principles of sustainable development
Explanation.	This means identifying and maintaining future supply requirements for minerals, in line with national planning policy and the North Yorkshire Local Aggregates Assessment and maintaining adequate landbanks, recognising the role of the Plan area in the supply of minerals beyond the Plan area boundary; whilst also considering and responding to the ability of the area to sustain minerals extraction without compromising other social, economic and environmental goals including obligations under the Climate Change Act.

Optimising the spatial distribution of minerals and waste development

Objective 6	Identifying suitable locations for the extraction and recycling of minerals, the production of secondary aggregate, key minerals supply and transport infrastructure and the management of waste
Explanation	This means identifying and allocating appropriate sites or areas for future minerals working, the provision of secondary and recycled aggregate, minerals supply and transport infrastructure and the disposal of mineral waste, as well as identifying and allocating appropriate sites or areas for the management and where necessary disposal of waste. Identification of strategically important sites or areas will be the priority. It also includes identifying appropriate development criteria for new sites where identification of specific sites or areas is not practicable.

Objective 7	Seeking a good match between locations for waste management infrastructure and the places where waste arises, and between locations for mineral working and minerals supply infrastructure and the places where minerals and mineral products are used, in order to minimise the overall need for transport
Explanation	This means developing locational policy which encourages new waste management infrastructure in locations as near as practicable to existing sources of arisings and expected patterns of future growth; co-locating waste facilities, where practicable, with complementary industries, businesses and producers or end users of waste including taking opportunities to utilise heat and/or power for the benefit of local communities and businesses, and; encouraging new minerals workings

	and infrastructure, including sites for the supply of secondary and recycled aggregate, in locations well related to existing markets within and near to the Plan area.
--	---

Objective 8	Promoting the use of alternatives to road transport and ensuring that new development is served by suitable transport networks
Explanation	This means developing locational policy which encourages new waste management infrastructure, minerals workings and minerals supply infrastructure in locations where sustainable transport modes such as rail, water, pipeline and underground conveyor systems can be utilised where practicable for longer distance and large scale movements; and; where such modes are not practicable, that locations for development are well-connected to suitable highways infrastructure and impacts on the road network minimised.

Protecting and enhancing the environment, supporting communities and businesses and mitigating and adapting to climate change

Objective 9	Protecting and where appropriate enhancing the natural and historic environment, landscapes and tranquil areas of the Plan area
Explanation	This means developing policy to protect, conserve and where practicable enhance the environment of the Plan area, including natural, historic and pre-historic assets, landscapes and environments, priority habitats and biodiversity, geodiversity, ground and surface waters, green infrastructure (including agricultural land) and ecosystems services; recognising and protecting the special qualities of the North York Moors National Park, the AONBs, and the historic character and setting of York and supporting the use of local building stone to help maintain and improve the quality of the built environment and local distinctiveness.

Objective 10	Protecting local communities, businesses and visitors from the impacts of minerals and waste development, including transport
Explanation.	This means promoting high standards of design, operation and where relevant reclamation of minerals and waste sites (including sites for the supply of secondary and recycled aggregate and the disposal of mineral waste) and high standards in the transport of minerals and waste; as well as promoting the involvement of local communities and businesses in proposals for minerals and waste development in order to help protect local amenity, quality of life and the local economy.

Objective 11	Encouraging the sustainable design and operation of minerals and waste development activity, including using opportunities arising from minerals and waste development and reclamation activity to mitigate and adapt to climate change
Explanation	This means planning for more sustainable design and working practices, including those aimed at carbon reduction, at minerals and waste sites; considering opportunities for the delivery of renewable and low carbon energy; and taking a long term view of the potential for reclaimed minerals sites for purposes such as flood alleviation, the provision of ecosystems services and maintenance of agricultural capacity. This objective would also contribute to meeting the national requirement to reduce greenhouse gas emissions by 80% below 1990 levels by 2050.

Objective 12	Delivering benefits for biodiversity, geodiversity, recreation and public access and other green infrastructure through reclamation of minerals workings
Explanation	This objective supports wider objectives within the NPPF and within local strategies which seek to enhance conditions for biodiversity and other important environmental objectives, increase opportunities available for recreation and public access and ensure measures are in place to enhance green infrastructure. This objective also supports a strategic, landscape-scale approach to reclamation where this could help to minimise adverse impacts and deliver maximum benefits.

Policies map and key diagrams

- 4.3 The NPPF requires that local plans indicate broad locations for strategic development on a key diagram and land use policies on a Policies Map.
- 4.4 The Policies Map illustrates geographically the policies in the Joint Plan, based on an Ordnance Survey map base. The map includes a range of information such as assets and designations, minerals safeguarding areas and site allocations. The Policies Map is available to view on the Joint Plan website at www.northyorks.gov.uk/mwconsult.
- 4.5 The Plan area is very large. To ensure that the Policies Map is user-friendly, the area has been subdivided into 15 sections (see key map below). A number of separate theme-based maps have also been prepared to illustrate some of the large-scale constraints, such as flood zones and aerodrome safeguarding zones.

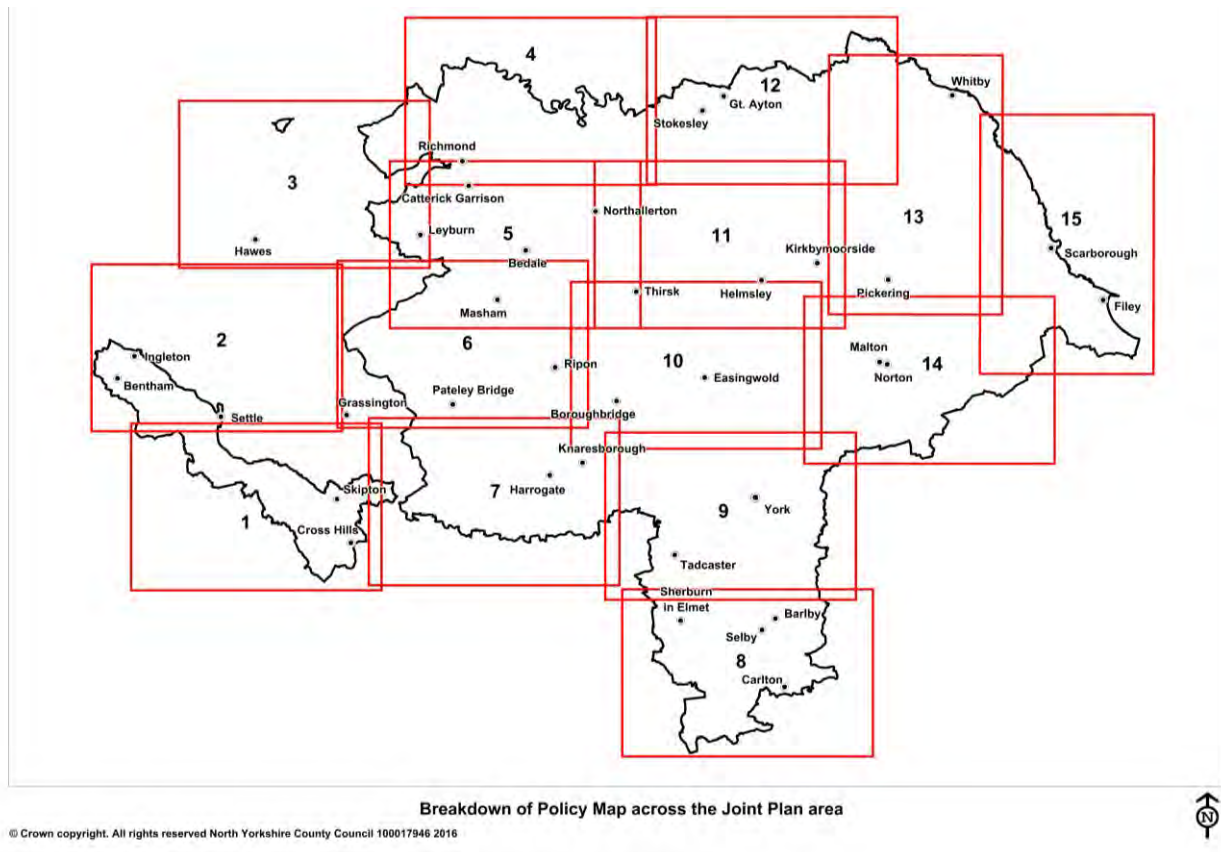
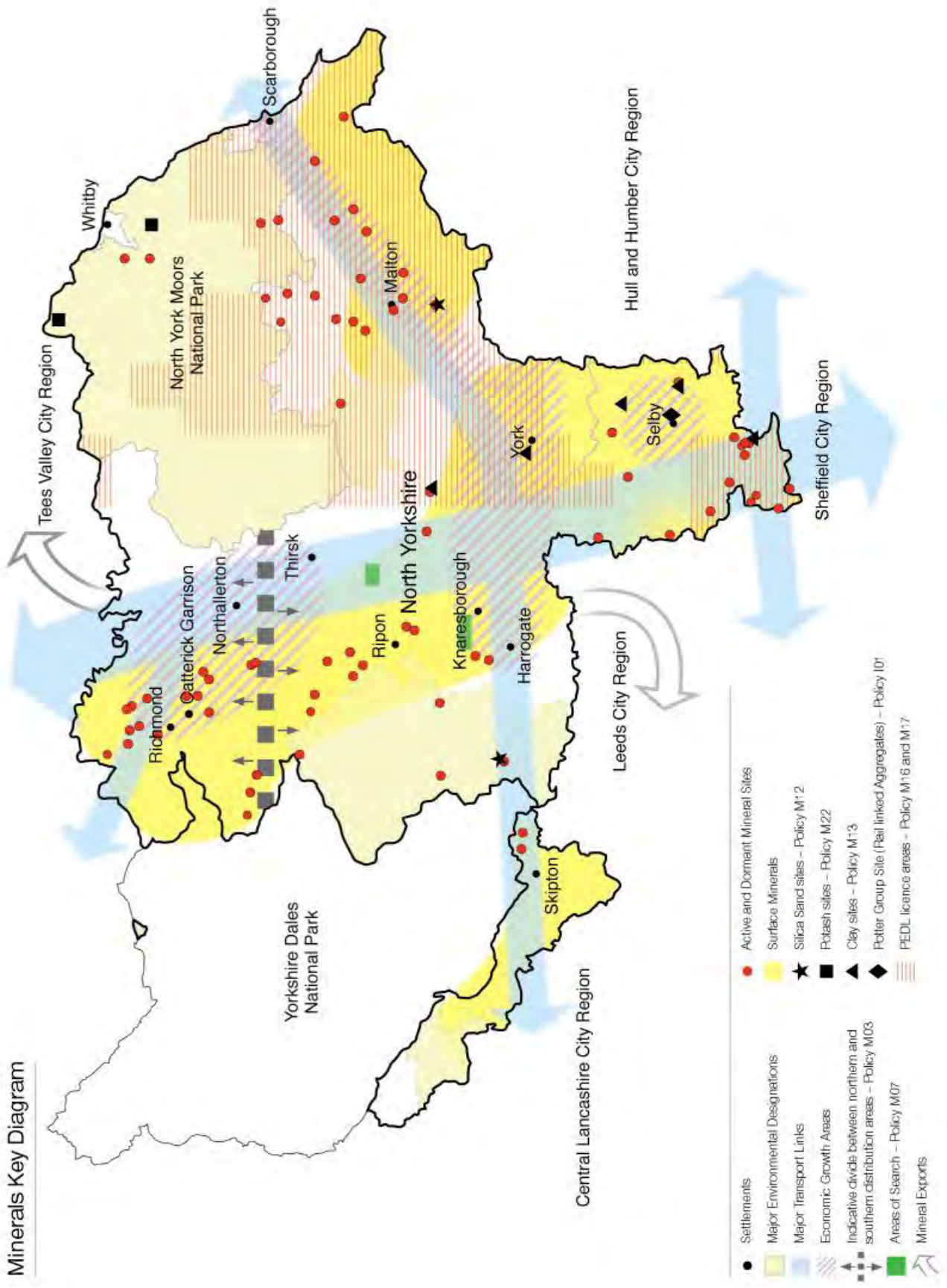
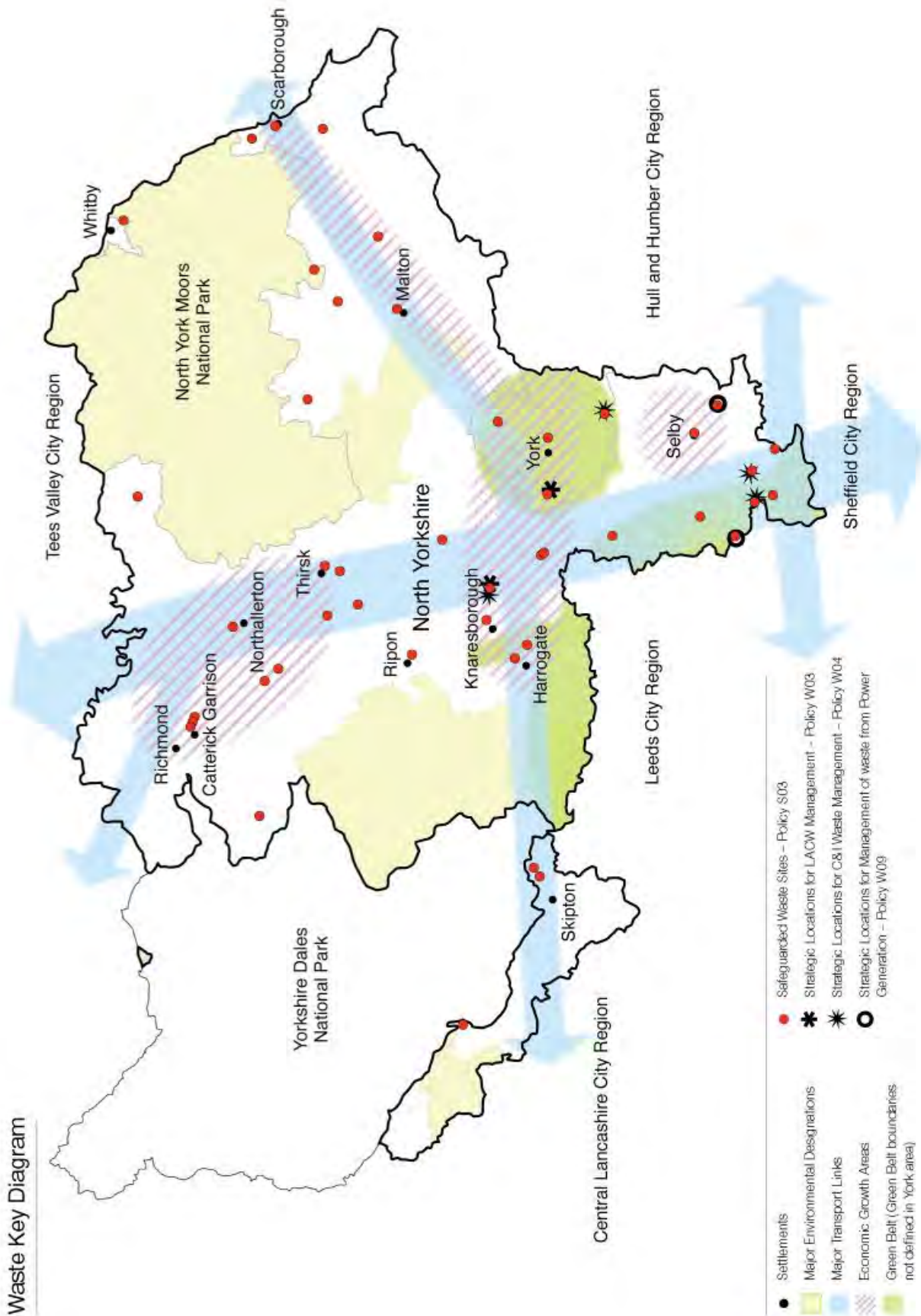


Figure 8: Breakdown of Policies Map across the Plan area

- 4.6 Both the minerals and waste key diagrams (see below) are prepared on a base plan reflecting elements of the York, North Yorkshire and East Riding non-statutory Spatial Plan and depict the 'focus for growth areas' as identified within the Spatial Plan. It also identifies main towns (with a population in excess of 10,000) and key transport links across the area, as these are of significance for both minerals and waste development.
- 4.7 The minerals key diagram identifies the general extent of surface minerals resources, reflecting the fact that minerals can only be worked where they occur. Many of these resources are also proposed for safeguarding in the Joint Plan. Main areas of important environmental designations, where mineral working is constrained by national and local policy, are shown. The diagram also shows illustratively the northwards and southwards landbank areas for concreting sand and gravel and identifies a number of key minerals and minerals infrastructure sites of particular significance within the Plan area. Important known export market destinations for aggregates minerals are indicated to illustrate important cross-boundary supply relationships. Active and dormant mineral working sites are also identified to indicate where development is currently taking place, or where there is potential for it to take place.
- 4.8 The waste key diagram identifies important existing waste infrastructure which is proposed for safeguarding in the Joint Plan. It also indicates strategic locations of current or permitted large scale infrastructure for management of LACW and C&I waste. Areas of Green Belt are indicated as certain forms of waste management activity are unlikely to be acceptable in such areas. The extent of the inner boundary of the Green Belt for the City of York area is currently under review through preparation of the City of York Local Plan.





Monitoring and Review

- 4.9 Monitoring the effects of the policies set out in the Joint Plan will be important. This is to ensure that policies are having their intended effects and to identify whether any review is required. A monitoring framework has been prepared to accompany the Joint Plan and is provided in Appendix 3.
- 4.10 National planning policy requires that development plans be kept under review. The need for review may arise as a result of factors such as a significant change in circumstances, including the availability of important new evidence, or a major change to national policy, or as a result of changing and unforeseen development pressures in an area.
- 4.11 There are three key policy areas addressed in the Joint Plan, identifiable at this stage, which could lead to a need for review. These are:
- To ensure that adequate landbanks of sand and gravel and/or crushed rock can be maintained in the latter part of the Plan period. This will be influenced by the actual level of demand for these minerals which arises during the earlier years of the Joint Plan and whether suitable proposals are brought forward on sites or areas identified in the Joint Plan. This matter will be kept under review including through the preparation of an annual Local Aggregates Assessment, with review of the relevant policies and any further requirement for site allocations or areas carried out as necessary; and;
 - To ensure that sufficient site allocations are identified to meet requirements resulting from a significant and unforeseen increase in waste arising in the area. This matter will be kept under review through monitoring of the Plan; and;
 - To respond to new issues arising out of any further exploration activity for shale gas in the area. At present there is substantial uncertainty over the extent and geographical distribution of any commercially recoverable gas and this factor, together with the very early stage of the shale gas industry in the UK as a whole, leads to a lack of clarity on the scale of development pressure the area could be facing. Whilst the policies in the Joint Plan set out a comprehensive range of criteria to deal with proposals for hydrocarbons development, based on available information, it may be practicable to develop these further in future. This could require, in due course, provision of more detailed spatial guidance on the location and scale of development which may be acceptable, as well as updated criteria on relevant operational issues which arise. The MPAs will therefore initiate a review of these policies where this would be justified by significant new evidence emerging on relevant matters including:
 - a) the scale and distribution of proposals for commercial production that could come forward following further exploration and appraisal activity;
 - b) the environmental, economic, amenity or public health impacts of hydrocarbon development;
 - c) the award of any further Petroleum Exploration, Production and Development Licences in the Plan area.

Chapter 5: Minerals

- 5.1 This Chapter puts forward policies to help to maintain continuity of supply of the various mineral resources present in the Plan area. Where practicable it identifies expected future needs and how those needs could be met, as well as any key 'spatial' issues that may be relevant. In this respect it should be noted that no overall spatial approach to extracting all forms of mineral worked in the Plan area is included, mainly because minerals can only be extracted where they occur in economically viable quantities and this is fundamentally constrained by geology. More detailed consideration of the potential impacts of minerals extraction on the environment and communities is provided in Chapter 9 Development Management.

Aggregates supply

- 5.2 Planning for future supply of aggregate minerals (sand and gravel and crushed rock used mainly by the construction industry) is complex and is the subject of a range of national policy and guidance. There is a more detailed evidence base on sales, reserves and movements of aggregate compared with other minerals worked in the area. The following sections address a range of issues relating to the supply of aggregate.

Spatial Approach to Aggregates Supply

- 5.3 Aggregates are identified in national policy as a mineral of national and local importance and are some of the most important primary minerals worked in the Plan area, as they contribute to requirements for high-quality concreting aggregate in other parts of Yorkshire and Humber and the North East, as well as meeting local requirements. Minerals resource information produced to support preparation of the Joint Plan indicates that the large majority of potential sand and gravel resources in the Plan area, particularly those of greatest commercial significance, are located within NYCC. The total volume of the resource is very large, although a wide number of constraints such as surface development, environmental constraints and accessibility considerations, means that the volume potentially available for extraction is likely to be much lower.

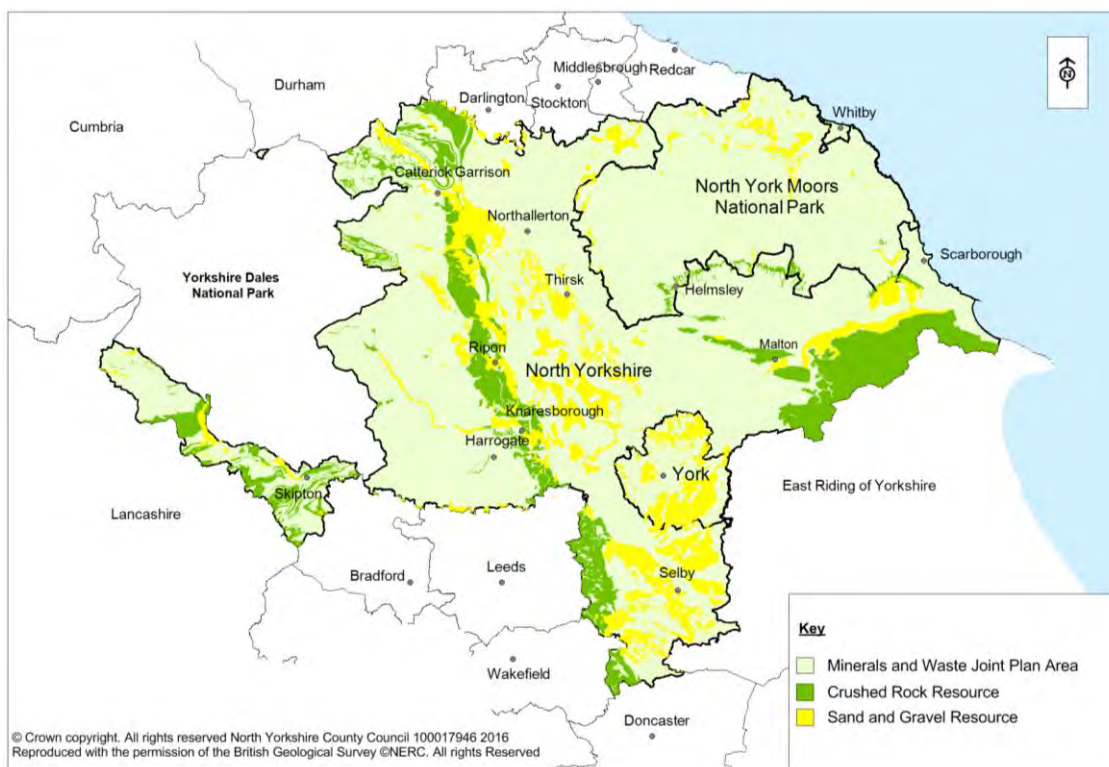


Figure 9: Aggregate resources in Plan area

- 5.4 Crushed rock resources in the area typically comprise three main types: Carboniferous limestone, which occurs in the north around the Scotch Corner-Leyburn area in Richmondshire and Craven in the west; Magnesian limestone, which occurs as a narrow band running north-south through the central part of the area; and Jurassic limestone, which occurs around the fringes of the Vale of Pickering and the North York Moors National Park in the east of the area. Small amounts of chalk have previously been produced but working has now stopped. There are no crushed rock resources in the City of York.
- 5.5 Substantial resources and permitted reserves of crushed rock exist within Areas of Outstanding Natural Beauty (Howardian Hills and Nidderdale AONBs respectively) and resources also exist in the southern part of the North York Moors National Park. However, as with sand and gravel, national policy encourages the maintenance of crushed rock landbanks from outside National Parks and AONBs, as far as practicable.

Policy M01: Broad geographical approach to supply of aggregates

The Plan area outside the North York Moors National Park, the Areas of Outstanding Natural Beauty and the City of York will be the main focus for extraction of aggregate (sand and gravel and crushed rock). Exceptions to this principle will be made for:

- 1) In the National Park and Areas of Outstanding Natural Beauty, the extraction of crushed rock aggregate where it is incidental to and would not compromise the supply of building stone extraction as the primary activity, and where the removal of crushed rock from the site will not compromise the high quality reclamation and afteruse of the site.
- 2) In the Areas of Outstanding Natural Beauty, the extension of time for the extraction of remaining permitted reserves at existing quarries and/or the limited lateral extension or deepening of existing quarries where necessary to

<p>help ensure continued operation of the site during the Plan period. Any proposals in these areas will need to demonstrate a particularly high standard of mitigation of any environmental impacts including, where practical, enhanced mitigation and higher-quality site reclamation compared with that required by the existing permission/s. Where proposals are considered to comprise major development the test for major development in Policy D04 will also need to be satisfied.</p>	
<p>3) In the City of York area, the small scale extraction of sand and gravel where this is consistent with safeguarding the historic character and setting of the City.</p>	
<p>Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Minerals Industry</p>	
<p>Key links to other relevant policies and objectives</p>	
<p><i>M02, M03, M05, M07, M08, M09, M10, D01, D02, D03, D04, D05, D06, D07, D08, D09, D10, D11, D12</i></p>	<p><i>Objectives 6, 7, 9</i></p>
<p>Monitoring: Monitoring indicator 1 (see Appendix 3)</p>	

Policy Justification

- 5.6 Due to a combination of resource availability issues and environmental constraints, it is expected that the NYCC area will be the main focus for aggregates working over the Plan period. However, there may be limited circumstances where it would be appropriate to support aggregates extraction in other parts of the Plan area.
- 5.7 Although extraction has taken place until relatively recently there are now no existing permitted aggregates quarries in the National Park. Further working would therefore involve opening a new quarry. It is not considered that there is sufficient justification for such development, taking into account the substantial permitted reserves elsewhere in the Plan area, as well as national policy, which supports the maintenance of landbanks of aggregate from outside National Parks as far as practical.
- 5.8 Although Areas of Outstanding Natural Beauty are also subject to a similar degree of national policy constraint, the AONBs in the Plan area contain a number of well-established crushed rock quarries, including Pateley Bridge Quarry in the Nidderdale AONB and a number of smaller quarries in the Howardian Hills AONB. It would not be appropriate to support large-scale new working in these areas during the Plan period, taking into account the availability of reserves and resources of crushed rock elsewhere in the Plan area. However, provision of support for the continuation of working at sites where existing time-limited permissions are due to expire during the Plan period yet reserves remain would help to ensure that local economic benefits, including local employment, are sustained, as well as maintain the site's contribution to the overall supply of aggregate. Similar benefits could also arise through the limited physical extension of quarrying at existing sites in the AONB where this is needed to enable the site to continue its' existing role in supply.
- 5.9 Where a time extension or additional extraction through lateral extensions or deepening are proposed, a very high degree of protection of the environment should be demonstrated and, preferably, a better quality of mitigation and site reclamation secured compared with that required by the existing permission/s. This is necessary to reduce the overall impact of such development on these highly protected areas. It is unlikely that proposals involving an increase in rate of output compared with the previous position would be supported under this policy. National policy does not

preclude major development from taking place in protected areas. However, proposals need to be considered against the requirements for major development which state that exceptional circumstances need to be shown and that it can be demonstrated they are in the public interest. Although the term 'major development' is not defined in the context of the national policy test, it is likely that most proposals for extensions to aggregates quarries in the National Park and AONBs will need to be subject to the test, as set out in Policy D04 of the Plan.

- 5.10 There is no recent history of aggregates extraction in the City of York area but evidence suggests that some sand and gravel resources (mainly building sand) are present, particularly in the north. Resources in this area are subject to a substantial number of environmental and physical constraints and it is considered that the potential to identify suitable resources for development is relatively low. No proposals have come forward from industry in response to calls for sites. However, provision of support in principle for small-scale extraction would be appropriate to deliver a local contribution to supply, subject to suitable proposals coming forward. The emerging York Local Plan identifies a range of criteria which would need to be met by any proposals for working in the City of York area and any proposals would also need to comply with the development management policies in the Joint Plan.

Scale of provision of sand and gravel over the Plan period

- 5.11 A North Yorkshire sub-regional Local Aggregates Assessment (LAA) has been produced in partnership by North Yorkshire County Council, City of York Council and the North York Moors and Yorkshire Dales National Park Authorities and provides an important source of evidence on supply of, and potential future requirements for, sand and gravel.
- 5.12 The evidence indicates that demand for sand and gravel worked in the Plan area is likely to continue and may increase over recent historic levels. Pressure for growth and development generates demand for aggregate minerals, including sand and gravel. The Plan area has traditionally been a major supplier of sand and gravel. Information about relevant future supply and demand factors for sand and gravel has been included in the Local Aggregates Assessment for the North Yorkshire Sub-region, which will be updated regularly. In order to ensure that an adequate supply can be maintained, significant additional resources of sand and gravel will need to be made available for working in the Plan area, in line with the level of demand forecasted in the LAA.

Policy M02: Provision of sand and gravel

Total provision for sand and gravel over the 15 year period 1st January 2016 to 31st December 2030 will be 36.6 million tonnes, at an equivalent annual rate of 2.44 million tonnes.

Additional provision shall be made, through a mid-term review of provision in the Plan, if necessary to maintain a landbank of at least 7 years for sand and gravel at 31 December 2030 based on an annual rate of provision to be determined through the review.

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Minerals Industry

Key links to other relevant policies and objectives

M01, M03, M04, M07, M08, M10, M11, S01, D01

Objective 5

Monitoring: Monitoring indicator 2 (see Appendix 3)

Policy Justification

- 5.13 The Plan area is particularly important for the supply of high quality concreting aggregate, of which it is significantly the largest supplier in the Yorkshire and Humber area. Supply of concreting sand and gravel northwards into the Tees Valley and adjacent areas in the North East from quarries in northern North Yorkshire is also very important. In 2014 around a half of sales were exports to locations outside North Yorkshire. It is expected that the important role of the area in the supply of aggregate minerals, including to markets outside the Plan area, will need to continue over the Plan period.
- 5.14 The initial distribution of provision between concreting sand and gravel (northwards distribution), concreting sand and gravel (southwards distribution) and building sand will be in accordance with the approach set out in Policy M03 Overall distribution of sand and gravel provision.
- 5.15 To ensure that an adequate supply (i.e. to maintain a landbank of at least 7 years) is available at the end of 2030, additional resources may be needed to deliver this, depending on the actual scale of demand that arises. As it is intended that the Local Aggregates Assessment will be updated regularly, and that it may be expected that the demand forecast may change over the Plan period in response to new information, it is not considered appropriate to specify, at this stage, the precise level of further provision that may be needed in order to maintain a minimum 7 year landbank at 31 December 2030. This is a matter which can be addressed in monitoring of the Joint Plan and via a mid-term review, at which time the level of additional provision which may be needed can be the subject of updated assessment, through the annual review of the Local Aggregates Assessment, with additional site allocations brought forward if necessary. A commitment to maintaining a landbank of at least 7 years is set out in Policy M04 and Policies M07 and M08 identify sites which could be brought forward to meet landbank requirements for sand and gravel in the later part of the plan period.

Overall distribution of sand and gravel provision

- 5.16 The Local Aggregates Assessment provides further information on the operation of the sand and gravel supply system in North Yorkshire and is a key source of evidence for the Joint Plan.
- 5.17 Due to the specific properties and different end uses of building sand and concreting sand and gravel, their supply has been addressed separately. There is no general substitute for building sand and concreting sand and gravel and it is considered that maintaining this distinction is likely to remain appropriate over the Plan period.

Policy M03: Overall distribution of sand and gravel provision

Overall provision of sand and gravel will be allocated in the following proportions:

- **Concreting sand and gravel (Southwards distribution area): 50%**
- **Concreting sand and gravel (Northwards distribution area): 45%**
- **Building sand: 5%**

If it is not practicable to make overall provision in accordance with this ratio, through grant of permission on allocated sites, provision for concreting sand and gravel shall be made across both areas in combination.

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Minerals Industry

Key links to other relevant policies and objectives	
M01, M02, M04, M07, M08, S01, S04, S05, D01	Objectives 5, 6, 7
Monitoring: Monitoring indicator 3 (see Appendix 3)	

Policy Justification

- 5.18 Evidence in the Local Aggregates Assessment suggests that demand for sand and gravel from the Plan area will be significant and that there will be a continuing requirement for exports of concreting sand and gravel into adjacent areas in the North East and Yorkshire and Humber, where in some locations there are substantial limitations on the availability of similar resources. Since adoption of the North Yorkshire Minerals Plan in 1997, separate provision has been made for maintenance of supply in northwards and southwards distribution areas for concreting sand and gravel. This reflects the distribution of key markets for sand and gravel as well as the distribution of sources of supply and has been successful in maintaining supply and in helping to ensure a distribution of mineral workings which reflects proximity to markets, therefore helping to reduce overall transportation distances. In determining in which area a proposed site or reserve falls, regard will be had to its geographical location and the likely markets for the mineral. The division between the concreting sand and gravel northwards and southwards distribution areas is shown indicatively on the minerals key diagram.
- 5.19 Although there are some indications that there could be a small relative increase in future demand from markets to the south (i.e. in West and South Yorkshire) in response to future supply constraints and growth pressures, an allowance for this has been made in the overall forecast of demand for the Plan area and there are a number of uncertainties about the actual scale of future demand for concreting sand and gravel in the various markets served by the Plan area. It is therefore considered that provision should be made in general accordance with the recent historic shares of total provision from each distribution area, with separate provision for building sand reflecting the different end uses for this product.
- 5.20 In common with other types of minerals resources present in the Plan area, sand and gravel resources partly overlap with a range of sensitive locations and designations, including important natural environment designations and heritage assets, some of which are of large geographical extent. Later policies in the Joint Plan seek to ensure that, so far as practicable, future requirements for sand and gravel are met through identifying particular sites or areas and this, along with the development management policies in the Joint Plan, provides a mechanism to ensure that the impacts of any future sand and gravel working, wherever it is proposed, would not lead to unacceptable impacts.

Landbanks for sand and gravel

- 5.21 Landbanks are an important aspect of Government policy to ensure continuity of supply of minerals and support economic growth and provision of infrastructure. The NPPF requires mineral planning authorities to make provision for landbanks for sand and gravel of at least 7 years supply (i.e. sufficient reserves with planning permission to last for at least 7 years at the anticipated annual rate of extraction identified in the Local Plan).

Policy M04: Landbanks for sand and gravel

A minimum 7 year landbank for concreting sand and gravel will be maintained throughout the Plan period for each of the northwards and southwards distribution areas identified on the key diagram.

A separate minimum 7 year landbank will be maintained throughout the Plan period for building sand.	
Main responsibility for implementation of policy: NYCC, CYC, NYMNP and Minerals Industry	
Key links to other relevant policies and objectives	
<i>M01, M02, M03, M07, M08, M10, S01, D01</i>	<i>Objective 5</i>
Monitoring: Monitoring indicator 4 (see Appendix 3)	

Policy Justification

- 5.22 The landbank is a key means of monitoring adequacy of supply, with a shortfall in the landbank indicating that more reserves need to be released. The spatial approach for sand and gravel is to make provision for supply of concreting sand and gravel from separate northwards and southwards distribution areas, along with a separate landbank for building sand, which serves different end uses. To assist with monitoring the effectiveness of this approach it will be necessary to monitor, and maintain, separate landbanks for the southwards and northwards distribution areas and for building sand.
- 5.23 As concreting sand and gravel resources are only present in potentially workable configurations in the NYCC area and City of York Council areas, it follows that, subject to other policies in the Joint Plan, the provision needed to maintain sand and gravel landbank requirements will be made within those parts of the Plan area outside the North York Moors National Park. National planning policy seeks to ensure, as far as practical, that landbanks are maintained outside National Parks.
- 5.24 Taking account of the distribution of sand and gravel resources within the Plan area and the existence of a significant number of individual production sites and operator companies, it is not considered necessary to set a minimum sand and gravel landbank period of more than 7 years.

Scale of provision of crushed rock over the Plan period

- 5.25 The Plan area is a major producer of crushed rock in the Yorkshire and Humber Region and a significant exporter to other areas of Yorkshire and the Humber and the North East.
- 5.26 National planning policy requires planning authorities to consider and plan for a steady and adequate supply of aggregate for their area, taking account of any significant cross boundary movements, by preparing an annual Local Aggregate Assessment (LAA). A North Yorkshire sub-regional LAA has been produced in partnership with North Yorkshire County Council, City of York Council and the North York Moors and Yorkshire Dales National Park Authorities.

Policy M05: Provision of crushed rock

Total provision for crushed rock over the 15 year period 1st January 2016 to 31st December 2030 shall be 56.3 million tonnes, at an equivalent annual rate of 3.75 million tonnes, within which specific provision for a total of 22.5 million tonnes at an equivalent annual rate of 1.50 million tonnes per annum shall be for Magnesian Limestone.

Additional provision shall be made through a mid-term review of provision in the Plan, if necessary, in order to maintain a minimum 10 year landbank of crushed rock, including a separate minimum 10 year landbank for Magnesian Limestone, at 31 December 2030 based on an annual rate of provision to be determined through the review.	
Main responsibility for implementation of policy: NYCC, CYC, NYMNP and Minerals Industry	
Key links to other relevant policies and objectives	
<i>M01, M06, M09, M10, M11, S01, D01</i>	<i>Objective 5</i>
Monitoring: Monitoring indicator 5 (see Appendix 3)	

Policy Justification

- 5.27 Evidence indicates that demand for crushed rock worked in the Plan area is likely to continue, although the precise scale of future requirements is difficult to assess. Pressure for growth and development generates demand for aggregate minerals, including crushed rock. The area has traditionally been an important supplier of crushed rock into other parts of Yorkshire and Humber and the North East, as well as within North Yorkshire, and growth and development in all these areas is expected to take place over the Plan period. Information about relevant future supply and demand factors for crushed rock has been included in the Local Aggregates Assessment for the North Yorkshire Sub-region, which will be updated regularly.
- 5.28 Substantial permitted reserves of crushed rock already exist in the Plan area and there is no near term prospect of an overall shortfall in supply. However, evidence in the LAA suggests that in order to reflect supply imbalances across the range of crushed rock types present in the area, it would be beneficial to make available further resources of Magnesian Limestone. This would help to ensure that an adequate supply of this particular rock type can be maintained, as well as help to maintain local sources of aggregates supply in the southern and central part of the Plan area. It is therefore appropriate to identify specific provision for this type of rock separately from other crushed rock sources.
- 5.29 Magnesian Limestone resources in the Plan area form part of an extensive but distinctive topographical feature known as the Southern Magnesian Limestone Ridge. The Ridge is important due to the historic landscapes and designated and undesignated heritage assets it contains. Whilst Magnesian Limestone working on the Ridge has been taken taking place for many years, providing policy support in the Joint Plan for maintaining the supply of this rock type could create a risk of adverse impacts on heritage assets. However, the overall scale of additional development expected to be required is relatively small when considered in the context of the geographical extent of the Ridge. Locations for further working are addressed through specific site allocations in the Joint Plan, which have been subject to assessment, including in relation to their potential for impact on historic landscapes and heritage assets. The development management policies in the Joint Plan provide further protection and make specific reference to the significance of the Southern Magnesian Limestone Ridge. Policy support for the continued availability of Magnesian Limestone, which is a well-established element of the overall supply of crushed rock in the Joint Plan area, is important in that it could help to maintain an appropriate distribution of supply of crushed rock as well as the availability of aggregates suitable for a range of end uses, to complement supply from other sources.
- 5.30 To ensure that an adequate supply of crushed rock (i.e. a minimum 10-year landbank) is available at the end of 2030, it may also be necessary to identify some additional resources towards the end of the Plan period, depending on the actual

scale of demand and the extent to which any reserves are permitted as a result of implementing the Joint Plan. As it is intended that the Local Aggregates Assessment will be updated regularly, and that changes to the demand forecast may be expected over the Plan period, it is not considered appropriate to specify, at this stage, the level of further provision that may be needed to maintain a minimum 10-year landbank at 2030. This is a matter which can be addressed in monitoring of the Joint Plan and via a mid-term review, at which time the level of additional provision which may be needed can be the subject of an updated assessment, and additional provision made if necessary. A commitment to maintaining a minimum 10-year landbank of crushed rock throughout the Plan period, including a separate minimum 10-year landbank for Magnesian Limestone, is set out in the following policy.

Landbanks for Crushed Rock

- 5.31 National planning policy for aggregate minerals requires the maintenance of landbanks (a stock of reserves with planning permission for extraction) to help to ensure continuity in supply. The landbank is a key means of monitoring adequacy of supply, with a shortfall in the landbank indicating that more reserves need to be released.

Policy M06: Landbanks for crushed rock	
A minimum overall landbank of 10 years will be maintained for crushed rock throughout the Plan period. A separate minimum 10 year landbank will be identified and maintained for Magnesian Limestone crushed rock.	
Where new reserves of crushed rock are required in order to maintain the overall landbank above the 10 year minimum period these will be sourced from outside the National Park and Areas of Outstanding Natural Beauty.	
Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Minerals Industry	
Key links to other relevant policies and objectives	
<i>M01, M05, M09, S01, D01</i>	<i>Objective 5</i>
Monitoring: Monitoring indicator 6 (see Appendix 3)	

Policy Justification

- 5.32 National Planning Policy requires a landbank of crushed rock sufficient for a minimum of 10 years based on the anticipated rate of supply. The approach for crushed rock is to identify an overall landbank for crushed rock, along with a separate landbank for Magnesian Limestone as it mainly serves different end uses and is currently more constrained in supply than Carboniferous Limestone (the other main source of crushed rock in the plan area). This will assist with monitoring availability of supply across the main rock types worked in the area and ensuring that appropriate provision is maintained, consistent with the approach in Policy M05.
- 5.33 Crushed rock resources occur within highly protected parts of the plan area, including the National Park and in both the Howardian Hills and Nidderdale AONBs. There are no current crushed rock workings in the National Park and the release of crushed rock in the Park to maintain the landbank would not be supported by national policy. Both AONBs currently contribute to the supply of crushed rock and therefore the overall landbank of reserves. The minerals supply policies in the Joint Plan support the limited working of additional resources at these sites. However, such support is provided in order to maintain the benefits that these established sites bring to the local employment and economy rather than the contribution they may make to the

landbank. It therefore follows that the release of additional reserves in the AONBs, specifically in order to maintain the landbank over the 10 year minimum period, will not be supported under this policy.

Maintenance of primary aggregates supply

- 5.34 National planning guidance encourages future requirements for aggregate to be provided through the identification and allocation, where practicable, of specific sites for development. Such an approach has the benefit of providing greatest certainty to industry and other interested parties on locations where future development will be acceptable in principle, thus helping to encourage investment as well as providing more clarity to local communities. Where this is not practicable, preferred areas or areas of search should be identified, to indicate where resources potentially suitable for working may be located.
- 5.35 The assessment of future requirements for aggregate, carried out when preparing the Joint Plan, has indicated that provision needs to be made for further working to help to ensure continuity of supply of concreting sand and gravel, building sand and Magnesian Limestone.

Policy M07: Meeting concreting sand and gravel requirements

Requirements for concreting sand and gravel will be met through existing permissions and the grant of permission on sites and areas identified in the Joint Plan for working.

Part 1) Sand and gravel (northwards distribution) site allocations:

- i) **Allocations required in order to meet requirements during the Plan period:**

Land at Killerby (MJP21)

- ii) **Allocations potentially required to contribute to maintenance of an adequate landbank at 31 December 2030. Permission will not be granted for development of these allocations prior to 2025, unless there is a shortfall in the sand and gravel landbank in the northwards distribution area or there is a shortfall in production capacity in the northwards distribution area requiring the release of additional sites for working:**

Land at Home Farm, Kirkby Fleetham (MJP33)

Land South of Catterick (MJP17)

Proposals for development of these sites will be required to take account of the key sensitivities and incorporate the necessary mitigation measures that are set out in Appendix 1.

Part 2) Sand and gravel (southwards distribution) site allocations and Areas of Search:

- i) **Allocations required in order to meet requirements during the Plan period:**

Land at Langwith Hall Farm (MJP06)

Land at Pennycroft and Thorneyfields, Ripon (MJP14)

A Preferred Area on land at Oaklands (MJP07)

Proposals for development of these sites will be required to take account of the key sensitivities and incorporate the necessary mitigation measures that are set out in Appendix 1.

- ii) Areas of Search for concreting sand and gravel are identified as shown on the key diagram. Planning permission will be granted for development of sites within an Area of Search where necessary in order to maintain an adequate landbank at 31 December 2030 in the southwards distribution area and the need cannot be met through development of allocated sites or preferred areas. Permission will not be granted for development within these Areas of Search prior to 2025, unless there is a need for the earlier release of further reserves in order to maintain an adequate landbank or there is a shortfall in production capacity in the southwards distribution area requiring the release of additional sites for working.

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and District and Borough Councils

Key links to other relevant policies and objectives

M02, M03, M04, S01

Objectives 5, 6

Monitoring: Monitoring indicator 7 (see Appendix 3)

Policy Justification

- 5.36 Evidence indicates that, taking into account the level of permitted reserves at the end of 2015, additional provision of the order of 10.3mt is required for the sand and gravel northwards distribution area over the period to 31 December 2030. The equivalent figure for the southwards distribution area is 5.9mt. Sites with existing reserves expected to make a contribution to supply are listed in Table 1 below. Additional reserves would be needed in both areas to help to maintain a landbank of at least 7 years at the end of the Plan period, in line with Policy M04. The scale of additional reserves required would be 7.7mt (northwards distribution area) and 8.5mt (southwards distribution area).
- 5.37 A range of specific locations have been put forward by industry for consideration during preparation of the Joint Plan and these have been assessed. Requirements for concreting sand and gravel in the northwards distribution area can be met through the release of reserves on specific sites to be allocated in the Joint Plan. Some sites proposed to be allocated are expected to be required in order to meet needs during the period to 2030. A proposed allocation is identified in Part 1i) of the Policy to meet this requirement in the northern distribution area, containing an estimated 11.4mt of reserves. Further sites are identified in part 1ii) of the Policy to help to ensure that an adequate landbank can be maintained in the latter part of the Plan period and that adequate productive capacity can be maintained. Proposals for release of reserves on sites identified in Part 1ii) of the Policy should be accompanied by information to demonstrate why there is a need to release the reserves.
- 5.38 Proposed site allocations in the southwards distribution area contain an indicative 6.6mt. This does not include any additional reserves which could be available within an identified Preferred Area at Oaklands (MJP07). Whilst this area was proposed as a site allocation, a number of constraints to development have been identified, including potential impact on the historic environment and on the setting of Well village. It has not been possible to fully resolve these issues prior to finalisation of the Plan. A Preferred Area has therefore been identified, based on the submission boundary as shown in Appendix 1. In view of the constraints at this site it is not

expected that the whole of this area would be acceptable for development and more detailed assessment would be needed, through a detailed planning application, in order to identify a suitable boundary for working. It has not been practicable to identify other suitable specific sites in the Policy to demonstrate how a further contribution to longer term (post-2030) landbank requirements could be made. To address this, and to provide an element of flexibility in overall provision, Areas of Search have been identified. Based on available information, these Areas contain substantial resources of concreting sand and gravel and could provide suitable locations for the identification of further reserves for the southwards distribution area. To help ensure a planned approach to provision, it would not be appropriate to release reserves in sites within these Areas, unless a shortfall in the landbank indicates that additional reserves are required. Proposals for development of sites within Areas of Search will also need to demonstrate full compliance with relevant development management policies in the Joint Plan. The following table summarises requirements and proposed site allocations and Preferred Areas for concreting sand and gravel.

Summary of concreting sand and gravel requirements and proposed allocations		
	Northwards Distribution	Southwards Distribution
Total estimated requirement over the period 1 January 2016 to 31 December 2030 (million tonnes)	16.5	18.3
Additional reserves required to provide a 7 year landbank at 31 December 2030 (million tonnes)	7.7	8.5
Estimated shortfall (balance between permitted reserves at 1 January 2016 and total requirement to 31 December 2030) (million tonnes)	10.3	5.9
Total estimated reserves available in sites proposed for allocation in Part 1(i) of Policy M07 (million tonnes)	11.4 Comprising: 11.4mt (Killerby site MJP21)	6.6 Comprising: 2.3mt (Langwith Hall Farm site MJP06) 4.3mt (Land at Pennycroft and Thorneyfields, Ripon site MJP14) Oaklands site Preferred Area MJP07 (tonnage estimate not available)
Total estimated reserves available in sites proposed for allocation in Part 1(ii) of Policy M07 in order to contribute to longer term landbank requirements (million tonnes)	6.7 Comprising: 3.5mt (Home Farm site MJP33) 3.2mt (land south of Catterick site MJP17)	Estimated requirement to be provided from Areas of Search in the southwards distribution area: 6-8mt depending on scale of any reserves delivered via the Oakland Preferred Area (MJP07).
Sites with permitted reserves of concreting sand and gravel as at 30 June 2016 (excludes dormant sites)	Scorton Quarry, Bridge Farm (Pallet Hill) Quarry, Manor House Farm Quarry	Marfield Quarry, Ripon Quarry, Ripon City Quarry, Nosterfield Quarry, Wykeham Quarry, Ings Farm

Table 1: Summary of requirements, allocations and sites with existing permitted reserves for concreting sand and gravel in northwards and southwards distribution areas

- 5.39 Additional provision, if required in order to meet longer term concreting sand and gravel landbank requirements, will be addressed through a mid-term review of the Joint Plan in line with Policy M02.
- 5.40 Planning permission will be granted for development of sites allocated in the Joint Plan subject to compliance with other relevant policies. Proposals will also be expected to demonstrate that any relevant development requirements for the allocation, as identified in Appendix 1, have been addressed, and incorporate appropriate provision for mitigation where necessary.

Building Sand

Policy M08: Meeting building sand requirements	
Requirements for building sand will be met through existing permissions and the grant of permission on sites allocated in the Joint Plan for working.	
Building sand allocations:	
<p style="padding-left: 40px;">Land at Hensall Quarry (MJP22) Land at West Heselton Quarry (MJP30) Land adjacent to Plasmor blockworks, Great Heck (MJP44) Land at Mill Balk Quarry, Great Heck (MJP54)</p>	
Proposals for the development of these sites will be required to take account of the key sensitivities and incorporate the necessary mitigation measures that are set out in Appendix 1.	
Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Minerals Industry	
Key links to other relevant policies and objectives	
<i>M02, M03, M04, S01</i>	<i>Objectives 5, 6</i>
Monitoring: Monitoring indicator 8 (see Appendix 3)	

Policy Justification

- 5.41 Evidence suggests that the scale of additional provision for building sand needed to meet requirements over the Plan period is relatively small (amounting to around 0.9 million tonnes (mt) over the period to 31 December 2030). A further 0.8mt would be required in order to provide a minimum 7-year landbank at 31 December 2030. Although there is only very limited evidence available on the distribution of potentially suitable building sand resources, a range of specific locations have been put forward by industry for consideration during preparation of the Joint Plan and these have been assessed. Requirements for building sand during the Plan period can be met through the release of reserves on specific sites put forward for consideration, which contain an estimated 2.5mt of reserves and therefore would also be sufficient to maintain a 7-year landbank of building sand at 31 December 2030. The following table summarises requirements and proposed site allocations for building sand, as well as sites with existing permitted reserves expected to be able to contribute to supply.

Summary of building sand requirements and proposed allocations	
Total estimated requirement over the period 1 January 2016 to 31 December 2030 (million tonnes)	1.8
Additional reserves required to provide a 7 year landbank at 31 December 2030 (million tonnes)	0.8
Estimated shortfall (balance between permitted reserves at 1 January 2016 and total requirement to 31 December 2030) (million tonnes)	0.9
Total estimated reserves available in sites proposed for allocation in Policy M08 (million tonnes)	1.7 Comprising: 1.5mt (Hensall Quarry site MJP22) 0.03-0.05mt (West Heslerton Quarry site MJP30) 0.9mt (Land adjacent to Plasmor Blockworks, Great Heck site MJP44) 0.07mt (Mill Balk Quarry site MJP54)
Sites with permitted reserves of building sand as at 30 June 2016 (excludes dormant sites)	Hensall Quarry Mill Balk Quarry West Heslerton Quarry

Table 2: Summary of requirements, allocations and sites with existing permitted reserves for building sand

- 5.42 Planning permission will be granted for development of sites allocated in the Joint Plan subject to compliance with other relevant policies. Proposals will also be expected to demonstrate that any relevant development requirements for the allocation, as identified in Appendix 1, have been addressed, and incorporate appropriate provision for mitigation where necessary.

Crushed rock

Policy M09: Meeting crushed rock requirements

Requirements for Magnesian Limestone over the Plan period will be met through existing permissions and the grant of permission on sites allocated in the Joint Plan for working.

Magnesian Limestone allocations:

Part 1) Allocations required in order to meet requirements during the Plan period:

**Land at Jackdaw Crag South, Stutton (MJP23)
Land at Barnsdale Bar Quarry (MJP28)
Land at Went Edge Quarry, Kirk Smeaton (MJP29)**

Part 2) Allocations required to contribute to maintaining an adequate landbank at 31 December 2030:

Land at Gebdykes Quarry (MJP11)

Land at Potgate Quarry (MJP10)

Maintenance of supply of crushed rock is also supported through the identification of allocated sites at:

Land at Settrington Quarry (MJP08) (Jurassic Limestone)
Land at Darrington Quarry (MJP24) (retention of processing plant site and haul road)

Proposals for the development of sites identified in this Policy will be required to take account of the key sensitivities and incorporate the necessary mitigation measures that are set out in Appendix 1.

Key links to other relevant policies and objectives*M05, M06, S01**Objectives 5, 6***Monitoring:** Monitoring indicator 9 (see Appendix 3)**Policy Justification**

- 5.43 Evidence indicates that a further 8.1 million tonnes (mt) of reserves of Magnesian Limestone are needed in order to meet requirements over the period 1 January 2016 to 31 December 2030, based on permitted reserves at the end of 2015. Permission was granted in early 2016 for working of 0.7mt of Magnesian Limestone within an area submitted for allocation at Barnsdale Bar (North area), reducing the remaining requirement to 7.4mt. Sites expected to be able to contribute to supply of Magnesian Limestone during the Plan period are identified in Table 3 below. A further 15mt of reserves would be required in order to maintain a minimum 10-year landbank of Magnesian Limestone at 31 December 2030.
- 5.44 A range of specific locations have been put forward by industry for consideration during preparation of the Joint Plan and these have been assessed. Requirements for Magnesian Limestone during the Plan period can be met through the release of reserves on specific sites put forward for consideration. Sites considered suitable for allocation contain an estimated total of 14.5mt and therefore would also make a significant contribution towards maintaining an adequate landbank of Magnesian Limestone beyond 31 December 2030. Two of these sites (comprising extensions to Gebdykes Quarry and Potgate Quarry) are not expected to make a contribution to supply until around 2020, taking into account the extent of existing permitted reserves, although the additional reserves in these sites are expected to be important in maintaining supply in the latter part of the Plan period and in contributing to an adequate landbank at 31 December 2030. These two sites also facilitate the supply of Magnesian Limestone from a part of the Plan area where other sources of Magnesian Limestone are not available, thus helping to sustain flexibility and an appropriate pattern of supply. The following table summarises requirements and proposed site allocations for Magnesian Limestone.

Summary of Magnesian Limestone requirements and proposed allocations

Total estimated requirement over the period 1 January 2016 to 31 December 2030 (million tonnes)	22.5
Additional reserves required to provide a 10 year landbank at 31 December 2030 (million tonnes)	15.0

Estimated shortfall (balance between permitted reserves at 1 January 2016 and total requirement to 31 December 2030) (million tonnes)	7.4
Total estimated reserves available in sites proposed for allocation in Part 1 of Policy M09 (million tonnes)	7.0 Comprising: 3.0mt (Jackdaw Crag Quarry (south) site MJP23) 2.0mt (Barnsdale Bar Quarry site MJP28 North west area)) 2.0mt (Went Edge Quarry site MJP29)
Total estimated reserves available in sites proposed for allocation in Part 2 of Policy M09 in order to contribute to longer term landbank requirements (million tonnes)	7.5 Comprising: 3.8mt (Gebdykes Quarry site MJP11) 3.7mt (Potgate Quarry site MJP10)
Sites with permitted reserves of Magnesian Limestone as at 30 June 2016 (excludes dormant sites)	Gebdykes Quarry Potgate Quarry Jackdaw Crag Quarry Brotherton Quarry Newthorpe Quarry Went Edge Quarry Barnsdale Bar Quarry

Table 3: Summary of Magnesian Limestone requirements, proposed allocations and sites with existing permitted reserves

- 5.45 Supply of Magnesian Limestone in the Plan area and adjacent areas is also facilitated by existing processing plant and related infrastructure within the former Darrington Quarry site, near Cridling Stubbs. Although mineral extraction at Darrington Quarry in North Yorkshire ceased a number of years ago, permission has been granted to retain the processing plant to serve more recently permitted Magnesian Limestone extraction within Wakefield, to which the plant site is linked by a private haul road. An application to retain the plant site and haul road for a further period, in order to serve the remaining expected quarry working life in Wakefield, is currently awaiting determination. Both permitted reserves and annual output at the site are substantial and make an important contribution to overall supply of Magnesian Limestone. A proposed site allocation for retaining the processing plant site and related infrastructure has been submitted and is considered suitable for allocation.
- 5.46 During preparation of the Joint Plan, sites for working other crushed rock resources (Carboniferous Limestone and Jurassic Limestone) were put forward for consideration⁹. No specific requirement has been identified for the release of further reserves of these types of crushed rock in order to meet requirements over the period to 31 December 2030 and it is not considered that identifying allocations for these is a priority for the Joint Plan. However, a small volume of further reserves of Jurassic Limestone (estimated at 1.8mt) could be needed to maintain a 10-year landbank at 31 December 2030. Of the four sites put forward, only one is considered suitable for allocation. The reserves in this site (1.7mt) could help to sustain security of supply of Jurassic Limestone in this part of the Plan area. Should proposals come forward for extensions to other existing Carboniferous or Jurassic Limestone sites these will be assessed under the requirements of Policy M10 Unallocated extensions to existing quarries and, if the site is located in an AONB, Policies M01 and D04.

⁹ Site MJP03 for working Carboniferous Limestone from land at Scarborough Field, Forcett, was subsequently withdrawn.

- 5.47 Planning permission will be granted for development of sites allocated in the Joint Plan subject to compliance with other relevant policies. Proposals will also be expected to demonstrate that any relevant development requirements for the allocation, as identified in Appendix 1, have been addressed, and incorporate appropriate provision for mitigation where necessary.

Extensions to existing quarries on unallocated sites

- 5.48 It is recognised that proposals for extensions to existing aggregate quarries are likely to continue to come forward as planning applications during the life of the new Joint Plan and that, in some cases, such applications may not be on land allocated specifically in the Joint Plan as being suitable in principle for further working. It is possible that proposals will also come forward for extensions to other types of mineral workings. Such applications are most likely to come forward to maintain continuity of production at an established site where current permitted reserves are near to exhaustion but further suitable resources have been identified on immediately adjacent land.
- 5.49 It is therefore appropriate to include a policy in the Joint Plan which sets out the main criteria that would be applied to any such proposals.

Policy M10: Unallocated extensions to existing quarries	
Proposals for extensions to minerals extraction sites on land not allocated for working in the Joint Plan will be permitted subject to the following criteria;	
<ul style="list-style-type: none"> i) If the site is in the National Park or an AONB, the requirements for major development in Policy D04 are complied with; ii) The development would not compromise overall delivery of the strategy for the sustainable supply and use of minerals, including encouraging the use of alternatives to primary minerals; iii) The development would be consistent with the development management policies in the Joint Plan. 	
Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Minerals Industry	
Key links to other relevant policies and objectives	
<i>M02, M03, M05, M11, D01, D04, D02, D03, D05, D06, D07, D08, D09, D10, D11, D12</i>	<i>Objective 5</i>
Monitoring: Monitoring indicator 10 (see Appendix 3)	

Policy Justification

- 5.50 The presumption in favour of sustainable development means that development should not be prevented solely because it is not identified and supported specifically in the Joint Plan. Such an approach could unnecessarily prevent development which might otherwise be acceptable and could impact adversely on the local and wider economy and other social objectives. However, it will be important to ensure, where development proposals come forward on land not identified specifically for working, that they do not compromise other important strategic objectives of the Joint Plan and that any environmental and amenity impacts are considered by applying relevant development management policies in the Joint Plan. In all cases, any reserves granted on unallocated sites would, where relevant, contribute towards the landbank of the mineral.

- 5.51 National policy does not preclude major development from taking place in protected areas. However, proposals need to be considered against the requirements for major development, which state that exceptional circumstances need to be shown and it can be demonstrated that they are in the public interest, as set out in more detail in Policy D04 of the Joint Plan. Although the term 'major development' is not defined in this context in national policy, it is likely that most proposals for extensions to aggregates quarries in the National Park and AONBs will be subject to the test.

Secondary, Recycled and Marine Aggregates

- 5.52 National policy requires mineral planning authorities, so far as practicable, to take account of the contribution that secondary and recycled material and minerals waste would make to supply of aggregate, before considering extraction of primary materials. Secondary aggregates are by-products of other processes which can be used to substitute for primary aggregate minerals such as sand and gravel and crushed rock. The main form of secondary aggregate occurring in the Plan area is power station ash, comprising furnace bottom ash (FBA) and pulverised fuel ash (PFA). Recycled aggregates, arising from construction, demolition and excavation activities, can also be used to substitute for primary minerals, often as low-quality aggregate for construction uses such as bulk fill, although some secondary and recycled materials may be capable of acting as a substitute or partial substitute for primary aggregates in higher specification end uses, such as concrete manufacture.
- 5.53 The southern part of the Plan area contains two major coal-fired power stations (Drax and Eggborough). A third (Ferrybridge) located just outside the boundary of the area and utilising ash disposal facilities located within it has recently ceased coal-fired power generation. Until recently, Kellingley Colliery in Selby district has been a major source of secondary aggregate in the form of colliery spoil. The Colliery closed at the end of 2015. These closures are likely to have some adverse impact on the capability of the area to supply secondary aggregate. However, there is also the potential for ash to be generated by recently permitted waste-to-energy capacity in the area, including the Allerton Waste Recovery Park facility which is currently under construction. Some of this ash also has the potential to be recycled and/or used as secondary aggregate.
- 5.54 National planning policy requires planning authorities to consider and plan for a steady and adequate supply of aggregate for their area, taking account of any significant cross-boundary movements, by preparing an annual Local Aggregate Assessment (LAA). A North Yorkshire sub-regional LAA has been published which concludes that, in terms of secondary and recycled aggregates, it would be reasonable to assume capability to maintain supply at levels similar to those prevailing in recent years, although there may be potential for a small increase in the supply of some secondary and recycled materials.
- 5.55 There has been growing interest recently in the potential for an increased supply of sand and gravel from marine sources to replace an element of land-won supply, particularly in markets in the major urban areas in West and South Yorkshire, and this is supported in principle in national policy. A study undertaken jointly on behalf of mineral planning authorities in Yorkshire and Humber was published in 2014 (see paragraph 2.54). This indicates potential in the medium to longer term for a significant increase in supply into such market areas (with the potential therefore to offset an element of supply of land-won sand and gravel from North Yorkshire). However, at this stage it is not considered appropriate to assume that such sources will have a substantial impact on supply during the timeframe of the current Joint Plan. This is an issue which will need to be kept under review and addressed where

necessary in future updates of the Local Aggregates Assessment and in any review of the Joint Plan, including as referred to in Policy M02.

Policy M11: Supply of alternatives to land-won primary aggregates

Proposals which would facilitate the supply and use of secondary, recycled and marine aggregate as an alternative to primary land-won aggregate will be permitted including:

- 1) The development of appropriately scaled new ancillary infrastructure, including ancillary manufacturing facilities, using secondary aggregate as the primary raw material, at sites where secondary aggregates are produced, or marine aggregates imported;
- 2) The supply of secondary aggregate from waste disposal sites provided it would not involve disturbance to restored ground or a landscaped feature which has become assimilated into, or is characteristic of, the local landscape, or is of archaeological value;
- 3) The separation of materials with potential for re-use or recycling as aggregate during waste management activity and the maximum recovery of recycled aggregate during demolition activity;
- 4) The use of appropriately located aggregates mineral extraction sites, and sites for the transport of minerals, as locations for the ancillary reception, processing and onward sale of recycled aggregate during the associated period of minerals extraction at the site;

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Minerals Industry

Key links to other relevant policies and objectives

M02, M05, M20, W05, W09, I02, S05, D03, D05, D07, D09

Objectives 4, 6

Monitoring: Monitoring indicator 11 (see Appendix 3)

Policy Justification

- 5.56 A range of measures, capable of being implemented or supported through planning processes, can help to increase the use of secondary and recycled aggregates and are supported in the Joint Plan. Support for facilities for the management of construction and demolition waste is also provided in the waste policies in Chapter 6 and can also help with supply of materials which can substitute for primary aggregate.
- 5.57 Although the use of secondary and recycled aggregate has benefits in terms of replacing natural materials and in generating economic activity, it can also have impacts on the environment and amenity. Proposals for new facilities and infrastructure for the supply of secondary and recycled aggregate will therefore need to comply with other relevant policies in the Joint Plan, particularly the development management policies in Chapter 9. Whilst marine aggregates are not expected to make a major direct contribution to supply in the area over the Plan period, it is appropriate to provide policy support for this in the Joint Plan, to encourage a sustainable mix of supply sources.
- 5.58 A particular consideration is the role that quarries and sites for the transport of minerals can play in providing locations for the reception, processing and supply of aggregate. Many aggregates quarries now supply a wide range of products, including a proportion of recycled materials, sometimes as a blend of primary and recycled materials. This can help to minimise overall use of primary aggregate and

help to sustain economic activity at minerals extraction sites. However, aggregates quarries are generally located in open countryside and are sometimes subject to a range of environmental constraints. In some cases they are located in the Green Belt and may have been permitted because of the flexibility allowed for minerals extraction in the Green Belt, subject to particular tests. It is considered that appropriately scaled recycling activity at operational minerals extraction sites in the Green Belt can be supported in principle under this policy, provided that it would preserve the openness of the Green Belt. Construction of buildings for the purposes of recycling activity at quarries in the Green Belt would be unlikely to be supported under this policy.

- 5.59 In all cases, quarries and sites for the transport of minerals proposed to be used for the reception and supply of recycled aggregate, as part of an overall mix of supply, should be well-located in relation to transport networks including the major road network, in line with Policy D03, to minimise any adverse impacts on environment or amenity.

Silica Sand

- 5.60 Silica sand is a scarce industrial mineral which is of local and national importance and which can, depending on its particular properties, serve a variety of end uses in manufacturing and industry. The overall geographical extent of potential resources of silica sand within the Plan area is very small, with occurrences in two separate locations: at Burythorpe, near Malton to the east; and Blubberhouses, in Harrogate Borough to the west. The different qualities of the silica sand at the two locations means that they are suitable for different end uses. Burythorpe Quarry produces foundry sand and Blubberhouses Quarry, which has been mothballed for many years, contains sand suitable for high-quality glass manufacture. There are no resources of silica sand in the City of York area or the North York Moors National Park. The significance of silica sand is such that, in some cases, proposals for development may be dealt with via the Nationally Significant Infrastructure Project procedures.



Figure 10: Silica sand resources in Plan area

- 5.61 MPAs are required to plan for a steady and adequate supply of industrial minerals by co-operating with neighbouring and more distant authorities to co-ordinate the planning of industrial minerals, to ensure adequate provision is made to support their likely use in industrial and manufacturing processes, and encourage safeguarding or stockpiling so that important minerals remain available for use.

Policy M12: Continuity of supply of silica sand

- 1) Proposals for the continuing extraction of silica sand at Burythorpe Quarry, including proposals for lateral extensions or deepening, will be supported in principle where necessary to maintain reserves during the period to 31 December 2030 and a minimum 10-year landbank for the site.**
- 2) Proposals for development of silica sand resources at Blubberhouses Quarry, including proposals to extend time to complete existing permitted development or proposals for lateral extensions or deepening, will be supported in principle subject, where relevant, to compliance with the requirements for major development in Policy D04, compliance with the Habitats Regulations and compliance with other relevant development management policies. Any proposals will need to demonstrate a very high standard of mitigation of any environmental impacts and high quality restoration, including protection of peat resources.**

Main responsibility for implementation of policy: NYCC and Minerals Industry

Key links to other relevant policies and objectives

S01, D04, D06, D07, D08, D10

Objectives 5, 6

Monitoring: Monitoring indicator 12 (see Appendix 3)

Policy Justification

- 5.62 National policy supports the maintenance of permitted reserves of silica sand, in order to provide a minimum 10 year supply at individual sites or a 15-year supply where significant new investment is required.
- 5.63 Within the Plan area active production takes place at a site at Burythorpe Quarry and the current permission is valid until 2042. Burythorpe Quarry provides a large proportion of the UK market share of resin coated sand, as well as supplying markets outside the UK.
- 5.64 There are no published national or local forward projections of likely demand for silica sand. Based on known reserves at the end of 2014 and average annual output, it is likely that there is capability to maintain sufficient supply from this site up to the end of the Plan period. Nevertheless it is possible that factors including variability in the quality of the resource may lead to further reserves needing to be released for Burythorpe Quarry during the Plan period, although specific proposals to achieve this have not yet been identified by the operator.
- 5.65 A number of constraints on future development may exist at Burythorpe Quarry, including the presence of a Roman villa in proximity to the site. These would need to be addressed if any specific proposals for extension are brought forward.
- 5.66 The resource of silica sand located at Blubberhouses Quarry overlaps with internationally important nature conservation designations and, along with a number of other existing or former mineral workings, falls within the Nidderdale AONB. It is also in an area important for the presence of peat. The site has been dormant since

1991 and the original permission has now expired, although prior to expiry an application for an extension of time was submitted, which is currently undetermined. The national policy requirement for available reserves at the Blubberhouses site would be met in the event that the current planning application for an extension of time is granted. The location of the site within the Nidderdale AONB means that any proposals for significant further development involving minerals extraction will need to satisfy the major development test set out in Policy D04 of the Joint Plan.

- 5.67 The proximity of designated internationally important nature conservation sites also means that Appropriate Assessment under the Habitats Regulations will be needed. As a result of these major constraints, the acceptability of future development at Blubberhouses Quarry can only be fully tested if specific proposals are brought forward in a planning application.
- 5.68 There are only three Mineral Planning Authority areas in England who produce silica sand suitable for high quality glass manufacture: Norfolk and Surrey County Councils and Cheshire East Council. Supply also takes place from Fife in Scotland. Supply from Cheshire East is due to cease in 2016 with no new supply sources available. Neither of the other two MPAs in England currently has a 10-year landbank as required by the NPPF, although both are seeking to make future provision through their emerging land use plans which, if achieved, would enable supply to continue over a longer period should the market require. In both areas resources are constrained by a range of important environmental designations.
- 5.69 It is understood that silica sand is currently imported from a site in Norfolk to a glass manufacturer located in Selby district and to other glass manufacturers in the Yorkshire and Humber region. Due to the specific properties of the silica sand needed to produce the quality of glass required, it is not considered that suitable resources are available elsewhere within the Plan area, apart from in the vicinity of Blubberhouses.
- 5.70 Other important considerations include: the absence of alternative sources of potential supply outside the AONB; the economic benefits both locally and nationally in securing raw materials for industry; and the potential impacts of a reduced supply if supplies from outside the Joint Plan area were not available.
- 5.71 Overall the evidence suggests that there is significant uncertainty, beyond the short term, about the future supply situation nationally as well as an expectation that, in the near future, supply from England will be concentrated in the southern part of the country. There is potential for a shortage of supply in the medium to long term and as a result the longer-term significance of the high-quality silica sand resource at Blubberhouses is likely to increase. It is therefore appropriate to provide support in principle for the development of resources within the Blubberhouses site subject to taking account of the important constraints that exist in this location.
- 5.72 A further relevant consideration in respect of Blubberhouses Quarry is that the Local Transport Plan for North Yorkshire has identified the need to realign the A59 road at Kex Gill, near Blubberhouses Quarry, to avoid recurring issues of land instability. A definitive proposed realignment is not yet available and there is no safeguarded route. However, there is potential for this project to overlap with the Blubberhouses quarry site. In this scenario there would be a need to ensure that the potential for conflict between the road alignment and the quarry is reflected in the design of both schemes.

Clay

- 5.73 Potential resources of clay are widely distributed in the Plan area, mainly in the lower lying central part of NYCC and within the City of York. The quality of clay resources is likely to be very variable and workable deposits may be much more limited in distribution. The principal clay resource in the Plan area is brick clay, although small amounts of fireclay are also likely to be present, in association with shallow coal which has not itself been the subject of any commercial interest, as well as clay suitable for engineering purposes. There are only a small number of active sites, all located in the NYCC area. The main uses of clay worked in the Plan area are for brick manufacture (at Alne Brickworks) and for the manufacture of lightweight aggregate blocks (at the Plasmor site at Great Heck in Selby District, which is currently served by clay from the nearby Hemingbrough Clay Pit).
- 5.74 Deposits of brick clays also occur in the Heworth, Layerthorpe, Dringhouses and Acomb areas in the City of York. Historically, brick clay has also been extracted in the City of York area, although there have been no workings or brick-making industry in York for over 50 years.

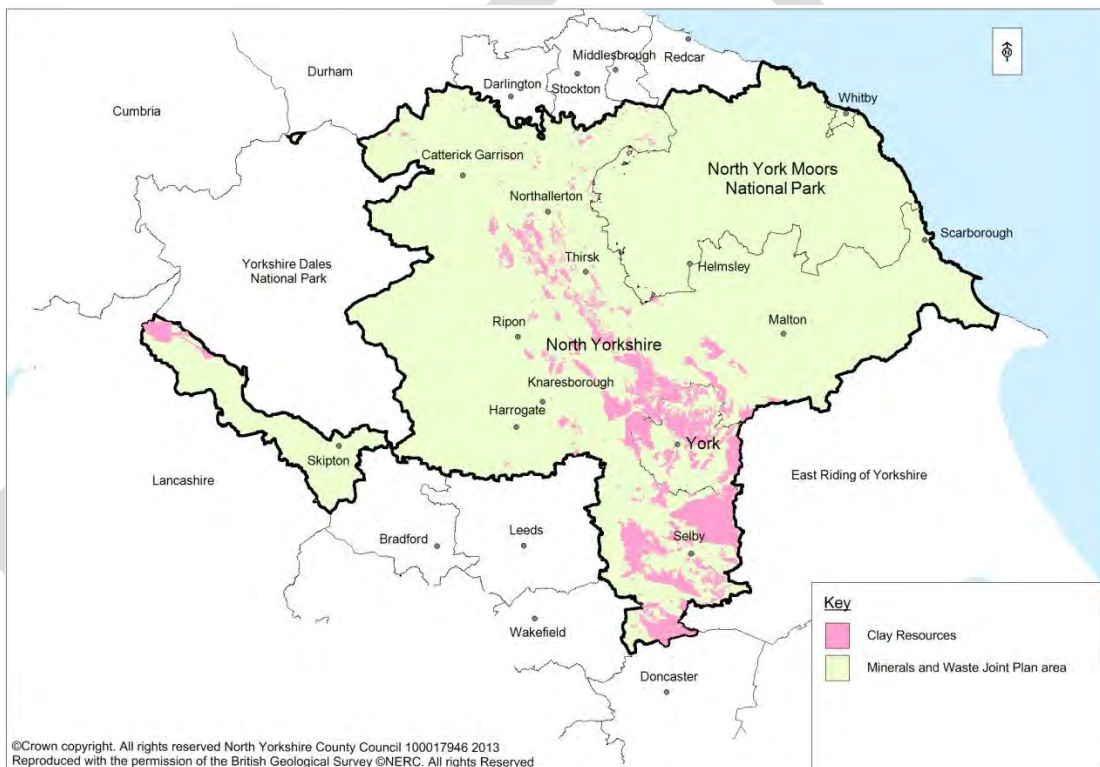


Figure 11: Clay resources in the Plan area

Policy M13: Continuity of supply of clay

1) The provision of sufficient permitted reserves of clay to provide a 25 year supply for existing manufacturing operations at Alne Brickworks and Plasmor Blockworks, Great Heck, is supported as follows:

- i) Allocation required in order to meet requirements during the Plan period:
 - Land to north of Hemingbrough clay pit (MJP45)
- ii) Allocation potentially required to contribute to maintaining longer term supply for Plasmor Blockworks:

A Preferred Area on land adjacent to former Escrick Brickworks (MJP55)

Development of reserves within this Preferred Area will only be permitted where it would follow the extraction of reserves within allocation MJP45 or it can be demonstrated that additional reserves are required to maintain an adequate longer term supply of clay to the Plasmor Blockworks site and subject to compliance with the development management policies in the Plan.

- 2) Maintaining the supply of clay is also supported through identifying an allocated site for engineering clay at:

Land north of Duttons Farm, Upper Poppleton (MJP52)

- 3) Proposals for the development of sites allocated in 1) and 2) above will be required to take account of the key sensitivities and incorporate the necessary mitigation measures that are set out in Appendix 1.
- 4) Working of unallocated brick clay resources will be permitted where it can be demonstrated that the mineral is needed to maintain an adequate supply to existing manufacturing facilities in line with national policy, where sufficient mineral cannot be provided from sites or preferred areas allocated in the Joint Plan and subject to compliance with relevant development management policies in the Joint Plan.

Main responsibility for implementation of policy: NYCC , CYC and minerals industry

Key links to other relevant policies and objectives

M14, S01, D01, D02, D05, D06, D07, D09, D10

Objectives 5, 6

Monitoring: Monitoring indicator 13 (see Appendix 3)

Policy Justification

- 5.75 Clay is identified in national planning policy as a mineral of national and local importance. National policy requires that a stock of at least 25 years' supply should be maintained for brick clay in order to provide adequate reserves to serve existing facilities manufacturing clay-based products. Policy also requires account to be taken of the need to provide clay from a number of sources to enable appropriate blends to be made. There are two active brick clay extraction sites in the area, supplying associated manufacturing facilities. At one of these sites, Alne Brickworks, planning permission was granted in 2015 for an extension to the mineral extraction area, providing sufficient reserves to meet the national policy requirement.
- 5.76 Permission for an extension to Hemingbrough Quarry was granted in early 2016 but following discussions with the operator, it has been identified that further reserves of clay would be needed here in order to maintain continuity of supply to the associated manufacturing facility at Great Heck over the Plan period. The operator has identified the potential for a future extension to Hemingbrough Quarry which is considered suitable for allocation in the Joint Plan. An area of land at Escrick, near York, adjacent to a former tileworks, has also been put forward by the operator to provide a longer term source of clay for the facility at Great Heck.
- 5.77 The site allocation at Hemingbrough is identified in the Joint Plan to help to meet the 25-year supply requirement for the Plasmor blockworks. This allocation provides a high level of certainty about the necessary resources being delivered. Whilst it is

considered that future supply over the Plan period for the Plasmor Blockworks would most appropriately be provided via further extension to existing workings at Hemingbrough, resources are also identified in a Preferred Area at Escrick, to demonstrate how supply could be maintained if it is not practicable to provide sufficient reserves at the Hemingbrough site to meet the full 25-year national policy requirement. There are a number of significant constraints on development at the Escrick site, including proximity to the Trans Pennine Trail, and any proposals needed in the longer term to maintain supply to the Plasmor Blockworks would need to be carefully located and designed within the Preferred Area to ensure protection of the environment, including historic environment, and local amenity. It is not expected that development of the whole of the Preferred Area would be acceptable under this policy.

- 5.78 An allocation for clay extraction is also identified at Duttons Farm, York to help provide a local supply of clay for engineering purposes in the City of York area. This site is within the general extent of the York Green Belt and will remain in the Green Belt in York's emerging Local Plan and development must therefore comply with national and local Green Belt policy.
- 5.79 Some further flexibility is also appropriate to ensure that other resources can be developed, if necessary, to meet the national policy requirement for the supply of clay to existing manufacturing facilities. This flexibility might be needed if it is not practicable to deliver the expected amount through the allocated sites or areas, or if the supply of clay of particular quality or having certain technical specifications which may not be available in other permitted sources is sought.
- 5.80 In all cases, any specific proposals will need to comply with relevant development management policies to protect the environment and local amenity and provide mitigation if required. Where it is proposed to work unallocated resources at locations away from the manufacturing facility to be served, it will be particularly important to ensure that road haulage impacts are minimised.

Policy M14: Incidental working of clay in association with other minerals

The incidental working of clay in association with production of other minerals will be permitted, where the incidental extraction of clay would help to ensure the most sustainable use of resources and would not significantly increase any adverse environmental or amenity impacts associated with the primary working, or the subsequent reclamation and afteruse of the site.

Main responsibility for implementation of policy: NYCC , CYC, NYMNPA and minerals industry

Key links to other relevant policies and objectives

M13, D01, D02, D06, D07, D09, D10

Objective 5

Monitoring: Monitoring indicator 14 (see Appendix 3)

Policy Justification

- 5.81 In some mineral workings, particularly for sand and gravel and some crushed rock types, the primary mineral occurs alongside clay deposits which sometimes may need to be removed to access the primary target mineral. Such clay deposits can, in some cases, have commercial value and it may be justifiable for them to be extracted and used off site. However, for this to represent a sustainable form of mineral extraction, it will be important to ensure that removing incidental clay off-site would not significantly increase the overall environmental impacts compared with extracting the primary mineral, including in relation to reclamation and afteruse of the site. Clay materials are often retained on site and replaced in worked-out areas to help to provide a satisfactory final landform. Where it is proposed to remove such clay from

the site, applicants will need to demonstrate that a satisfactory standard of reclamation and afteruse can still be achieved.

Building Stone

- 5.82 Building stone includes material used for roofing, walling, flagstones or ornamental purposes. There are currently 15 active quarries supplying building stone in the Plan area, although historically there have been many more. Sandstones and limestones suitable for use as building stone can be found relatively widely within the Plan area outside the Vale of York and the lower lying parts of Selby District. There are no known resources in the City of York. In many cases it is only certain parts of the resource which may be suitable for use as building stone, as a result of varying geotechnical and aesthetic properties.
- 5.83 Supply of building stone is important for the upkeep of traditional buildings and historic assets and for ensuring new development reflects the character of its surroundings. It is therefore important in maintaining and enhancing the overall quality of the environment in the Plan area. There are many historic buildings in the Plan area, including within the City of York, which require high quality building stone for repair and renovation work. The colour and appearance of stone varies greatly depending on where it is found, which means that building stone must often be sourced locally if the character and appearance of local buildings is to be maintained.
- 5.84 The National Planning Policy Framework requires planning authorities to include policies for the extraction of building stone and to meet demand for small scale extraction of building stone needed for the repair of historic assets at, or close to, former quarries. It is unlikely that requirements for building stone for 'ad hoc' repairs will be sufficient for it to be viable to fully re-open quarries and therefore it is essential that policies support their limited operation on a temporary basis.
- 5.85 Building stone is a relatively high-value and sometimes scarce product and in some instances stone worked in the Plan area is exported from the area in response to market requirements. Although evidence about future requirements for building stone is very limited, consultation suggests that demand for stone from the Plan area is likely to remain and, potentially, increase during the Plan period.

Policy M15: Continuity of supply of building stone

- 1) In order to secure an adequate supply of building stone, proposals will, where consistent with other policies in the Joint Plan, be permitted for:-**
- i) the extension of time for completion of extraction at permitted building stone extraction sites;**
 - ii) the lateral extension and/or deepening of workings at permitted building stone extraction sites;**
 - iii) the re-opening of former building stone quarries;**
 - iv) the opening of new sites for building stone extraction, including the small-scale extraction of building stone at new sites adjacent to existing historic buildings or structures where the use is specifically for their repair;**
 - v) the incidental production of building stone in association with the working of crushed rock;**
 - vi) the grant of permission on sites allocated in the Joint Plan for working of building stone.**

Where development is proposed in the National Park or an AONB under criteria i to

iv above, and where the development comprises major development due to its scale and nature, proposals will need to meet the requirements for major development set out in Policy D04.

- 2) Proposals for the supply of building stone should be supported by evidence to demonstrate the contribution that the stone proposed to be worked would make to the quality of the built and/or historic environment in the Plan area and/or to meeting important requirements for building stone outside the area. The scale of the proposal should be consistent with the identified needs for the stone.
- 3) For proposals for supply of building stone from locations within the National Park or AONBs, it will need to be demonstrated that the stone is required primarily to meet requirements arising from new build or repair work within the National Park and/or AONBs or is for the repair of important designated or undesignated buildings or structures which rely on the proposed source of stone as the original source of supply, or as providing a directly equivalent product which can no longer be provided from the original source supply.
- 4) Additional reserves to help to maintain the supply of building stone are also provided through a site allocation for:

Land at Brows Quarry (MJP63).

Proposals for development at this site will be required to take account of the key sensitivities and incorporate the necessary mitigation measures that are set out in Appendix 1.

Main responsibility for implementation of policy: NYCC , CYC and minerals industry

Key links to other relevant policies and objectives

M10, S01, D04, D08

Objectives 3, 6, 9

Monitoring: Monitoring indicator 15 (see Appendix 3)

Policy Justification

- 5.86 Building stone quarries are typically relatively small in scale but, as a result of the need to source stone of particular technical or aesthetic properties, may sometimes be proposed in sensitive locations with the potential for impacts on the environment or local communities. It is therefore important that proposals can demonstrate compliance with other relevant policies in the Joint Plan.
- 5.87 Stone with suitable technical and aesthetic properties to meet requirements for high quality new build and repair work is understood to be relatively scarce in the Joint Plan area and is a finite resource. Substantial export of such stone out of the area, in order to meet a general market requirement for building stone, may over time reduce the availability of high quality indigenous sources of supply with the right technical and aesthetic properties to match the existing built or historic environment in the area.
- 5.88 It is nevertheless recognised that in some instances it may be appropriate for high quality building stone worked in the Plan area to serve wider markets, including in cases where stone from the Plan area has been used in important buildings and structures elsewhere or can provide a similar match to stones which are no longer available elsewhere. It is therefore important that applications for working of high quality stone such as ashlar are accompanied by supporting information on requirements for the stone, including, for example, reference to the Strategic Stone Study (a national study led by Historic England working with the British Geological

Survey which identifies the most significant building stone resources as well as, in some cases, the original sources of stone for particular buildings or settlements).

- 5.89 It is also recognised that the extraction of local building stone can have a positive impact in terms of enhancing the built environment of National Parks and AONBs. However, unrestricted extraction of stone for export to other areas may have harmful effects both in terms of the scale of extraction in these highly protected areas and potential exhaustion of existing resources. The building stones used in the Howardian Hills and the National Park are often sourced from the same geological structures and therefore it is considered appropriate to provide flexibility for building stone extracted from the Park to be used in the Howardian Hills and vice versa as this will help to retain the characteristics of both areas. In many cases, proposals for significant new working of building stone in the National Park and AONBs will also need to satisfy the requirements for major development set out in Policy D04 of the Joint Plan.
- 5.90 There may be occasions where suitable stone resources are available immediately adjacent to the site where they will be utilised and, as this can represent a sustainable option, limited extraction specifically to serve repair needs for adjacent existing historic structures or buildings will be supported in principle.
- 5.91 In some cases, building stone is worked as an ancillary product at the same time as extracting crushed rock aggregate. Where suitable stone exists, this can be a sustainable form of development as it can contribute to the overall supply of building stone without substantial additional adverse impacts. Where proposals are brought forward for the ancillary supply of building stone at crushed rock quarries, proposals should contain information about any specific or additional impacts associated with the proposed working of building stone so that appropriate mitigation can be considered if necessary.
- 5.92 Only two allocations of land for building stone extraction have been proposed during preparation of the Joint Plan. Of these, only one site (land at Brows Quarry MJP63) is considered suitable for allocation for environmental reasons. This site has recently had the benefit of permission for working, although the permission has now expired. Proposals for working this site would need to demonstrate compliance with the development management policies in the Joint Plan.

Hydrocarbons (oil and gas)

Introduction

- 5.93 Since work started on the Joint Plan, there has been increasing public and commercial interest in issues associated with developing onshore shale gas resources. This is a highly relevant issue for the Plan area following the announcement by Government in late 2015 of new oil and gas exploration and development licences (PEDLs) in the eastern part of the area (see fig. 12), as well as the approval in 2016 of proposals for hydraulic fracturing for shale gas at an existing well site near Kirby Misperton, in Ryedale District. Nevertheless, substantial uncertainties remain about the scale and distribution of any future proposals that could come forward.
- 5.94 The Government awards PEDLs to give exclusivity to operators who meet certain criteria to ‘search and bore for and get’ oil and gas resources, which are owned by the Crown. Whilst a key objective of the licensing process is to help ensure maximum exploitation of a national resource, the award of a licence does not confer any exemption from other legal and regulatory requirements. Compliance with a range of regulatory processes is required, including the need to obtain planning permission. Development Plans, including the Joint Plan, have statutory force under the Planning and Compulsory Purchase Act 2004 and applications for planning permission need to be determined in accordance with the Development Plan, unless there are material considerations which indicate otherwise. The licensing objective of maximising exploitation of the resource does not therefore override the role of the policies in the Joint Plan in setting out a local approach to this issue.

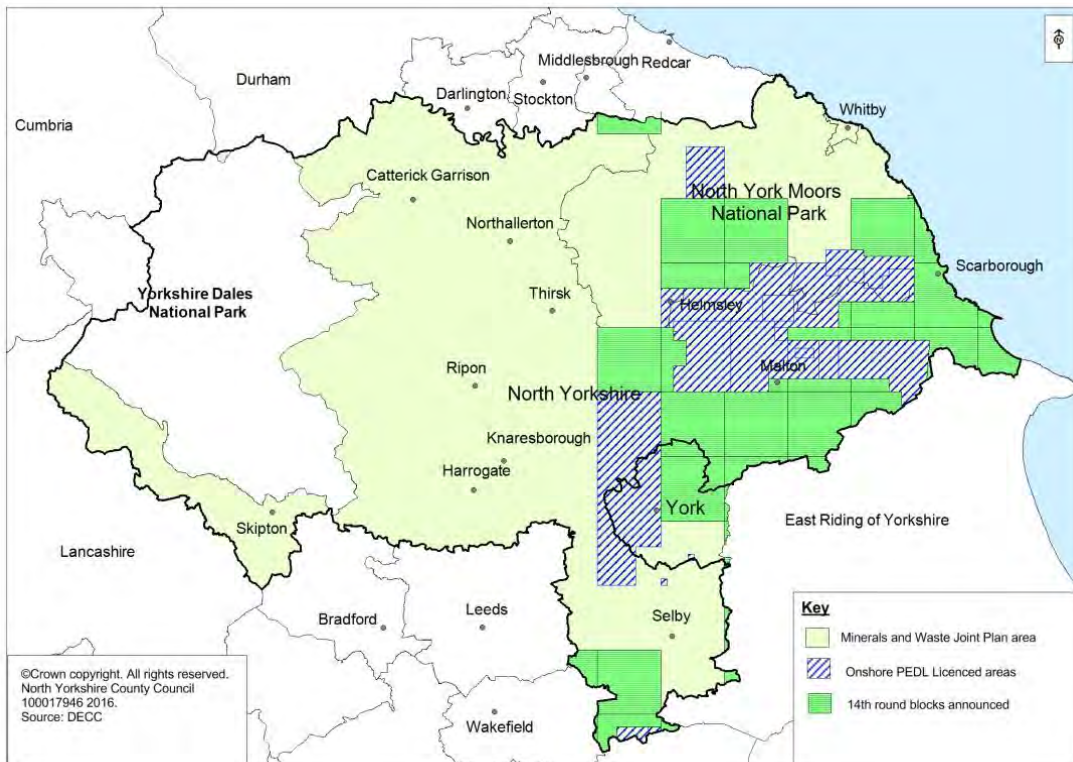


Figure 12: PEDL blocks and blocks announced in 14th licensing round (2015)

- 5.95 The expected increase in commercial interest in gas in the Plan area in future years, including shale gas, together with the highly sensitive nature of the environment in large parts of the area covered by new and existing PEDLs, presents a significant challenge. An appropriate balance has to be achieved between provision of a degree of support and flexibility to enable development to take place in appropriate locations, and the need to provide a high standard of protection to local communities and the environment. This section of the Joint Plan sets out a comprehensive range of policies that aim to achieve this balance.
- 5.96 The evolving picture in relation to onshore hydrocarbon development means that the policies in this section of the Joint Plan may need to be reviewed and updated in future (para. 4.11 identifies circumstances which may justify a review).

Hydrocarbons in the Plan area

- 5.97 National planning guidance states that both conventional and unconventional hydrocarbons (oil and gas) are minerals of national and local importance and that minerals plans should include policies for their extraction. There is no known oil resource in the Plan area but resources of gas are present and have been exploited over a substantial period of time. Recent geological information suggests there may be significant further resources of shale gas in the area.
- 5.98 Conventional hydrocarbons are oil or gas which has accumulated in a 'reservoir' of porous rock such as sandstone or limestone and which can be extracted by conventional drilling techniques. Conventional gas was first discovered in the North York Moors in the 1940s. In the 1970s, gas was extracted from a wellhead in the National Park and processed at a site in Pickering, although this operation was only short lived as a result of water ingress. In the 1980s successful exploration wells were drilled in the Vale of Pickering and in 1995 the Knapton gas power generation plant was commissioned, with gas being sourced from a number of well sites within the Vale, at Kirkby Misperton, Marishes, Malton, and Pickering. Production continues and the Vale of Pickering contains one of the larger onshore gas fields in the UK. More recently, further exploratory drilling for conventional hydrocarbons development has taken place within the National Park, with a view to extracting gas for transport via pipeline to the Knapton facility.
- 5.99 To date, exploration, appraisal and production of conventional gas resources in the Plan area, including within the National Park, have been carried out without giving rise to unacceptable impact on the environment and the onshore gas industry remains an established part of the local economy.
- 5.100 More recently, there has been interest in unconventional hydrocarbons as a form of energy supply. These are hydrocarbons which cannot be extracted by conventional techniques and include sources of hydrocarbons such as methane captured from coal mines, coal bed methane, underground coal gasification, as well as shale gas.
- 5.101 *Coal mine methane* is vented from active or disused underground mine workings following the natural accumulation of gas in the underground void. It is a relatively simple process typically involving collection and transfer of the gas to a generating engine, located at the surface, which burns the gas to produce electricity. Coal mine methane is currently used in this way in the Selby Coalfield, for example at the former Stillingfleet mine site in Selby district. *Coalbed methane* is produced during the process of coal formation. The gas is either adsorbed onto the coal or dispersed into pore spaces around the coal seam. By drilling a network of wells the gas can be

extracted from coal seams which have not been mined. The gas is typically extracted via the well through natural pressure release, or through the pumping of water from the seam in order to reduce pressure. Exploration has taken place near Shipton by Beningbrough to the north of York in recent years, however there is no expectation that production will be brought forward in the foreseeable future. Development of coal bed methane can involve a requirement for multiple well pads and wells in order to access a sufficient volume of resource.

- 5.102 Like coal-bed methane extraction, *Underground Coal Gasification* can be carried out on seams of coal which have not been mined. It is achieved by drilling boreholes into the coal seam, injecting water/oxygen mixtures down one pipe, igniting and partially combusting the coal and then extracting the gasification products through another pipe. It produces a mixture of gases including carbon monoxide, carbon dioxide, hydrogen and methane that can be processed to provide fuel for power generation, vehicle fuels and chemical feed stocks. Substantial surface infrastructure can be associated with Underground Coal Gasification. Although resources of coal potentially suitable for underground coal gasification are likely to occur in the area, there is no known commercial interest in this source of gas at present.
- 5.103 *Shale gas* is found within organic-rich shale beds or other fine-grained rocks with low porosity, rather than in a conventional 'reservoir' of porous or permeable rock, although the gas itself is the same as other forms of natural gas and could provide both industrial and domestic power. Resources of shale gas in the UK are likely to occur at substantial depths (between 1500m and 4200m) below ground.
- 5.104 A recent British Geological Survey report 'The Carboniferous Bowland Shale Gas Study: Geology and Resource Estimation' (July 2013) identifies potentially suitable shale deposits (in both the Upper and Lower Bowland Hodder shales) which extend at depth right across northern England, as far north as a line approximately between Lancaster and Whitby. In particular it identifies prospective areas for gas in Ryedale, Scarborough, Hambleton and Selby Districts, as well as the North York Moors and York. The exploitation of shale gas in the UK involves technologies such as hydraulic fracturing ('fracking')¹⁰.
- 5.105 Whilst permission for hydraulic fracturing of an existing gas well near Kirby Misperton was granted in 2016, there is still a high degree of uncertainty about the commercial viability of any resources in this area or the UK generally, and hence the potential scale or distribution of development activity that may come forward. This uncertainty is likely to prevail until further exploration activity has taken place.
- 5.106 However, shale gas has the potential to be an important new source of energy for the UK and the Government is currently encouraging further exploration. In autumn 2012 the Government announced an overall strategy for gas, to ensure that the best use is made of gas power, including new sources of gas under the land, in order to deliver a range of objectives including improved security of energy supply. In 2014 the Government published online Planning Practice Guidance entitled 'planning for hydrocarbon extraction'. It stated, amongst other matters, that "[a]s an emerging form of energy supply, there is a pressing need to establish - through exploratory drilling - whether or not there are sufficient recoverable quantities of unconventional hydrocarbons such as shale gas and coal bed methane present to facilitate economically viable full scale production". More recently, in September 2015, a

¹⁰ In some circumstances hydraulic fracturing techniques can also be applied in the development of conventional gas sources, for example for purposes of well stimulation to increase the yield of gas. See para. 5.109 for a description of the hydraulic fracturing process.

Ministerial Written Statement by Government indicated that there is a national need to explore and develop shale gas in a safe, sustainable and timely way.

Summary of the process of hydrocarbons development

5.107 There are three main phases of onshore hydrocarbon development identified in national planning guidance: exploration, appraisal and production, as summarised below. Development relating to each of these main phases falls within the scope of the Policies in the Joint Plan. However, the distinctions between the phases may not always be clear cut. For example, hydraulic fracturing for unconventional gas can be associated with each of the main phases.

- *Exploration* - seeks to acquire geological data to establish whether hydrocarbons are present. It may involve 2-dimensional or 3-dimensional seismic surveys, exploratory drilling, well testing and completion and, in the case of shale gas, hydraulic fracturing. For conventional hydrocarbons, exploration drilling onshore is a short-term, but intensive, activity. Typically, site construction, drilling and site clearance will take between 12 to 25 weeks. For unconventional hydrocarbons, exploratory drilling may take considerably longer, especially if hydraulic fracturing¹¹ is involved and, in the case of coalbed methane, removal of water from the coal seam.
- *Appraisal* - takes place following exploration when the existence of oil or gas has been proved, but the operator needs further information about the extent of the deposit or its production characteristics, to establish whether it can be commercially exploited. The appraisal phase can take several forms including additional seismic work, longer-term flow tests, or the drilling of further wells. This may involve additional drilling at another site away from the exploration site, or additional wells at the original exploration site. For unconventional hydrocarbons it may involve further hydraulic fracturing followed by flow testing to establish the size of the resource and its potential productive life. The size and complexity of the hydrocarbon reservoir involved will be important in determining the approach taken.
- *Production* - normally involves the drilling of a number of wells at one or more well pads. These may be at well pads used at the exploratory and/or appraisal phases of hydrocarbon development, or from one or more new well pads. Associated equipment and infrastructure, such as pipelines and processing facilities needed to clean or compress or store gas may also be required. Production can be up to around 20 years. The production stage is likely to require the periodic maintenance of wells, which may require use of drilling equipment.

5.108 The following diagram illustrates the main regulatory approvals required, taken from of the online Planning Practice Guidance. Please note that the referenced to 'DECC' in Figure 13 should now be read as references to its successor, the Department for Business, Energy and Industrial Strategy. Further details of other relevant regulatory regimes are discussed later.

¹¹ See para. 5.109 for a description of the hydraulic fracturing process

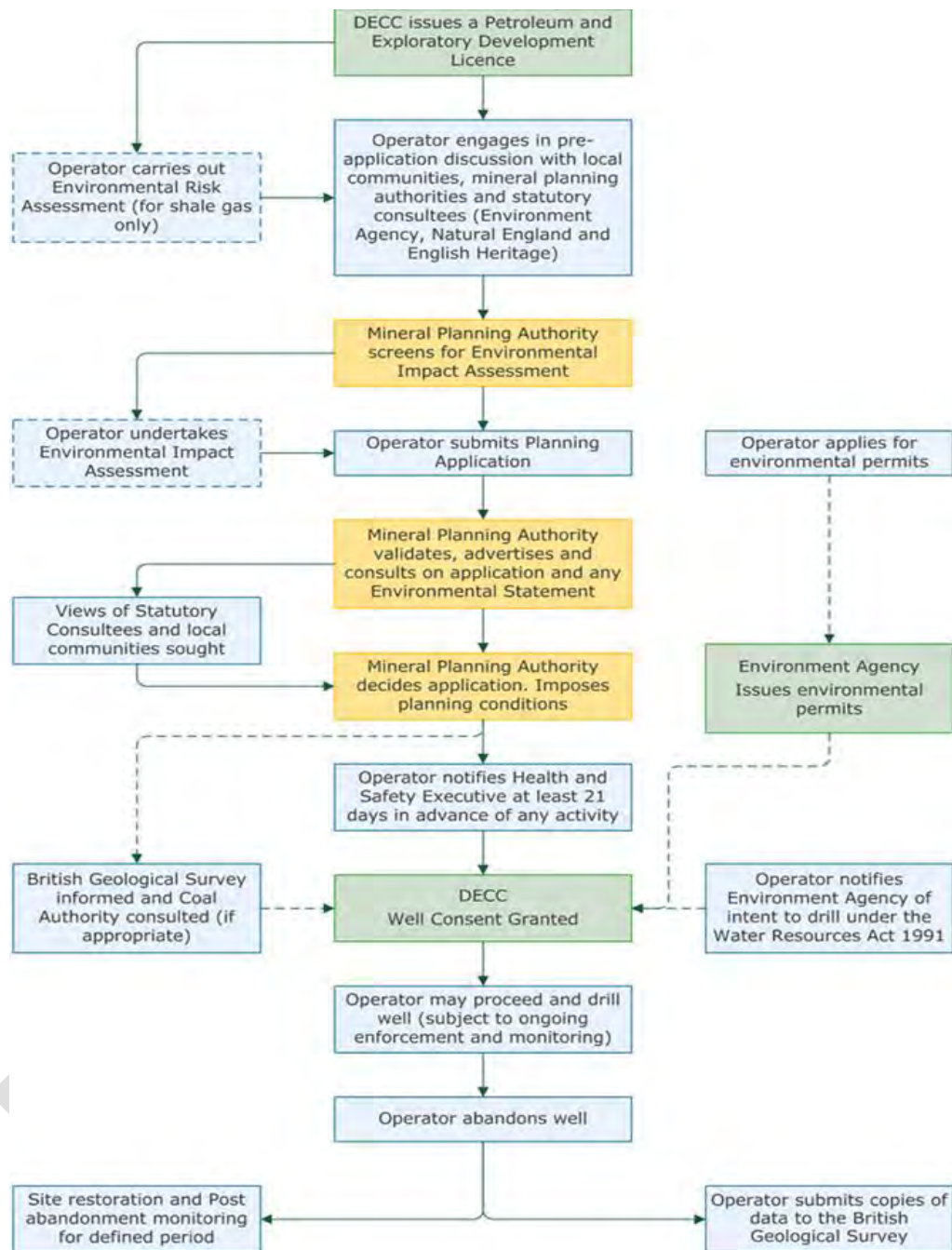


Figure 13: Outline of process for drilling an exploratory well

5.109 With all hydrocarbon appraisal or production, whether conventional or unconventional, a well is drilled and a number of steel casings are set in cement to seal and help prevent any contamination of ground water. In some cases, particularly for shale gas wells, horizontal drilling at depth may take place to enable maximum exposure to the gas resource. Gas held within shale beds or other rocks of low porosity is then accessed through hydraulic fracturing (fracking). This involves injecting the rock with liquid at high pressure to generate or widen small fractures. Small particles (usually sand) are also pumped into the fractures to keep them open when the pressure is released so that the gas can flow into the well. Although typically 98-99% of the liquid is water, small quantities of chemicals are often added. Operators must demonstrate to the Environment Agency that all the chemicals used in the process are non-hazardous. Once the rock has been fractured some fluid

returns to the surface (known as flow-back) and this will require disposal or recycling in accordance with the required environmental permits.

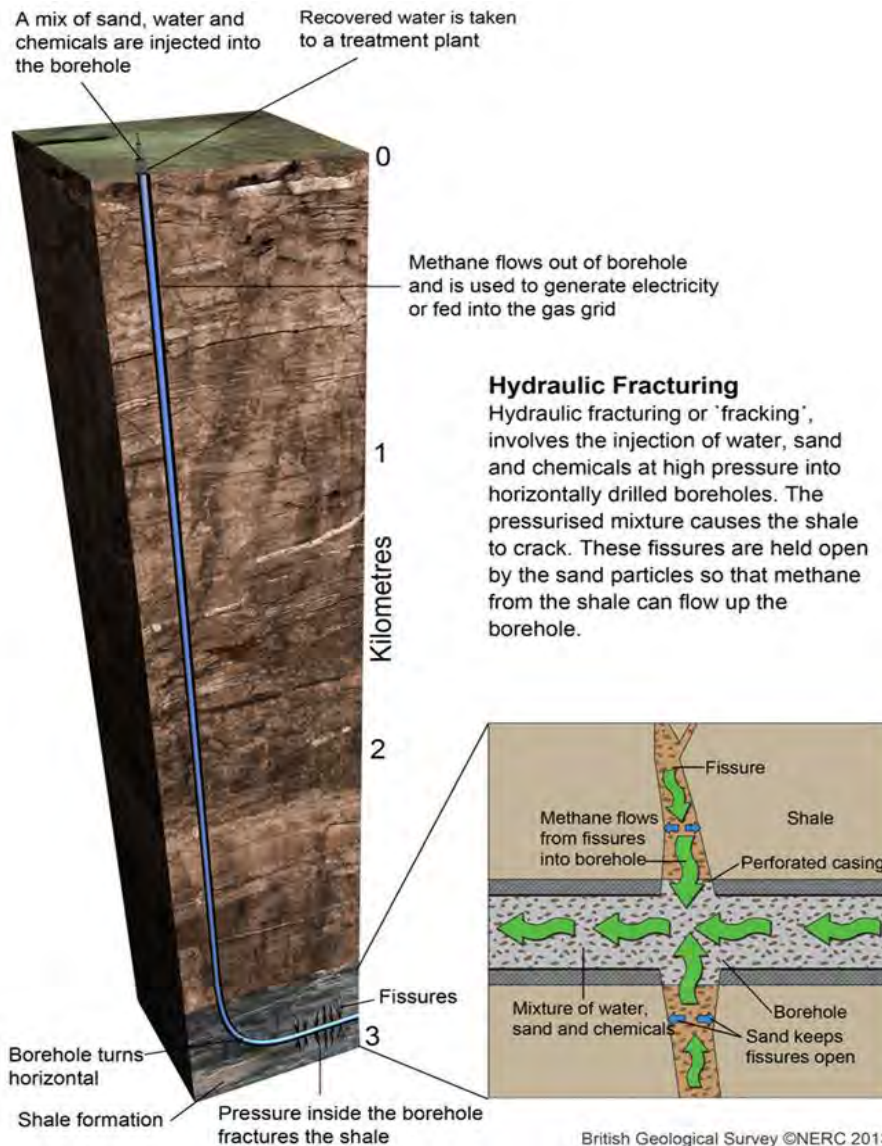


Figure 14: Hydraulic fracturing

- 5.110 Proposals for drilling and hydraulic fracturing, like most forms of oil and gas development, including associated processing facilities, require planning permission before development can take place. A range of other regulatory processes are also involved. The United Kingdom Onshore Oil and Gas Group (UKOOG), which represents the industry, has established a Charter for community engagement on new onshore oil and gas proposals. The Charter sets out a number of commitments for operators which includes engagement with local communities at each of the three main stages of operations. The mineral planning authorities will expect applicants who are members of UKOOG to comply with these commitments when bringing forward proposals.
- 5.111 A range of issues are likely to be relevant when considering planning applications for hydrocarbon development. For example there is the potential for landscape and visual impact, impacts from noise, vibration and traffic, and impacts on the natural environment. These issues should be considered in the planning system given that

its function is to control the use and development of land and ensure that new development is appropriately located.

- 5.112 Particular concerns have been expressed about other potential impacts of the hydraulic fracturing techniques used in extraction of shale gas and some other forms of hydrocarbons development. These include matters such as pollution of ground and surface water, use of water resources and management of waste water, air pollution and the potential for ground movements (i.e. earth tremors) to be triggered. The potential for various effects on health and well-being is a key concern to local communities. Whilst the focus of the planning system is on whether the development itself is an acceptable use of the land, other regulatory regimes (see below) are relevant to the detailed control of matters such as sub-surface environmental pollution, induced seismicity, borehole design and construction and health and safety. In accordance with Government advice, the Minerals Planning Authorities will assume that these other regimes will operate effectively. However, where matters subject to regulation through other regimes also give rise to land use implications, the Authorities will seek to address them through the planning process.
- 5.113 In a number of cases PEDL areas straddle mineral planning authority boundaries, both within or across the boundary of the Plan area (for example a number of individual PEDL areas contain land within both North Yorkshire or York and the East Riding). This gives rise to the potential for the submission of a planning application either in close proximity to the boundary of the Plan area, or which directly straddles a boundary between adjacent mineral planning authority areas. Where proposals have the potential to impact on more than one mineral planning authority area, the determining mineral planning authority will consult with the adjacent authority as necessary and in accordance with relevant development management procedures.

Other regulatory regimes

- 5.114 Each proposed development is assessed by the Environment Agency, which regulates discharges to the environment, issues water abstraction licences, and acts as a statutory consultee in the planning process. The Environment Agency has issued guidance which notes that an environmental permit will be required for matters such as the emission of waste gasses and the disposal of waste underground. A permit will also be needed if large quantities of gas are to be flared and for groundwater activities, depending on the local hydrology.
- 5.115 All drilling operations are subject to notifying the Health and Safety Executive, which will check operators' plans, assess engineering designs and reports and be responsible for checking sites to ensure they meet the requirements of the relevant legislation. The Health and Safety Executive requires that an independent well examiner reviews the design of the well before drilling begins and subsequently monitors its' construction and operation.
- 5.116 A key public concern in relation to hydraulic fracturing is the risk of earth tremors. The responsibility for giving final consent for drilling lies with the Department for Business, Energy and Industrial Strategy, who must review the operator's hydraulic fracture plan to minimise the risk of seismic activity. The 2014 DECC publication 'Fracking UK Shale: Understanding Earthquake Risk' refers to the small tremors which took place following fracking activity at Preese Hall near Blackpool in 2011. It states that "*the tremors measured magnitude 2.3 and 1.5 on the Richter scale. Earthquakes of this size are not normally felt at the surface...[They]...were probably caused when frack fluids flowed into a geological fault, a crack running through one or more layers of the underground rocks*".

5.117 In 2012 DECC (now DBEIS) introduced measures to control seismic risks from fracking. Operators are now required to assess the location of any relevant faults before fracking operations can take place. Operators must submit to DBEIS a plan of operations, starting with small test fractures before main operations and install real-time monitoring based on a traffic light system. Operators must stop and investigate if they detect tremors above the normal range. Further guidance on the regulation of hydrocarbons proposals is set out in the DECC publication 'Onshore Oil and Gas Exploration in the UK: regulation and best practice (England) (December 2015). A diagram illustrating the 'traffic light' system is provided below.



Figure 15: DBEIS traffic light system for regulation of hydrocarbons

5.118 Planning guidance and case law makes clear that Minerals Planning Authorities do not need to carry out their own assessments of potential impacts which are controlled

by other regulatory bodies. It states that they can determine applications having considered the advice of those bodies without having to wait for the other approval processes to be concluded.

Definitions

5.119 To ensure that the local policy approach to hydrocarbon development is as clear as it can be, it is helpful to define some key words and concepts that will be used by the Mineral Planning Authorities when implementing the Joint Plan:

- a) 'Hydrocarbon development' includes all development activity associated with exploring, appraising and/or producing hydrocarbons (oil and gas), including both surface and underground development.
- b) 'Surface hydrocarbon development' and 'surface proposals' includes use and/or development of the land surface for the purposes of the exploring, appraising and/or producing hydrocarbons.
- c) 'Sub-surface hydrocarbon development' and 'sub-surface proposals' includes development taking place below the ground surface for the purposes of exploring, appraising and/or producing hydrocarbons.
- d) 'Conventional hydrocarbons' include oil and gas found within geological 'reservoirs' with relatively high porosity/permeability, extracted using conventional drilling and production techniques.
- e) 'Unconventional hydrocarbons' include hydrocarbons such as coal bed and coal mine methane and shale gas, extracted using unconventional techniques, including hydraulic fracturing in the case of shale gas, as well as the exploitation of in situ coal seams through underground coal gasification.
- f) For the purposes of the Plan 'hydraulic fracturing' includes the fracturing of rock under hydraulic pressure regardless of the volume of fracture fluid used.
- g) In planning terms it is important to distinguish between:
 - i) the use of unconventional techniques to extract hydrocarbons, such as hydraulic fracturing, underground coal gasification and coal bed methane extraction; and
 - ii) the use of more conventional, less complex drilling and production techniques to extract hydrocarbons.

Policy M16: Key spatial principles for hydrocarbon development

Hydrocarbon development of the types identified below should be located in accordance with the following principles:

- a)
 - **exploration, appraisal and production of conventional hydrocarbons, without hydraulic fracturing;**
 - **exploration for unconventional hydrocarbons, without hydraulic fracturing;**

Proposals for these forms of hydrocarbon development will be permitted in locations where they would be in accordance with Policies M17 and M18 and, where relevant, part d) of this Policy.

- b)
- Exploration, appraisal and production of conventional hydrocarbons, involving hydraulic fracturing;
 - Exploration for unconventional hydrocarbons, involving hydraulic fracturing;
 - Appraisal and/or production of unconventional hydrocarbons (other than coal mine methane):
- i) Surface proposals for these forms of hydrocarbon development will only be permitted where they would be outside the following designated areas: National Park, AONBs, Protected Groundwater Source Areas, the Fountains Abbey/Studley Royal World Heritage Site and accompanying buffer zone, Scheduled Monuments, Registered Historic Battlefields, Grade I and II* Registered Parks and Gardens, Areas which Protect the Historic Character and Setting of York, Special Protection Areas, Special Areas of Conservation, Ramsar sites and Sites of Special Scientific Interest.
- ii) Sub-surface proposals for these forms of hydrocarbon development, including lateral drilling, underneath the designations referred to in i) above, will only be permitted where it can be demonstrated that significant harm to the designated asset will not occur. Where lateral drilling beneath a National Park or AONBs is proposed for the purposes of appraisal or production, this will be considered to comprise major development and will be subject to the requirements of Policy D04.
- iii) Surface and sub-surface proposals for these forms of hydrocarbon development will also be required to be in accordance with Policies M17 and M18. Surface proposals will also, where relevant, need to comply with Part d) of this Policy.
- c) Coal mine methane:
- Proposals for production of coal mine methane resources will be supported where any surface development would be located on industrial or employment land or within the developed surface area of existing or former coal mining sites.
- d) All surface hydrocarbon development:
- i) Where proposals for surface hydrocarbon development fall within a National Park or an AONB or associated 3.5km buffer zone identified on the Policies map, or is otherwise considered to have the potential to cause significant harm to a National Park and/or AONB, applications must be supported by a detailed assessment of the potential impacts on the designated area/s. This includes views of and from the associated landscapes from significant view points and an assessment of the cumulative impact of development in the area. Permission will not be granted for such proposals where they would result in unacceptable harm to the special qualities of the designated area/s or are incompatible with their statutory purposes in accordance with Policy D04.
- ii) Surface hydrocarbon development will only be permitted where the undeveloped character of defined Heritage Coast will be protected.

<p>e) Conversion of well pads and wells for further or alternative forms of hydrocarbon development:</p> <p>Where proposals are brought forward for the conversion of an exploration well pad or individual well to one to be used for appraisal and/or production purposes, or for the conversion of a well pad or individual well used for conventional hydrocarbons to one to be used for unconventional hydrocarbons, such proposals shall be subject to the spatial principles set out in this Policy as relevant.</p>	
<p>Main responsibility for implementation of policy: NYCC , NYMNPA, CYC and District and Minerals industry</p>	
<p>Key links to other relevant policies and objectives</p>	
<p><i>M17, M18, D01, D02, D03, D04, D05, D06, D07, D08, D09, D10, D11, D12</i></p>	<p><i>Objectives 5, 6, 9, 10, 12</i></p>
<p>Monitoring: Monitoring indicator 16 (see Appendix 3)</p>	

Policy Justification

- 5.120 In December 2015 a substantial number of new PEDLs were announced, covering significant areas of Hambleton, Ryedale and Scarborough Districts, including areas within the North York Moors National Park and Howardian Hills AONB, as well as parts of the City of York and Selby District. It is expected that this announcement will lead to a new round of exploration activity in the area. A key difference compared with earlier activity is that there is expected to be a focus on shale gas as a target for exploration and, potentially, appraisal and development, in line with the Government's objective of stimulating commercial interest in this resource. Whilst a number of activities associated with shale gas development are similar to those associated with conventional hydrocarbons development, including the need for construction of a well pad and the operations involved in initial drilling of a well, there are also a number of significant differences. Examples include the potential for increased activity associated with the fracturing operations themselves, the expectation of the need to drill a number of horizontal wells from one or more well pads, the potential for high noise levels during periods of hydraulic fracturing activity, and increased traffic movements as a result of the need to bring in additional materials or water and remove waste materials. Other forms of unconventional hydrocarbons, particularly Underground Coal Gasification and coal bed methane, can also give rise to a need for substantial development activity at the surface as a result of the processes involved, particularly at appraisal or production stages.
- 5.121 The NPPF indicates that great weight should be given to conserving landscape and scenic beauty in National Parks and AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The Infrastructure Act 2015 has introduced a ban on hydraulic fracturing activity taking place anywhere at a depth less than 1000m below the ground surface. The Government has also set out through secondary legislation to the Infrastructure Act, which came into force on 6 April 2016¹², that high volume hydraulic fracturing¹³ will not be supported beneath National Parks, AONBs, protected groundwater source areas and World Heritage sites, unless it would take place at a depth in excess of 1,200m below the surface. These controls do not remove the potential for lateral hydraulic fracturing at a greater

¹² The Onshore Hydraulic Fracturing (Protected Areas) Regulations 2016

¹³ For the purposes of the Plan the term 'high volume hydraulic fracturing' has the same definition as 'associated hydraulic fracturing', as defined via the Infrastructure Act 2015 (i.e. more than 1,000m³ of fracture fluid per frack or 10,000m³ overall).

depth under the National Park, AONBs or other protected areas, from surface locations beyond their boundary, or expressly prevent the possibility of surface development for the purposes of shale gas development, or development for other forms of unconventional hydrocarbons, in these areas. When considering the potential impact of a development on the special qualities of a National park or AONB, reference to their special qualities can be found in the relevant management Plan for the area. Whilst the specific qualities relevant to each protected landscape may differ from one another, they will all include qualities relating to landscape and views, tranquillity, biodiversity and geodiversity and rare species and heritage, and it is the combination of these qualities that led to these areas being designated and protected as National Parks and AONBs. As such, development which would result in significant harm to the special qualities of a National Park or AONB will generally be resisted.

- 5.122 While the Infrastructure Act 2015 and secondary legislation address hydraulic fracturing which occurs underground, the Government has also consulted on further restrictions, in the form of a prohibition on high-volume hydraulic fracturing operations from being carried out from new or existing wells drilled at the surface in certain specified areas, although they are not yet in force. As proposed, the restrictions would apply to surface development for unconventional hydrocarbons involving high volume hydraulic fracturing but not to conventional hydrocarbons development, or development for unconventional hydrocarbons which do not require high volume hydraulic fracturing. The areas proposed for protection through this means are National Parks, AONBs, World Heritage Sites, Groundwater Source Protection Zone 1, SSSIs, Natura 2000 sites (SPAs and SACs) and Ramsar sites. Although these areas all benefit from strong national planning policy protection in their own right, the proposed restrictions would not, in themselves, constitute planning policy as they are proposed to be implemented through the oil and gas licensing regime.
- 5.123 The net effect of the existing restrictions would be to prevent subsurface development involving high-volume hydraulic fracturing at a depth of less than 1,000m below the surface anywhere in the Plan area, and at a depth of less than 1,200m below the surface in some highly protected areas (as indicated in para. 5.121). However, a range of other important types of designation would not be subject to similar legislative protection. Furthermore, whilst the proposed surface restrictions would provide protection to a range of important designations, albeit not as a matter of planning policy, there are other types of sensitive areas that would not receive equivalent protection.
- 5.124 An additional consideration is that the new Regulations and proposed surface protections would only apply to high volume hydraulic fracturing whereas in terms of land use and the potential for impacts on the environment, local amenity and other relevant matters, impacts could occur at lower levels of activity.¹⁴ It is therefore not considered appropriate to distinguish in the Policy between high-volume hydraulic fracturing and fracking involving lower volumes of fracture fluid. Similarly, it is considered that where hydraulic fracturing is proposed for the purposes of supporting the production of conventional gas resources, this should be subject to the same policy approach that is applied to hydraulic fracturing for unconventional gas, as the range of issues and potential impacts are likely to be similar.
- 5.125 In view of the limited protection provided by existing and proposed legislation, as well as current uncertainty about the potential scale and geographical distribution of any

¹⁴ As an example, the recently permitted hydraulic fracturing activity at the KM8 well site in North Yorkshire involves 5 separate fracks, only one of which would exceed the 1,000m³ threshold.

commercial gas production that may be sought by industry, it is considered important that a comprehensive range of key environmental and other designations in the Plan area are afforded an appropriate degree of protection as a matter of local planning policy. This would help provide a clear, robust and consistent local approach by ensuring that their protection is incorporated within the statutory development plan. Such an approach acknowledges the very important contribution made by these designations to the overall character of the Plan area, the quality of its environment and its' attractiveness to both residents and visitors. The development management policies in Chapter 9 of the Joint Plan, including Policies D04, D05, D06, D07, D08 and D09, also provide specific policy protection for these and other assets, and will need to be taken into account as relevant in the determination of planning applications.

- 5.126 Mining operations and drilling at any depth would constitute “development” as defined in the Town and Country Planning Act 1990 (“development” means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land). Where horizontal drilling beneath a National Park is proposed from a location outside the Park, a ‘straddling’ application to both mineral planning authorities will be required. As the sub-surface protections in the Infrastructure Act and the Onshore Hydraulic Fracturing (Protected Areas) Regulations only refer to high-volume hydraulic fracturing, it is considered that the starting point in local policy is that all applications for appraisal or production of unconventional hydrocarbons within the National Park and AONBs will be considered as major development and should be steered away from these highly protected areas. Further details on how proposals are assessed in terms of the major development test are set out in Policy D04.
- 5.127 A key factor leading to designation of an area as a National Park or Area of Outstanding Natural Beauty is the quality of its landscape. These areas benefit from a very high degree of protection in national policy, which states that major development within them should be refused unless there are exceptional circumstances and the development would be in the public interest. National Parks and AONBs are very important in contributing to the overall environmental quality, distinctive character and rural economy of the Plan area, yet substantial areas of PEDLs are located in them. In some cases, development outside a National Park or AONB could have an impact on its setting, and conflict with the statutory purposes of its designation. A particular consideration is whether the scale, nature and location of a proposed development would detract from the special qualities of the designated area. Tall elements of surface hydrocarbons development, such as drill rigs associated with exploration and appraisal, or production wells, may typically be 35-40m in height. Such equipment may only be present on site for relatively short periods, or potentially a number of months, or intermittently. However, where they would be located in close proximity to National Parks or AONBs, they have the potential to cause significant adverse impact on the setting of these important areas. This could include impact on important views to or from the National Park or AONB, or on the dark night skies typically associated with such areas as a result of the need for site lighting during 24-hour operations at some stages of development. Further justification for the protection of the setting of National Parks and AONBs is provided in paras. 9.26 and 9.27.
- 5.128 In order to ensure that National Parks and AONBs are provided with a degree of protection commensurate with their significance to the landscape and overall quality of the environment within the Plan area, proposals for surface hydrocarbons development within a 3.5km zone around a National Park or AONB should be supported by detailed information assessing the impact of the proposed development on the designated area, including views into and out from the protected area. This

distance is based on typical planning practice relating to assessment of landscape and visual impact for EIA purposes, where it may be justified to 'screen out' consideration of a 35m tall and relatively linear structure beyond a distance of 3.5km from the receptor. Whilst it is considered that a 3.5km zone is likely to be adequate to ensure that, in the large majority of cases, the potential for significant impacts is identified and considered, there may be particular circumstances, for example as a result of the local topography, that mean that similar information will be required in respect of proposals beyond the 3.5km zone. Prospective applicants should seek advice from the relevant mineral planning authority on this matter at pre-application stage.

- 5.129 Although the City of York is not protected in the same way as National Parks and AONBs, the historic character and setting of the City is a key reason for having designated the York Green Belt, one of only six cities in England where this reason applies, and the historic City as a whole does not benefit from any other specific national policy protection. The relatively flat and low lying landscape around York allows for long distance views of the Minster and other landmark buildings which are integral to the setting of the City. For these reasons, applicants will need to consider carefully the historic character and setting of the City when siting and designing proposals for surface hydrocarbons development within the City of York Green Belt. Where necessary, mitigation measures should be provided to prevent any unacceptable impact. Further details on the Green Belt can be found in Policy D05.
- 5.130 Areas of Heritage Coast have been defined in the Plan area. In these nationally defined non-statutory areas, local planning authorities are required to 'maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes and improve public access to and enjoyment of the coast'. Such areas are therefore afforded a relatively high level of significance in national policy terms and it is appropriate to reflect this in the spatial approach.

Policy M17: Other spatial and locational criteria applying to hydrocarbon development

1) Accessibility and transport

- i) Hydrocarbon development will be permitted in locations with suitable direct or indirect access to classified A or B roads and where it can be demonstrated through a Transport Assessment that:

 - a) There is capacity within the road network for the level of traffic proposed and the nature, volume and routing of traffic generated by the development would not give rise to unacceptable impact on local communities¹⁵, businesses or other users of the highway or, where necessary, any such impacts can be appropriately mitigated for example by traffic controls, highway improvements and/or traffic routing arrangements; and**
 - b) Access arrangements to the site are appropriate to the volume and nature of any road traffic generated and safe and suitable access can be achieved for all users of the site, including the needs of non-motorised users where relevant; and**
 - c) There are suitable arrangements in place for on-site manoeuvring,****

¹⁵ For the purposes of interpreting this and other Policies in the plan, the term local communities includes residential institutions such as residential care homes, children's homes, social services homes, hospitals and non-residential institutions such as schools.

parking and loading/unloading.

- ii) Where access infrastructure improvements are needed to ensure that the requirements of i) a) and b) above can be complied with, information on the nature, timing and delivery of these should be included within the proposals.
- iii) Where produced gas needs to be transported to facilities or infrastructure not located at the point of production, including to any remote processing facility or the gas transmission system, this should be via underground pipeline, with the routing of pipelines selected to have the least practicable environmental or amenity impact. Where hydraulic fracturing is proposed, proposals should also be located where an adequate water supply can be made available without the need for bulk road transport of water.

2) Cumulative impact

- i) Hydrocarbon development will be permitted in locations where it would not give rise to unacceptable cumulative impact, as a result of a combination of individual impacts from the same development and/or through combinations of impacts in conjunction with other existing, planned or unrestored hydrocarbons development.
- ii) Well pad density and/or the number of individual wells within a PEDL area will be limited to ensure that unacceptable cumulative impact does not arise. Where results from any earlier exploration and/or appraisal activity are available, proposals for production of unconventional hydrocarbons should include information on how the proposal is intended to fit within an overall scheme of production development within the PEDL area and should ensure as far as practicable that production sites are located in the least environmentally sensitive areas of the resource.
- iii) In order to reduce the potential for adverse cumulative impact, proposals for production of hydrocarbons will be supported in locations where beneficial use can be made of existing or planned supporting infrastructure including, where relevant, pipelines for transport of gas and/or water, facilities for the processing or generation of energy from extracted gas and overhead or underground power lines and grid connections which could serve the development.
- iv) Where development of new processing, power or pipeline infrastructure is required, consideration should be given to how the location and design of the development could facilitate its use for multiple well pads in order to reduce adverse cumulative impact. The Minerals Planning Authority will support co-ordination between operators and the development of shared infrastructure where this will help reduce overall adverse impacts from hydrocarbon development.
- v) Where practicable, new processing or energy generation infrastructure for hydrocarbons should be sited on brownfield, industrial or employment land. Where development of agricultural land is required, and subject first to other locational requirements in Policies M16 and M17, proposals should seek to utilise land of lower quality in preference to higher quality.

3) Local economy

Hydrocarbon development will be permitted in locations where a high standard of protection can be provided to environmental, recreational, cultural, heritage or business assets important to the local economy including, where relevant, important visitor attractions. The timing of short term development activity likely to generate high levels of noise or other disturbance, or which would give rise to high volumes of heavy vehicle movements, should be planned to avoid or, where this is not practicable minimise, impacts during local school holiday periods.

4) Specific local amenity considerations relevant to hydrocarbon development

- i) Hydrocarbon development will be permitted in locations where it would not give rise to unacceptable impact on local communities or public health. Adequate separation distances should be maintained between hydrocarbons development and residential buildings and other sensitive receptors in order to ensure a high level of protection from adverse impacts from noise, light pollution, emissions to air or ground and surface water and induced seismicity, including in line with the requirements of Policy D02.
- ii) Proposals for surface hydrocarbon development involving activity over 24 hour periods within 400m of residential buildings or other sensitive receptors will not be permitted unless it can be demonstrated by the applicant that the specific locational circumstances or characteristics of the proposed development, including any proposed mitigation, would enable the development to take place without giving rise to unacceptable impacts.
- iii) Proposals should refer to any relevant data from baseline monitoring and other available information to ensure that a robust assessment of potential impacts is undertaken, and that comprehensive mitigation measures are proposed where necessary.
- iv) Proposals involving hydraulic fracturing should be accompanied by a Health Impact Assessment.

Main responsibility for implementation of policy: NYCC , NYMNPA, CYC and District and Minerals industry

Key links to other relevant policies and objectives

M17, M18, I02, D01, D02, D03, D04, D05, D06, D07, D08, D09, D10, D11, D12

Objectives 5, 6, 9, 10, 12

Monitoring: Monitoring indicator 17 (see Appendix 3)

Policy Justification

5.131 The exploration and appraisal phases of oil and gas development may generate a significant number of heavy vehicle movements, mainly in the early or final stages where drilling and associated equipment is being installed or removed, or during phases when hydraulic fracturing operations are taking place. This sometimes requires abnormal loads to be transported. Large parts of the Plan area, including the majority of the area covered by PEDLs, are highly rural with a relatively sparse network of main roads. Rural roads often pass through local communities and, in many cases, have not been constructed to take a large volume of heavy vehicle

movements. It is therefore important to ensure that development is located where there is good access to suitable road networks. This can help to ensure that traffic movements on unsuitable roads are prevented, that the flow of traffic on the highway is not impeded and that highway safety is maintained. The main road network in the Plan area comprises A and B classified roads and development should be located where suitable access to these routes can be obtained without harming the amenity of local communities and businesses. Proposals should include a Transport Assessment to demonstrate how suitable access will be achieved. Where a requirement for improved access infrastructure is identified, proposals to deliver this should be provided as part of the Assessment, including through the use of formal agreements under section 106 of the Town and Country Planning Act 1990 or section 278 of the Highways Act 1980, where appropriate.

- 5.132 Where produced gas needs to be transported off-site to remote processing facilities or other infrastructure, pipelines are the most appropriate method in order to minimise the need for vehicle movements and their associated impacts. As pipeline construction can itself give rise to adverse impacts, it is important that the need for new infrastructure is minimised and sharing of infrastructure is supported under part 4) iv) of this Policy. Where new pipelines are required, routes which seek to minimise any impacts on the environment or local amenity should be selected, recognising that there are a range of factors which can impact on this, including land ownership and economic factors as well as environmental constraints.
- 5.133 The nature of hydrocarbon operations, particularly for unconventional hydrocarbons such as shale gas, means that development may be proposed incrementally within a given area, potentially over substantial periods of time. This is done to access new areas of gas or stimulate the flow of gas in a given location, therefore helping to ensure maximum recovery of the resource and an appropriate return on investment on items such as processing infrastructure. As a result there may be commercial pressure to construct progressively more well pads and/or drill more wells on an existing pad, or re-fracture existing wells.
- 5.134 At this early stage in commercial interest in shale gas in the area, there is considerable uncertainty about the potential scale and distribution of development that could come forward. Indications are that a typical well pad would have a surface area of some 2ha and that the density of well pads per PEDL area would depend on factors including surface constraints and geological factors. It would be influenced by the outcome of further initial exploration activity in the area. Each well pad could be expected to contain several individual well heads, from each of which a number of horizontally drilled wells would be drilled to access the shale gas resource, leading to the possibility of a substantial number of individual wells being drilled per pad. Such a scenario has the potential to lead to cumulative impacts as more development is proposed within an area, and to the potential for an incremental increase in impacts on the environment or local communities, including from traffic movements.
- 5.135 If further exploration leads to commercial interest in the production of shale gas in the Plan area, it is vital that a reasonable balance is found between developing the resource and protecting local communities and the environment. This is particularly so bearing in mind that PEDL areas are subject to a range of environmental constraints; are places where people live, work or visit and that they make an important existing contribution to the overall character, economic well-being and perception of the area.
- 5.136 Consequently, it will be very important to ensure that cumulative impacts that could arise through a proliferation of development are assessed and taken into account in considering proposals for hydrocarbon development. Whilst the current state of the

evidence does not make it practicable to impose, at this stage in the development of the industry, a specific policy limit on the number of well pads or individual wells that may be acceptable in any particular area, or to specify a minimum separation distance that should be maintained between well pads, the policy sets out a range of criteria which will be used when assessing proposals which could give rise to cumulative impact.

- 5.137 To give an indication at this stage, however, it is considered unlikely that proposals which would lead to a total development density, including operational and restored sites, of more than 10 well pads per 100km² PEDL area (pro-rata for PEDLs of less than 100km²) would be compatible with the purpose of this element of the Policy¹⁶. For PEDLs located within the Green Belt or where a relatively high concentration of other land use constraints exist, including significant access constraints, a lower density may be appropriate. As PEDL boundaries are based purely on the OS grid and do not reflect other considerations, the location of existing or planned development in adjacent PEDL areas will also be considered in assessing cumulative impact under this Policy.
- 5.138 Where information is available as a result of exploration and/or appraisal activity in a PEDL area, operators should use this when putting forward specific proposals for production to set out, as far as practicable, how those proposals are expected to fit into an overall production scenario for the PEDL area, in terms of any further development that may be anticipated. Such information should refer to development that it is anticipated over the whole of the PEDL area and take account of the entire likely duration of development activity. This can help to ensure that a strategic approach is taken to the development of the area, which includes directing development, as far as practicable, towards the least sensitive locations.
- 5.139 In assessing the potential for cumulative impact, account will be taken of the relationship between the proposed site and the location of other operational hydrocarbons development, the location of sites used for hydrocarbon development which are no longer operational but which have not yet been restored to an agreed condition or afteruse, and the location of other permitted but as yet unimplemented hydrocarbons development. Where a formal Environmental Impact Assessment is required in respect of a specific proposal, the cumulative impacts of that proposal in combination with other development may also be required, depending on the circumstances of the individual case.
- 5.140 Accommodating any processing facilities and other supporting infrastructure, such as gas treatment, compressor or storage facilities, which may be needed to serve hydrocarbons development may be a challenge, given the predominantly rural nature of the Plan area and the scale and character of the development that could be involved. There are likely to be benefits therefore in locating new hydrocarbon development where it can use existing infrastructure, such as processing and distribution facilities, effectively, thus reducing the need for new development across the Plan area. This could help to reduce overall adverse impacts, including cumulative impacts. Consideration should therefore be given when locating development, and at the design stage, to the potential for the development to use suitable existing infrastructure, including infrastructure developed to serve activities carried out by other operators in adjacent PEDL areas, and developers should seek to deliver this where practicable.

¹⁶ Where a PEDL straddles the boundary of a National Park or an AONB then this guideline would be applied pro rata to the area of the PEDL falling outside the designated area.

- 5.141 Where new processing or other supporting infrastructure is required, consideration should be given to locating and designing this so that it would have the potential to serve multiple surface sites, potentially including those within the control of other operators. In support of this policy the mineral planning authorities will encourage and facilitate discussion between PEDL holders or operators where necessary.
- 5.142 Where co-location or sharing is not practicable the priority should be for new facilities to be located on brownfield sites, industrial or employment land or, where the use of agricultural land is necessary, on land of lower agricultural quality in preference to higher quality land¹⁷ where practicable in order to ensure consistency with national policy and guidance.
- 5.143 Whilst oil and gas development has the potential to bring local economic benefits to the area, such as through employment and positive impact on the local service economy, there is also the potential for adverse impact on elements of the existing economy. Tourism and recreation are an important part of the wider economy in Ryedale, Scarborough and Hambleton Districts, in the North York Moors National Park and in the City of York. The quality of the natural environment, the opportunities for outdoor recreation and the cultural and heritage assets in the area all play an important part in attracting visitors. Furthermore, many local businesses in the area, including within the agricultural and manufacturing sectors, benefit from the current perception that they operate in a high-quality rural environment.
- 5.144 In some cases individual sites or locations important to the visitor economy are already designated for protection in law or policy. However, many are not and it will be important to ensure that, in determining proposals for hydrocarbons development in the area, consideration is given to the potential for adverse impact on the existing economy, including provision of appropriate mitigation measures where necessary.
- 5.145 It is acknowledged that some of the adverse impacts of hydrocarbon development can be of relatively short duration, or intermittent in nature. Examples include the need for increased heavy vehicle movements during the installation and removal of drilling equipment, or during phases where any hydraulic fracturing is taking place, and the need for 'workovers' at existing well sites. Where such activity is proposed in locations where there could be a significant impact on the visitor economy, proposals should include consideration of whether the activity could be timed to avoid local school holiday periods.
- 5.146 Unlike other forms of minerals development currently taking place or expected in the Plan area, some phases of hydrocarbons development, such as the drilling of a well, require 24-hour operations. Such operations have acute potential to impact on local communities adversely, for example due to noise and light intrusion. This potential exists over much of the area that is currently subject to PEDLs, which is rural in nature, often with relatively low background noise levels, and relatively dark night skies. It is therefore important that locations for development are selected which will ensure adequate separation distances from residential property and other sensitive receptors. The adequacy of separation distances to properties and other receptors will need to be determined by the mineral planning authority on a case by case basis but a rigorous assessment of potential impacts is required and a high standard of mitigation provided where necessary. Such an approach is in line with national guidance on this matter. Where 24-hour operations are proposed, particular justification will be required for development which would be located within 400m of

¹⁷ i.e. not on land Grades 1, 2 and 3a within the DEFRA agricultural land classification system

residential buildings such as dwellings, hospitals and other residential institutions¹⁸. This will require an assessment of the specific characteristics of the development and its impacts and the particular characteristics of the locality. That assessment might show that a lesser separation distance could be appropriate whilst maintaining a high level of protection for local amenity.

- 5.147 In considering appropriate noise limits at sensitive receptors, operators will as a minimum be expected to meet the suggested limits set out in the national Planning Practice Guidance, with the objective of ensuring a high standard of protection for local amenity. Site lighting should be designed and located to ensure minimum light spillage beyond the site boundary.
- 5.148 A further specific consideration associated with hydraulic fracturing is the possibility of induced seismicity. This has the potential to impact local amenity adversely and can be a significant concern to local communities. Although evidence suggests that any earth tremors that could be induced are likely to be of very low magnitude, it will be important to ensure that development which could give rise to induced seismicity is located in areas of suitable geology. Proposals should therefore be supported by information which demonstrates the known location of any faults and an assessment of the potential for induced seismicity to occur as a result of the proposed development. Operators will be expected to apply the DBEIS traffic light system (see Fig. 15) during their operations.
- 5.149 The potential for emissions to water or air is also a key issue, particularly for proposals involving hydraulic fracturing. Although these are primarily matters controlled by other regulators (see below), local communities may be concerned about the potential for adverse impacts on health, which is a relevant consideration in planning. Public Health England has indicated that it does not consider that a properly regulated industry would be likely to give rise to significant risks to health. However, where proposals are put forward for development involving hydraulic fracturing, a Health Impact Assessment should be provided as part of an Environmental Impact Assessment, utilising any relevant data arising from baseline monitoring and other sources. This assessment should identify any likely significant health impacts, any mitigation and also identify proposals for further monitoring.
- 5.150 A range of other impacts associated with hydrocarbon development have the potential to cause impact on local amenity, and further policy on this matter is contained in Policy D02, which will be applied as relevant when considering proposals for all forms of minerals and waste development activity.
- 5.151 Hydrocarbon development is subject to a range of other regulatory regimes which provide control over certain aspects of the operations. These are administered by organisations such as the Environment Agency, the Health and Safety Executive and the Department for Business, Energy and Industrial Strategy (previously DECC). National planning guidance is clear that planning authorities should not seek to duplicate these controls, and should assume that other regulatory regimes will operate effectively. The mineral planning authorities will therefore seek to work effectively with other regulatory bodies to ensure that a robust approach is taken to protect the environment and local amenity, recognising that issues relevant to the use and development of land are matters for the planning system.

¹⁸ This is generally consistent with the definition of a 'protected building' as defined in the Town and Country Planning (General Permitted Development) (England) Order 2015, ie; any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed.

- 5.152 If significant environmental impacts are likely the minerals planning authority will require the applicant to undertake an Environmental Impact Assessment (EIA). It is established in law that 'projects' cannot be sub-divided to avoid proper application of the regulations. If EIA is required it is expected that applicants will submit sufficiently detailed information to allow the impact of the whole development to be considered.

Policy M18: Other specific criteria applying to hydrocarbon development

1) Waste management and reinjection wells

- i) Proposals for hydrocarbon development will be permitted where it can be demonstrated that arrangements can be made for the management or disposal of any returned water and Naturally Occurring Radioactive Materials arising from the development. Proposals should, where practicable and where a high standard of environmental protection can be demonstrated, provide for on-site management of these wastes through re-use, recycling or treatment. Where off-site management or disposal of waste is required, proposals should demonstrate that adequate arrangements can be made for this. Where new off-site facilities are proposed in the Plan area for the management or disposal of waste arising from hydrocarbons development, these should be located in accordance with the principles identified in Policies W10 and W11.**
- ii) Proposals for development involving re-injection of returned water via an existing borehole, or the drilling and use of a new borehole for this purpose, will only be permitted in locations where a high standard of protection can be provided to ground and surface waters; they would comply with all other relevant requirements of Policy M16 and M17 and where it can be demonstrated that any risk from induced seismicity can be mitigated to an acceptable level.**

2) Decommissioning and restoration

Proposals for hydrocarbon development will be permitted where, subject to other regulatory requirements, it can be demonstrated that:

- i) Following completion of the operational phase of development, or where wells are to be suspended pending further hydrocarbon development, any wells will be decommissioned so as to prevent the risk of any contamination of ground and surface waters and emissions to air; and**
- ii) All plant, machinery and equipment not required to be retained at the site for operational purposes would be removed and the land restored to its original use or other agreed beneficial use within an agreed timescale.**
- iii) For unconventional hydrocarbon development, the Mineral Planning Authority may require provision of a financial guarantee, appropriate to the scale, nature and location of the development proposed, in order to ensure that the site is restored and left in a condition suitable for beneficial use following completion of the development.**

Main responsibility for implementation of policy: NYCC , NYMNPA, CYC and District and Minerals industry

Key links to other relevant policies and objectives

<i>M17, M18, S01, S05, D01, D02, D03, D04, D05, D06, D07, D08, D09, D10, D11, D12</i>	<i>Objectives 5, 6, 9, 10, 12</i>
Monitoring: Monitoring indicator 18 (see Appendix 3)	

Policy Justification

- 5.153 A significant issue with hydrocarbon development, particularly development involving hydraulic fracturing, is the need to manage the various forms of waste water that may be returned to the surface via a borehole. This can include water originally held within the rock (known as formation water) and, where hydraulic fracturing is involved, a proportion of the fracture fluid which returns to the surface via the borehole, known as flowback fluid. At production stage produced water arising as condensate in the gas can also occur. Such waste can arise in substantial volumes and may contain Naturally Occurring Radioactive Materials (NORM). It may be practicable to treat some water on site through processes such as filtration, disinfection, oxidation, sterilisation, sedimentation and electrocoagulation and, where hydraulic fracturing is involved, re-use it for subsequent fracturing activity.
- 5.154 Provided a high standard of environmental protection is maintained to prevent spillage that could result in contamination of surface or groundwater, on-site treatment and re-use of water is likely to represent the most sustainable option, minimising the need to transport waste and promoting increased re-use or recycling in line with waste policy objectives in the Joint Plan. Where this is not practicable, and for waste materials that are not capable of further on-site re-use, recycling, or treatment, then off-site treatment or disposal will be required.
- 5.155 Evidence suggests that there are a small number of existing facilities in and around the Yorkshire and Humber area which may be able to receive such waste, and these are likely to represent the nearest appropriate installations for management of this form of waste. However, it is possible that if hydraulic fracturing activity develops on a significant scale, either inside or outside the Plan area, there will be a need for further development of suitable waste management infrastructure. At this stage it is not practicable to assess in any detail the likely scale or location of the capacity that could be required. However, the existing waste policies in Chapter 6 of the Joint Plan, particularly relevant elements of Policies W10 and W11, provide a basis for considering any applications for the development of local capacity if required.
- 5.156 Re-injection of water down existing wells, or new wells drilled specifically for this purpose, is sometimes proposed as a disposal method and is most likely to be appropriate for water which does not contain returned flowback fluid, given that such fluid poses a pollution risk. Whilst the Environment Agency has indicated that re-injection of flowback fluid is not necessarily prohibited, it currently takes the view that a precautionary approach should be applied and that this method of disposal does not represent the Best Available Technique. This part of Policy M18 will therefore need to be implemented taking into account the position of other relevant regulators, particularly the Environment Agency, at the time any planning application is being considered. Whilst in some circumstances re-injection of water may be an appropriate means of helping to manage waste without the need for off-site transport, it will be particularly important to ensure that it would only take place where a high standard of protection can be provided to ground and surface water resources. A specific issue sometimes associated with this form of development is the potential for re-injected water to act as a trigger for the activation of geological fault movements, potentially leading to very small scale induced seismic activity. Proposals for this form of development should therefore be supported with detailed information on the

underlying geology of the site and an assessment of the potential for induced seismicity, together with any proposed mitigation.

- 5.157 Hydrocarbon development can be of relatively short duration (i.e. several weeks or months) or, in the case of production of an oil or gas field, can last up to some 20 years. Whatever the duration of the development, it is important to ensure that applicants provide an appropriate level of detail, at the outset, on how it is intended to decommission and restore the site to a beneficial afteruse. This should include information about the dismantling of equipment and clearance of the site, the decommissioning of any wells to prevent the risk of contamination of ground or surface waters or any emissions to air; and how the site will be restored to an appropriate after use when operations cease, in accordance with relevant elements of Policy D10 'Reclamation and Afteruse', within a specified timescale. Other regulators also play a role in ensuring that decommissioned sites would not pose a risk as a result of pollution of ground or surface waters or emissions to air.
- 5.158 Unlike development of conventional gas resources, or indeed a range of other forms of minerals development, which are well-established industries, development involving hydraulic fracturing for shale gas, or development for some other forms of unconventional gas, would involve new and relatively unfamiliar processes in the Plan area and in the UK generally. As a result there is no well-established track record of the successful progression of development progressing successfully from the operational stage through to the final decommissioning and restoration of the site. The national Planning Practice Guidance states that a financial guarantee provided by the operator to cover restoration and aftercare costs can be justified where a novel approach or technique is to be used.
- 5.159 At the time of preparing this Joint Plan, unconventional hydrocarbon development, particularly for shale gas and other technologies such as Underground Coal Gasification, is unproven on a commercial scale in the UK. The relevant mineral planning authority may therefore, depending on the scale and nature of the development proposed and sensitivity of the location, require provision of an adequate financial guarantee. This is to ensure that there is appropriate financial provision in place, at the outset, to safeguard the satisfactory restoration and aftercare of the land in accordance with planning requirements. Whether this policy should be continued throughout the plan period will be considered at the first review of the Joint Plan.

Carbon and Gas Storage

Policy M19: Carbon and gas storage

Proposals for carbon capture and storage and the underground storage of gas will be permitted where it has been demonstrated that:

- i) The local geological circumstances are suitable;**
- ii) The proposals would not have an unacceptable impact on the quality and availability of ground and surface water resources, on land stability, or on public health and safety;**
- iii) There would be no unacceptable impact on the environment or local communities; and**
- iv) The proposals are consistent with other relevant policies in the Plan.**

Transport of carbon or gas should be via pipeline with the routing of lines selected to give rise to the least environmental or amenity impact.

Main responsibility for implementation of policy: NYCC , CYC, NYMNPA and Minerals

industry	
Key links to other relevant policies and objectives	
<i>D01, D02, D03, D04, D05, D06, D07, D08, D09, D10, D11, D12</i>	<i>Objectives 9, 10, 11, 12</i>
Monitoring: Monitoring indicator 19 (see Appendix 3)	

Policy Justification

- 5.160 Carbon capture and storage is a technique which can be used to reduce carbon dioxide emissions into the atmosphere from sources such as fossil fuel power stations and Underground Coal Gasification. It involves capturing carbon dioxide, either before or after burning it, transporting it in pipelines and permanently storing it deep underground in suitable geological formations. The Government believes Carbon Capture and Storage has potential to be an important technology in climate change mitigation. Potentially suitable geologies have been identified across the UK including areas within Ryedale and Scarborough which may be suitable for such processes. Proposals have been under consideration (via the National Significant Infrastructure Planning procedures) for the capture and storage of carbon from Drax power station, in North Yorkshire, although the cancellation of the project was recently announced. Whilst the proposals would have involved construction of a carbon transport pipeline across part of the Plan area, carbon storage would have taken place within depleted gas fields under the North Sea. In the current circumstances, it is not expected that proposals for storage within the Plan area are likely within the Plan period. However, national policy requires Minerals Planning Authorities to encourage underground gas and carbon storage and associated infrastructure if local geological circumstances suggest that it is feasible.

Coal

5.161 Until 2004, substantial tonnages of coal were worked within the Selby Coalfield in North Yorkshire. The Selby Coalfield closed in 2004 leaving Kellingley Colliery as the only operational deep mine in the Plan area. Kellingley Colliery subsequently closed at the end of 2015. The entrance to the mine has been capped and the land associated with the Colliery is being put forward for redevelopment, reducing the possibility of the mine being reopened in the future. Whilst national energy policy seeks to encourage greater use of lower carbon sources of energy, it indicates that coal is likely to be needed in the future, although this is expected to be supplied mainly by imports.

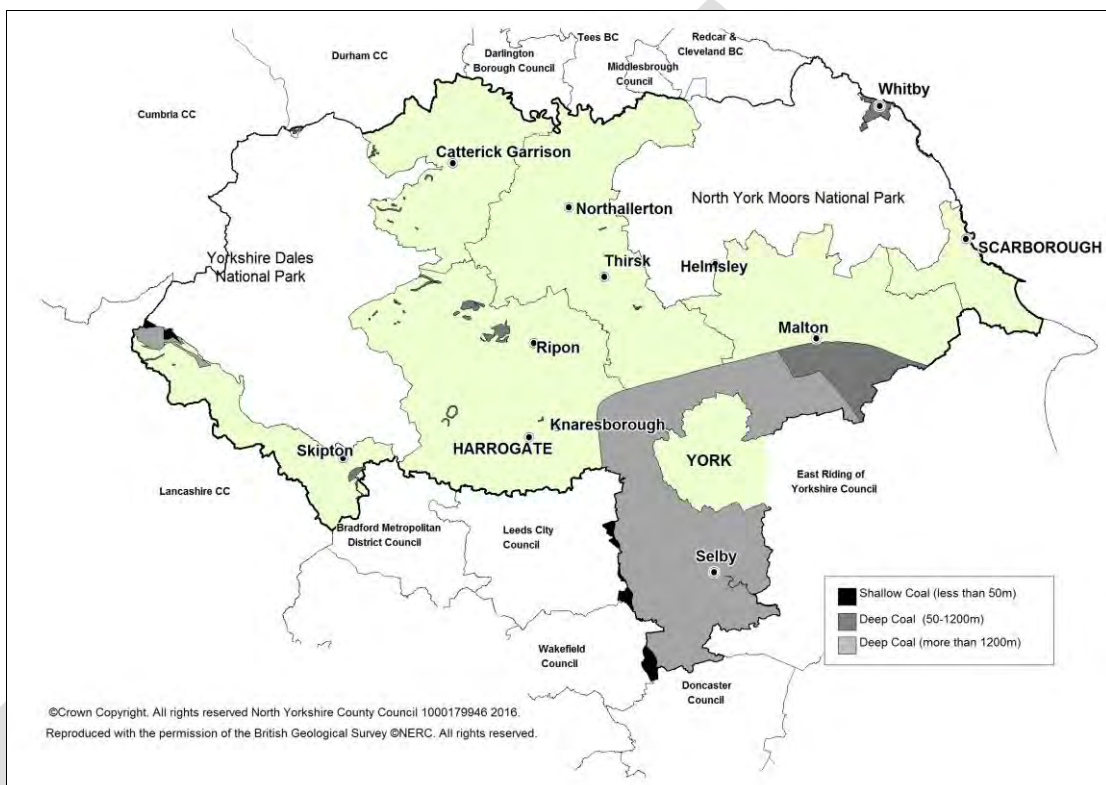


Figure 16: Coal resources in the Plan area

5.162 The closure of Kellingley Colliery means that there is presently no coal being mined in the Plan area and there are no known proposals for new operations in the Plan period. However, there is a large area of coal resource still present and national policy identifies coal as a mineral of local and national importance which should be addressed in minerals local plans. It is therefore appropriate to include a policy for coal, including policy relating to disposal of colliery spoil, in the Joint Plan in case future proposals for coal mining come forward.

5.163 Minerals resource information shows that there are limited and relatively fragmented resources of shallow coal in some parts of the Plan area, but there has been no recent history of these being worked by opencast methods, nor is there any known commercial interest in doing so currently.

Policy M20: Deep coal and disposal of colliery spoil

- 1) Proposals for surface and underground development for the mining of deep coal will be permitted where all the following criteria are met:

<ul style="list-style-type: none"> i) the location, siting and design of the surface development would ensure a high standard of protection for the environment and local communities in line with the development management policies in the Joint Plan; ii) the proposals would enable coal to be transported in a sustainable manner; iii) where located in the Green Belt, the proposals would comply with national policy on Green Belt; iv) the effects of subsidence upon land stability and important surface structures, infrastructure (including flood defences) and the natural and historic environment, will be monitored and controlled so as to prevent unacceptable impacts; v) that opportunities have been explored, and will be delivered where practicable, to maximise the potential for reuse of any colliery spoil generated by the development and that proposed arrangements for any necessary disposal of mining waste materials arising from the development are acceptable in line with Part 3 below; 	
2) Proposals to remediate and restore the Womersley Spoil Disposal Site will be permitted where they would be consistent with the development management policies in the Joint Plan.	
3) Proposals for new spoil disposal facilities will be assessed by reference to the following order of preference:	
<ul style="list-style-type: none"> i) Infilling of quarry voids where this can deliver an enhanced overall standard of quarry reclamation; ii) Use of derelict or degraded land; iii) Where use of agricultural land is necessary, use of lower quality agricultural land (ALC Grade 3b or below) in preference to higher quality agricultural land (ALC Grade 3a or higher). 	
Preference will also be given to proposals for new spoil disposal facilities which are located:	
<ul style="list-style-type: none"> iv) Outside the Green Belt, unless it can be shown that the proposals can be accommodated within the Green Belt in line with national policy; v) Where spoil can be delivered to the site via sustainable (non-road) means of transport or, where road transport is necessary, transport of spoil can take place without unacceptable impacts on the environment or local communities. 	
Main responsibility for implementation of policy: NYCC, CYC and NYMNP, Minerals Industry	
Key links to other relevant policies and objectives	
M11, M21, W01, W05, W10, I01, I02, D02, D03, D04, D05, D06, D07, D08, D09 D10, D11, D12, D13	Objectives 2, 4, 5, 6, 8
Monitoring: Monitoring indicator 20 (see Appendix 3)	

Policy Justification

5.164 Kellingley Colliery closed at the end of 2015 and is unlikely to reopen in the future. The mine entrance has been capped and the former mine operator is proposing to put the land forward for redevelopment. However, there is still a large resource of deep coal in the Plan area and therefore the potential for proposals for future extraction of deep coal, although this is unlikely in the current Plan period. However, to ensure appropriate policy coverage in the Joint Plan, Policy M20 sets out the main strategic criteria that would apply to any such proposals that may come forward.

- 5.165 Underground mining of coal is often associated with surface subsidence which can have adverse impacts on certain structures and other infrastructure and assets. Whilst separate legislation exists to compensate landowners or require remediation for any damage caused, there is public interest in the planning system ensuring a degree of protection. Features at risk can include infrastructure such as roads and railway lines and flood defence works, sensitive environmental and cultural designations, and listed buildings. Any proposals will need to ensure that unacceptable impacts from subsidence will not arise.
- 5.166 Underground mining often generates large amounts of spoil which requires disposal. Spoil from Kellingley Colliery has been disposed of at offsite locations, principally the Womersley spoil disposal facility, which since the closure of Kellingley Colliery is being restored. A proposal has been submitted to extend the time allowed for the restoration of Womersley spoil disposal facility by two years, using the remaining colliery spoil from Kellingley Colliery and soil making materials from elsewhere. Transport and disposal of spoil can have significant impacts on communities and on the environment, especially when road haulage is involved. It is therefore important, when new disposal sites are under consideration, to give preference to proposals which use sustainable transport modes such as rail, water or pipeline. Where road haulage is the only practicable option it will be need to be demonstrated that suitable haulage routes are available between the location of the arisings and the point of disposal.
- 5.167 Spoil may also be capable of being used beneficially as a secondary aggregate and it will be important to maximise the potential for this, in line with Policy M11 relating to the supply of secondary and recycled aggregate.

Policy M21: Shallow coal

- 1) **Proposals for the extraction of shallow coal will be permitted where extraction would take place as part of an agreed programme of development, in order to avoid sterilisation of the resource as a result of the implementation of other permitted surface development; and where the proposal would be consistent with the development management policies in the Joint Plan.**
- 2) **Other proposals for the working of shallow coal will be permitted where the following criteria are met:**
 - i) **Where located in the National Park or an AONB the development would be consistent with Policy D04 or, where the development would be located outside a National Park or AONB, would provide a high standard of protection to the designated area;**
 - ii) **A high standard of protection would be provided to internationally and nationally important nature conservation designations;**
 - iii) **Where located in the Green Belt, the working, reclamation and afteruse of the site would be compatible with Green Belt objectives in line with national policy on Green Belt;**
 - iv) **The site is well located in relation to the highway network and intended markets.**

Main responsibility for implementation of policy: NYCC, CYC and NYMNPA, Minerals Industry

Key links to other relevant policies and objectives

M20, M22, S01, S06, D02, D03, D04, D05, D06, D07, D08, D09, D10, D11, D12

Objectives 5, 9

Monitoring: Monitoring indicator 21 (see Appendix 3)

Policy Justification

- 5.168 Shallow coal resources are relatively scarce across the Plan area and the resource is highly fragmented. There has been no recent history of working shallow coal and no known current commercial interest. Where the resource does occur, in some cases it is located in sensitive areas such as those designated as National Park, AONB, national or international nature conservation designations or Green Belt. In a number of instances the resource is also found in locations relatively remote from major transport routes.
- 5.169 The nature of shallow coal extraction through opencast working can give rise to significant environmental impacts. It is therefore considered that specific criteria are necessary to ensure adequate protection of the environment and local community should any proposals come forward, in addition to those requirements set out in the general development management policies elsewhere in the Joint Plan.
- 5.170 In some instances it may be practicable to carry out prior extraction of shallow coal to avoid its sterilisation by other forms of surface development. This can be a particular opportunity for shallow coal as it is a relatively high value product and its working in relatively small quantities can be viable. Such prior extraction can be beneficial to avoid sterilisation of a valuable resource and can be in the overall interests of sustainable development, provided it can be carried out without unacceptable impact on the environment and local communities and would not prejudice delivery of the surface development giving rise to the opportunity for prior extraction. Where such prior extraction is proposed, compliance with relevant environmental and amenity policies in the Joint Plan will be required.

Potash, Polyhalite and Salt

- 5.171 There are various forms of potassium bearing minerals which can be mined for potash including sylvinit, polyhalite and carnalite. Potash is mainly used as a fertiliser. Rock salt may occur in association with potash and is commonly used for de-icing roads. Both potash and salt occur at substantial depths below the eastern part of the plan area, where existing extraction takes place. Identified resources lie mainly beneath the North York Moors National Park.

Policy M22: Potash, polyhalite and salt supply

Proposals for the extraction of potash, salt or polyhalite from new sites within the North York Moors National Park and renewed applications for the existing sites at Boulby Mine and Doves Nest Farm beyond their current planning permissions will be assessed against the criteria for major development set out in Policy D04.

Proposals for new surface development and infrastructure associated with the existing permitted potash, polyhalite and salt mine sites in the National Park, or their surface expansion, which are not considered to be major development, will be permitted provided they meet the requirements of Policy D11 and Policy I02 and that no unacceptable impact would be caused to the special qualities of the National Park, its environment or residential or visitor amenity in the context of any need for the development.

Proposals for increased volume of potash extraction, the extraction of other forms of potash not included in existing permissions, or sub-surface lateral extensions to the permitted working area in locations accessible from the existing sites at Boulby

Potash Mine and the Doves Nest Farm site as well as proposals for new sites outside of the National Park, will be permitted where it can be demonstrated that the following criteria are met:

- i) **The proposals would not detract from the special qualities of the National Park, taking account of any mitigation measures proposed;**
- ii) **The effects of subsidence upon land stability, coastal erosion and important surface structures, infrastructure (including flood defences) and environmental and cultural designations, can be monitored and controlled so as to prevent unacceptable impacts;**
- iii) **The proposed arrangements for disposing of mining waste materials arising from the development are acceptable; and**
- iv) **The requirements of Policy I01 for transport and infrastructure have been fully considered.**

Main responsibility for implementation of policy: NYCC, NYMNP and Minerals industry

Key links to other relevant policies and objectives

I01, I02, S01, S04, D01, D02, D03, D04, D05, D06, D08, D09, D07 D10, D11, D12

Objectives 3, 5, 6, 8, 10

Monitoring: Monitoring indicator 22 (see Appendix 3)

Policy Justification

- 5.172 Potash is identified as a mineral of local and national importance in the NPPF, which requires policies to be included for its extraction. There is however no requirement within national policy to maintain a certain level of potash reserves. Potentially viable and accessible resources of potash are understood to lie mainly beneath the North York Moors National Park. Where proposals for new potash (including polyhalite) mining activities are located within the National Park they will need to be considered in accordance with the requirements of the major development test (Policy D04). This includes extensions to the operating period or renewal applications for the existing mine sites at Boulby and Doves Nest Farm. For these reasons it is not considered appropriate to allocate proposed sites in the Joint Plan but to consider any new proposals against the policy requirements set out above.
- 5.173 The UK's only working potash mine is located at Boulby which is in the north eastern area of the North York Moors National Park. The mine has been producing potash since 1973, although the mine now produces mainly polyhalite, with mining currently occurring at depths of 800-1350m below ground with operations extending to 14km off-shore. In 2015, permission was granted for a second mine, located at Doves Nest Farm near Whitby, for the extraction of polyhalite underneath the North York Moors National Park, incorporating a 37km tunnel to convey the mineral to a handling facility at Wilton on Teesside. An associated export facility at Teesport was approved in 2016 under the NSIP process.
- 5.174 Rock salt is mined as a by-product of potash extraction at Boulby mine. The rock salt is transported by rail to Teesside from where it is either exported or transported to locations within the UK, with a small amount transported by road to local authorities for use on roads.

Gypsum

- 5.175 Gypsum is a product of the evaporation of seawater and is used mainly in the manufacturing of plaster, plasterboard and cement. Although specific evidence is not available, it is possible that demand for gypsum will increase in line with future development and economic growth.
- 5.176 Gypsum is found close to the surface and has been mined in the Plan area although it is not currently worked, with a former mine at Sherburn in Elmet closing in 1988. The mine workings are now understood to be flooded.
- 5.177 Synthetic gypsum is produced at Drax and Eggborough power stations as a by-product of the process of flue gas desulphurisation following the burning of coal. Moves towards greater use of lower carbon fuel for power generation may lead to reduction in output of synthetic gypsum in the longer term.
- 5.178 Gypsum is identified as a mineral of local and national importance in the National Planning Policy Framework, which requires policies to be included for its extraction.

Policy M23: Supply of gypsum

The extraction of natural gypsum and the supply of desulphogypsum will be permitted where the following criteria are met:

- i) **the location, siting and design of surface development would ensure a high standard of protection to the environment and local communities in line with the development management policies in the Joint Plan and the site would not be located in the Green Belt unless it can be shown that the development can be accommodated within the Green Belt in line with national policy;**
- ii) **the effects of any subsidence upon land stability and important surface structures, infrastructure (including flood defences) and the natural and historic environment, will be monitored and controlled so as to prevent unacceptable impacts.**

Main responsibility for implementation of policy: NYCC, NYMNP and Minerals industry

Key links to other relevant policies and objectives

101, 102, D01, D02, D03, D04, D05, D06, D07, D08, D09, D10, D11, D12

Objective 5

Monitoring: Monitoring indicator 23 (see Appendix 3)

Policy Justification

- 5.179 The potential for gypsum deposits to dissolve in water means that their distribution is unpredictable and no specific information is available for the Plan area. No mining of natural gypsum has taken place in the Plan area since 1988, with the cessation of working at the former mine at Sherburn in Elmet. Permission for working at Sherburn in Elmet Mine remains extant, although the workings are now flooded. There has been no indication of any commercial interest in reactivating workings or the opening of new gypsum mines in the Plan area. BGS have indicated that potential gypsum and anhydrite bearing units occur at depth under the Plan area but gypsum is unlikely to have formed and anhydrite is not considered to be an economic resource. Whilst it is considered unlikely that proposals for further working will come forward during the Plan period, provision of policy support for the principle of development of gypsum resources, subject to compliance with other relevant policies in the Joint

Plan, would be consistent with national policy objectives, including the presumption in favour of sustainable development.

- 5.180 The supply of synthetic gypsum (known as desulphogypsum) is consistent with objectives to preserve scarce natural resources and to minimise waste. Where development associated with the supply of synthetic gypsum falls within the scope of the Joint Plan, it is considered that support should be provided, subject to compliance with other relevant policies. The amount of synthetic gypsum produced is likely to reduce over time due to the move from coal to other forms of fuel at Drax Power Station and the potential closure of Eggborough Power Station in the future. It is therefore not considered appropriate to give specific priority, in the policy, to supply of synthetic gypsum over natural gypsum as this may limit potential to maintain overall supply of gypsum in the future.

Vein Minerals

- 5.181 Vein minerals in the form of fluorspar, barytes and lead mineralisation occur in association with other minerals within parts of Craven District, Richmondshire District and Harrogate Borough, as part of the North Pennine Orefield.
- 5.182 Historic working has comprised a combination of both surface and underground mining and planning permissions still remain in the vicinity of Greenhow Hill and Cononley for fluorspar extraction, although these would have to be subject to a mineral review and a new set of planning conditions determined before working could take place, as these sites are currently classified as dormant.

Policy M24: Supply of vein minerals

Proposals for the extraction of vein minerals, including proposals for the reactivation of dormant permissions, will be determined in accordance with the development management policies in the Joint Plan, having particular regard where relevant to any impacts on:

- i) **important habitats and species;**
- ii) **protected landscapes;**
- iii) **heritage assets;**
- iv) **tourism assets;**
- v) **transport infrastructure.**

Main responsibility for implementation of policy: NYCC and Minerals industry

Key links to other relevant policies and objectives

101, 102, D01, D02, D04, D05, D06, D07, D08, D09, D11, D12 | *Objectives 5, 9*

Monitoring: Monitoring indicator 24 (see Appendix 3)

Policy Justification

- 5.183 National policy requires that mineral plans include policies for the extraction of mineral resources of local and national importance although, with the exception of fluorspar, vein minerals are not mentioned specifically.
- 5.184 A small amount of fluorspar, barytes and lead mineralisation occurs alongside other minerals, mainly Carboniferous limestone, within Harrogate Borough (to the west of Pateley Bridge) and Craven District (near Cononley, west of Skipton), as part of the North Pennine Orefield. The occurrences in the former area are located within the Nidderdale AONB and also lie within or in close proximity to areas designated as SPA and SAC.

- 5.185 There has been no known activity in terms of development of vein minerals for at least 15 years, although old dormant planning permissions still remain in the vicinity of both Greenhow Hill and Cononley for small scale fluorspar extraction.
- 5.186 There is no evidence of any commercial interest in reactivating workings or opening new workings in the Joint Plan area, or any indication of any future requirements.
- 5.187 The significant environmental constraints in areas with potential deposits of vein minerals, such as the western part of Harrogate Borough, together with the absence of any apparent commercial interest in these deposits in the Joint Plan area means that it would not be appropriate to express specific support in the Joint Plan for the principle of further working. If any proposals do come forward then they would need to be assessed against the relevant development management policies. Proposals for working within the AONB may need to meet the major development test and there may also be need for Appropriate Assessment under the Habitats Regulations, depending on the location of any proposals which do come forward.

Borrow Pits

- 5.188 Borrow pits are mineral workings used to supply material solely in connection with a specific construction or engineering project. They are typically located on the site of, or immediately adjacent to, the project to avoid or substantially reduce traffic associated with importation of minerals on public roads. Sometimes the voids created are backfilled with surplus or unusable material from the project and the land restored under a much shorter timescale than for a conventional quarry. Often, they can be restored within the timescale of the associated construction works. In some circumstances, borrow pits can be a sustainable form of development by reducing transportation impacts compared with supply from other sources. They can also help to prevent sterilisation of the resource, ensure higher quality materials are not used for a lower grade use and also reduce the need for new or expanded conventional quarries.

Policy M25: Borrow pits

Proposals for borrow pits, where permission is required, will be permitted where the required mineral cannot practicably be supplied by secondary or recycled material of appropriate specification from a source in close proximity to the construction project, and; where all the following criteria are met:

- i) **The site lies on, or immediately adjoins, the proposed construction scheme so that mineral can be transported from the borrow pit to the point of use without significant use of the public highway system;**
- ii) **The site can be landscaped and restored to a high standard within an agreed timescale and to an agreed end-use without the use of imported material other than that generated on the adjoining construction project.**

Main responsibility for implementation of policy: NYCC, NYMNPA, CYC and Minerals industry

Key links to other relevant policies and objectives

D01, D02, D03, D04, D05, D06, D07, D09, D10, D11, D12

Objectives 5, 7

Monitoring: Monitoring indicator 25 (see Appendix 3)

Policy Justification

- 5.189 Principles for the sustainable management of resources suggest that, where practicable, secondary or recycled materials should be used in preference to primary minerals. The possibility of sourcing secondary or recycled material should therefore be considered before proposals are brought forward for a borrow pit. Use of such materials (provided they can meet the necessary specification for the works) would only be likely to present a significant overall benefit compared with supply from a borrow pit if the secondary or recycled sources are located in relatively close proximity to the project, in order to avoid the need for road haulage over long distances. Where borrow pits are proposed information should be provided to demonstrate the relationship between the proposal and the specific project to be served. Borrow pits should not be used to serve the wider market for minerals and it is likely that any permissions granted will be limited on that basis.
- 5.190 The Town and Country Planning (General Permitted Development) (England) Order 2015 sets out where development is permitted without needing to make a successful planning application. This includes the winning and working on land held or occupied with land used for the purposes of agriculture or any minerals reasonably necessary for agricultural purposes within the agricultural unit of which it forms part, unless the site is within 25 metres from a metalled part of a trunk road or classified road. However this permitted development right does not include minerals that are moved outside the land from which it was extracted and therefore, in these circumstances, proposals will be considered against the criteria set out in policy M25.

Chapter 6: Provision of Waste Management Capacity and Infrastructure

Introduction

- 6.1 This chapter focusses on planning for the management of waste generated in the Plan area. Waste is produced by a wide range of domestic, commercial and industrial activities, sometimes in large quantities. Commercial and Industrial waste, waste from construction and demolition activity and waste arising from municipal sources, known as Local Authority Collected Waste (LACW) are, by volume, the most common forms of waste arising in the Plan area¹⁹.
- 6.2 LACW arises widely across the Plan area but, as household and some commercial waste is an important part of this waste stream, there is a strong association with the distribution of population, with the more urbanised parts of the Plan area being key sources of arisings. It can comprise a wide range of items including inert waste and biodegradable materials such as food waste, as well as waste which needs specialist management, such as waste electrical equipment.
- 6.3 Commercial and Industrial (C&I) waste is generated by business and industrial activity and therefore will occur relatively widely within the area, with a particular concentration in the more urbanised parts. C&I waste can include a very wide range of materials, due to the range of sources from which it is generated. Certain elements of the C&I waste stream, such as mixed ordinary C&I waste, can be very similar to household waste and can often be dealt with through similar processes. However, an important exception to this is the Power and Utilities sector, which comprises a large proportion of total C&I waste in the Plan area. The majority of this arises in the form of power station ash in association with electricity generation in Selby District.
- 6.4 Whilst there is limited data on where Construction, Demolition and Excavation (CD&E) waste arises, it is reasonable to assume that most arises in the more urban areas, or at other locations where large scale construction projects take place. It includes inert materials such as bricks and rubble, as well as non-inert material such as wood and plastic. A large amount of CD&E waste is disposed of or beneficially reused on the site where it arises and therefore does not enter the wider waste market and is not recorded. This position is expected to continue. In particular, overburden and waste stone generated during quarrying activity is generally disposed of as part of landscaping and quarry reclamation activity at the site where it is produced and does not need management at off-site facilities.
- 6.5 The large majority of agricultural waste comprises organic materials, although other items such as plastic packaging may arise. It is generated widely outside urban locations but is particularly associated with more intensively farmed areas outside the upland parts of the Plan area.

¹⁹ The District and Borough Councils in North Yorkshire have responsibility to collect LACW arising within NYCC. North Yorkshire County Council has responsibility to ensure arrangements are in place to dispose of the waste which is collected. As a Unitary Council, the City of York Council fulfils both these responsibilities within its area. Redcar and Cleveland Borough Council are responsible for collecting and managing LACW in the part of the North York Moors National Park in that Borough.

6.6 Hazardous waste is waste which requires specialised management because of the potential it has to cause harm to health or the environment. It can occur in association with a range of commercial, industrial and domestic activities and may include some common household items which are discarded. Low-Level Radioactive Waste (LLR waste) from the non-nuclear industry currently arises in very small quantities, often in association with medical and research activities as well as some industrial processes. Waste water and sewage sludge is generated in association with domestic, commercial and industrial activity and therefore its overall distribution is likely to be similar to that of LACW and C&I waste. There is potential for an increase in arisings of waste water and LLR waste if shale gas development activity becomes established in the area.

6.7 The following table presents estimates of arisings of the main waste streams in the North Yorkshire Sub-region for 2014 unless otherwise stated.

North Yorkshire Sub-region - Estimated Main Waste Arisings 2014 (tonnes)		Comment
Local Authority Collected Waste	425,864	Does not include arisings within the Redcar and Cleveland area of the NYMNP.
Commercial and Industrial waste	322,872	Excludes large volumes of power station ash from Drax and Eggborough Power Stations deposited at private disposal facilities at Barlow and Gale Common ash disposal sites.
Construction, Demolition and Excavation waste	820,705	
Hazardous Waste	33,143	
Agricultural waste	33,786	Excludes large volumes of organic farm waste managed directly within the farm holding.
Low-Level Radioactive waste	Estimated at less than 50m ³	EA Estimate
Waste water	No data available	

Table 4: Estimated waste arisings in the North Yorkshire Sub-region²⁰

6.8 Alongside these estimates of waste arisings, information published by the Environment Agency (EA) suggests that a total of around 2.7 million tonnes (mt)²¹ of waste was deposited at EA permitted waste management facilities²² in the NY sub-region in 2014. There are also a range of import and export movements across the sub-regional boundary, mainly to and from West Yorkshire, the North East and the Hull and Humber area. Data on cross-boundary movements suggests that volumes of imports and exports are relatively small in comparison to total deposits and

²⁰ North Yorkshire Sub Region Waste Arisings and Capacity Requirements Update Report September 2016 (Urban Vision)

²¹ 2014 WDI data. This figure excludes any waste deposited at sites exempt from permitting but includes approximately 1mt of waste deposited at restricted user landfill facilities. The large majority of this latter waste is expected to be waste ash from power stations.

²² There are a substantial number of permit exempt sites in the area but specific information on waste deposited at these is not available.

estimated arisings²³. There is variability in volumes of cross-boundary movements depending on commercial and other factors and such variability is likely to continue in the future.

- 6.9 National Government policy aims to ensure that waste can be managed in more sustainable ways and this means moving away from traditional waste disposal practices like landfill, towards alternative means of managing waste as a resource, for example through recycling or recovery of other value, such as energy. The Plan area has traditionally been heavily reliant on landfill to deal with waste, although in recent years significant progress has been made towards increasing the amount of waste dealt with by other means such as reuse, recycling or composting. The recycling and composting rate for household waste is now around 46%²⁴, with local and national targets to achieve a level of 50% by 2020.
- 6.10 There is a need for the Joint Plan to contribute to diversion of LACW away from landfill in accordance with national objectives and agreed targets in the York and North Yorkshire Municipal Waste Management Strategy²⁵. The current rate of landfill for this waste stream is around 53% in the North Yorkshire area, with an agreed target of diverting a minimum of 75% from landfill. A new contract for the management of residual LACW has been procured by NYCC and CYC, which will enable the landfill diversion target and the 50% recycling target to be met. Key to achieving this shift is the construction of a new facility in North Yorkshire (known as Allerton Waste Recovery Park) on which work is now well advanced, with the facility expected to be fully operational in early 2018. When operational the facility will enable the landfill diversion and recycling targets to be exceeded.
- 6.11 There are also a range of other national objectives supporting the more sustainable management of waste and recently the EU has identified a target for 65% recycling of waste (excluding CD&E waste and waste water), with a maximum of 10% to landfill, as part of a move towards a 'circular economy'. In this and the comparable objective of a 'zero waste economy' as expressed by the UK Government, waste is viewed as a resource, with disposal only taking place where waste cannot be dealt with further up the waste hierarchy.
- 6.12 The Landfill Tax is also a key factor in the need to divert waste from landfill. It aims to encourage waste producers to generate less waste and recover more value from it. Inert or inactive waste is subject to a lower rate of tax, currently £2.65 per tonne. The standard rate is currently (2016/17) £84.40 per tonne and is expected to increase further in line with inflation. This means that landfill is an expensive means of dealing with waste, as well as an option which is generally less preferable in environmental terms.
- 6.13 The Plan area already has a substantial range of waste management facilities including recycling and composting facilities, landfill sites, treatment facilities and transfer stations and more facilities are either under construction or have received planning permission. Most of these existing or permitted facilities are located within the NYCC and City of York areas and are generally located close to centres of

²³ E.g. North Yorkshire Sub Region Waste Arisings and Capacity Requirements Update Report September 2016 (Urban Vision)

²⁴ This figure relates to the recycling rate for the York and North Yorkshire Waste Partnership area and therefore does not include those parts of the North York Moors National Park and Yorkshire Dales National Park areas falling within Redcar and Cleveland Borough and Cumbria County Council respectively. The recycling rate for the Plan area itself is expected to be very similar

²⁵ The Joint Municipal Waste Management Strategy was produced by the York and North Yorkshire Waste Management Partnership in 2006 and sets out a range of local targets and objectives for managing this waste stream

population and areas of expected future growth. There are relatively few facilities in the North York Moors National Park and much of the waste generated in the Park (and also in the Yorkshire Dales National Park) is managed in the NYCC area.

- 6.14 To help with planning for waste in North Yorkshire the authorities involved in preparation of the Joint Plan, together with the adjacent Yorkshire Dales National Park Authority, commissioned consultants to look in more detail at future waste management capacity needs over the period up to 31 December 2030. The findings of this sub-regional study²⁶ are available at www.northyorks.gov.uk/mwevidence. A key objective of this work was to examine potential future needs in the light of information about current waste management capacity, in order to identify any important capacity ‘gaps’ for which provision should be made in the Joint Plan. The findings of the project have informed the content of the Joint Plan.
- 6.15 The main role that the three Waste Planning Authorities can play in promoting the more sustainable management of waste is to support the provision of any additional capacity that is likely to be required in the area in order to meet future waste management needs in a sustainable way. This can be achieved by establishing a supportive local planning policy framework which encourages development of any new waste facilities which may be needed, in appropriate locations, whilst ensuring a high level of protection for the environment and local communities.
- 6.16 Supporting the provision of facilities needed to manage waste more sustainably will also help to meet agreed targets for waste management, such as those adopted by NYCC and the CYC in their roles as Waste Collection and/or Disposal Authorities. However, the wide range of parties involved in the management of waste, the rapidly evolving policy and regulatory climate, as well as continuing advances in technologies, suggest that there will also need to be a degree of flexibility in any local planning policy. This will help to ensure that the waste management industry can come forward with proposals which support the Government’s overall objectives for waste planning of providing the right facilities, in the right place, at the right time.

Moving waste up the waste hierarchy

- 6.17 The ‘waste hierarchy’ is a well-established policy tool supporting the more sustainable management of waste. Moving waste management practice up the waste hierarchy is a key objective of Government policy²⁷ and needs to be reflected in the approach taken in local plans for waste. Minimisation of waste, preparing for re-use and then recycling represent the three highest levels of the hierarchy (see Figure 3 in Chapter 2).
- 6.18 Achieving the management of waste further up the hierarchy will involve the actions of a wide range of organisations and individuals, including the public, businesses, the waste management industry and waste management and planning authorities. The Joint Plan is limited in its ability to influence generation of waste (although this is addressed where practicable in Policy D11 in Chapter 9 relating to sustainable design). It can play a role in moving waste up the hierarchy by encouraging and supporting development proposals which enable waste to be dealt with at higher levels of the hierarchy than is currently the case and by imposing a degree of restraint on other forms of development, such as landfill and incineration without energy recovery (which, as disposal options, represent the lowest level of the

²⁶ North Yorkshire Sub Region Waste Arisings and Capacity Requirements Update Report September 2016 (Urban Vision)

²⁷ National Planning Policy for Waste (DCLG 2014)

hierarchy), unless there is appropriate justification. Locational policies for waste can also play a role in moving waste up the hierarchy such as through encouraging the co-location of complementary waste activities. This is addressed later in policy W11 dealing with waste site identification principles. In combination, these actions will help to ensure that waste management practice can continue to move further up the waste hierarchy and decisions by the Waste Planning Authorities in the area will be guided by the principles set out in Policy W01 below.

Policy W01: Moving waste up the waste hierarchy

1) Proposals will be permitted where they would contribute to moving waste up the waste hierarchy through:

- i) the minimisation of waste, or;**
- ii) the increased re-use, recycling or composting of waste, or;**
- iii) the provision of waste treatment capacity and small scale proposals for energy recovery (including advanced thermal treatment technologies), which would help to divert waste from landfill.**

2) Further capacity for the large scale recovery of energy from waste (in excess of 75,000 tonnes annual throughput capacity), including through advanced thermal treatment technologies, will only be permitted in line with Policy W04 and where any heat generated can be utilised as a source of low carbon energy or, where use of heat is not practicable, the efficient recovery of energy can be achieved.

3) The provision of new capacity for the landfill of residual non-inert waste will be permitted where it can be demonstrated that it is the only practicable option and sufficient permitted capacity within the Plan area is not available. Proposals for the extension of time at existing permitted landfill sites with remaining void space will be supported in principle, where necessary either;

- (i) to maintain capacity for disposal of residual waste, or;**
- (ii) to achieve the satisfactory restoration of the site.**

4) Landfill of inert waste will be permitted where it would facilitate:

- i) a high standard of quarry reclamation in accordance with agreed reclamation objectives, or;**
- ii) the substantial improvement of derelict or degraded land where it can be demonstrated that the import of the waste is essential to bring the derelict or degraded land back into beneficial use and the scale of the importation would not undermine the potential to manage waste further up the hierarchy.**

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Waste Industry

Key links to other relevant policies and objectives

<i>W03, W04, W05, W06, W07, W08, W09, W10, W11, S03, D01, D10</i>	<i>Objective 1</i>
---	--------------------

Monitoring: Monitoring indicator 26 (see Appendix 3)

Policy Justification

6.19 Waste minimisation, preparation for reuse, recycling and composting (where relevant quality protocols are met) are the higher levels of the waste hierarchy and are the preferred means of dealing with waste. These are generally the most efficient means

of extracting value from waste as a resource. For some types of waste, reuse, recycling or composting is not practicable. For these, other forms of treatment or recovery are likely to be required in order to minimise the amount of waste disposed of via landfill, which is at the bottom of the waste hierarchy.

- 6.20 Waste which it is not practicable to deal with through the higher levels of the hierarchy (known as 'residual waste') may also be capable of being used as a resource via the recovery of energy through various forms of thermal treatment processes, including incineration and Advanced Thermal Treatment (ATT) technologies, such as gasification and pyrolysis. Where recovery of energy is proposed, national policy encourages utilisation of heat generated, potentially in association with electrical power, to help to ensure the most efficient use of the waste as a resource. All proposals for facilities which recover energy from waste are encouraged to make provision for utilisation of the heat produced as an energy source. However, the investment required to undertake this suggests that it is most likely to take place in association with relatively large schemes, where economies of scale are likely to arise. There is significant permitted (but not yet operational) capacity for energy recovery in the Plan area. Any further proposals, consistent with other waste policies in the Joint Plan and with a capacity in excess of 75,000tpa, should be accompanied by information to demonstrate that the potential for heat utilisation has been considered and will be delivered where practicable. The threshold of 75,000tpa is consistent with the threshold used to define larger scale facilities within the Yorkshire and Humber Waste Position Statement (February 2016), produced jointly by all Waste Planning Authorities in the Yorkshire and Humber area. The Environment Agency has indicated that EfW schemes within 15km of large users of heat are more likely to have potential for heat utilisation. Where use of heat is not practicable, it is appropriate to support the maximum recovery of electrical energy, in order to help ensure the efficient use of waste as a resource.
- 6.21 Landfill represents the bottom of the hierarchy, although it is likely still to be required for waste which cannot be dealt with by other means, and may be able to play an important role in the reclamation of mineral workings in the Plan area. Achieving a high standard of reclamation, potentially including importation of suitable materials, is addressed in Policy D10 'Reclamation and afteruse'. Subject where necessary to extending time for completing landfilling at existing sites with time limited permissions in the area, there should be adequate capacity for landfill of residual biodegradable waste. It therefore follows that, in line with the waste hierarchy, it would not be appropriate to support the development of new biodegradable landfill sites in the Plan area unless there is a clear justification in terms of any unmet needs.
- 6.22 Whilst diversion of inert waste from landfill can facilitate its beneficial use as a resource, inert landfill is less harmful to the environment as it does not decompose to generate greenhouse gases to the same extent as biodegradable waste. It can also play an important role in improving the standard of reclamation of quarries in the Plan area and, in some cases, improving derelict or degraded land. It is therefore appropriate in some circumstances to provide policy support for this method of waste management.

Strategic role of the Plan area in the management of waste

- 6.23 A particular consideration is the role the Plan area plays in the management of waste over the wider North Yorkshire sub-region (i.e. the Plan area together with the

adjacent Yorkshire Dales National Park (YDNP) which is a separate waste planning authority area).

- 6.24 There are currently no significant waste management facilities in the YDNP and national policy constraints suggest that this position is unlikely to change. NYCC, as Waste Disposal Authority, has a responsibility for the management of LACW collected from the majority of the YDNP²⁸ and most of this waste is currently dealt with in the NYCC area. It is expected that this arrangement will need to continue over the Plan period and is reflected in future waste management capacity requirements for the Plan area identified through the waste arisings and capacity evidence project undertaken on behalf of the four Authorities. Waste generated in the Redcar and Cleveland part of the North York Moors National Park has been allowed for in the Tees Valley Minerals and Waste Core Strategy (adopted in 2011). Memoranda of understanding with the YDNPA and Redcar and Cleveland Borough Council have been agreed to reflect this.
- 6.25 A view also needs to be taken on the extent to which the Joint Plan area can or should seek to be self-sufficient in capacity to manage waste arising in the area, or whether greater reliance on exports to facilities elsewhere should be planned for. The evidence shows that the area already has a relatively high degree of self-sufficiency in capacity for some wastes. However, there have been a number of known exports movements in recent years. This includes landfill and some treatment of hazardous waste, management of some LLR waste, and; other specialist needs, including some treatment and final reprocessing capacity for recycled C&I and LACW²⁹.
- 6.26 Environment Agency data indicates that in 2014 the North Yorkshire Sub-region imported a minimum of 212,000 tonnes of waste. However, the actual figure is likely to be higher due to the lack of detail on the origin of some waste arisings. In the same year the Sub-region is known to have exported over 300,000 tonnes of waste. The majority of import and export movements were from or to other locations in Yorkshire and Humber or the North East. However, data suggests that there are significant annual variations in the scale of movements between particular areas and this limits the potential to establish a comprehensive understanding of current and likely future waste flows.
- 6.27 Examples of specific waste streams which have been exported for management include materials or items such as: asbestos, automotive and household batteries, glass, paper, wood, chemicals, ferrous and non-ferrous metal, textiles, engine and cooking oil and cooling appliances. As noted in the Yorkshire and Humber Waste Position Statement 2016, final reprocessing capacity for many wastes is subject of regional or national scale markets, with the Yorkshire and Humber area containing the largest concentration of glass and metal reprocessors in England.
- 6.28 This information suggests that the waste management market is relatively complex. Such complexity is likely to continue to exist over the Plan period, including in response to commercial factors and the decisions of waste producers.
- 6.29 Approximately 86% of hazardous waste arising within the Plan area in 2014³⁰ was ultimately managed outside the area, with West Yorkshire and the Tees Valley being

²⁸ i.e. the area excluding that part of the YDNP located within Cumbria

²⁹ Initial separation and sorting of materials for recycling takes place within the Plan area, for example in association with the operation of waste transfer activities, and at HWRCs and other recycling facilities. However, it is likely that a substantial amount of final reprocessing of recycled materials takes place outside the Plan area.

³⁰ Environment Agency Hazardous Waste Interrogator 2014

the main export destinations. This indicates that the area is particularly reliant on capacity elsewhere for management of this relatively specialised but diverse form of waste, which arises in small quantities and for which specialist management provision is required. Economies of scale suggest it is unlikely to be practicable to provide dedicated capacity for this waste in the Plan area.

- 6.30 Government policy encourages communities to take responsibility for their waste arisings and sets out a requirement to ensure that waste can be disposed of or, in the case of mixed municipal waste collected from private households, recovered at the nearest appropriate installation. Reducing the need for transport of waste over long distances can often be the most sustainable arrangement, for example in terms of reducing the environmental or local amenity impacts of traffic movements. However, there is no specific requirement in national policy for an area to be self-sufficient in capacity to manage its own waste and policy acknowledges that management of waste outside the administrative boundary of the area may be the most appropriate solution, for example where it would minimise the overall transport of waste or help to use existing infrastructure effectively. Nevertheless, increasing the capability of the area to manage the waste that arises within it is an important sustainability consideration that should be addressed in the Joint Plan. As a result, the approach in the Joint Plan is to seek a move towards a position of 'net self-sufficiency', as explained in more detail in the justification for Policy W02 below.

Policy W02: Strategic role of the Plan area in the management of waste

- 1) **Support will be given through the allocation of sites and the grant of planning permission for the additional waste management capacity needed to help achieve net self-sufficiency in capacity at a level equivalent to expected arisings in the Plan area, by 31 December 2030.**
- 2) **Provision of capacity within the Plan area shall include provision for waste arising in the Yorkshire Dales National Park, with the exception of mining and quarrying waste and small scale waste arisings which can be appropriately managed at facilities within the National Park.**
- 3) **Except as provided for in 2) above, where a facility is proposed specifically to manage waste arising outside the Plan area it will not be permitted unless it can be demonstrated that the facility would represent the nearest appropriate installation for the waste to be managed.**
- 4) **Proposals which would help meet unforeseen needs for the management of specific waste streams arising in the Plan area but not specifically identified or provided for in the Joint Plan, will be permitted where they would be in line with the requirements of Policies W10 and W11.**

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Waste Industry

Key links to other relevant policies and objectives

W01, W03, W04, W05, W06, W07, W08, W09, W10, W11, D01

Objectives 2, 4, 6, 7

Monitoring: Monitoring indicator 27 (see Appendix 3)

Policy Justification

- 6.31 National policy encourages community responsibility in the management of waste. At the same time it needs to be acknowledged that commercial considerations and operation of the market play a fundamental role in determining the actual pattern of movement of waste for management, and in most cases administrative boundaries have little influence on this. Evidence gathered during preparation of the Joint Plan indicates that cross-boundary movements, both imports and exports, have taken place in recent years and it is expected that such movements will continue in response to market and other factors outside the control of the Waste Planning Authorities.
- 6.32 Planning for a 'net self-sufficiency' approach can help ensure that a suitable level of provision is made, where practicable, by planning for waste management capacity at a level equivalent to expected future arisings in the area. This ought to ensure that additional capacity can be delivered within the Plan area over the period to 31 December 2030 to achieve the local management of waste, whilst acknowledging that a degree of import and export movements are likely to continue, although it is recognised that levels of waste imports and exports may not always balance.
- 6.33 Such an approach also reflects the fact that, for certain specialist waste streams, including hazardous waste for landfill and LLR waste requiring management at specialist waste water treatment facilities or other specialist facilities, wider geographical markets for waste management exist. Similar considerations apply to final re-processing capacity for many types of recyclate, which are often exported to nationally or regionally significant facilities receiving waste from a wide range of sources. However, if arisings of specialist waste streams were to increase significantly, for example as a result of new industrial or commercial activity taking place in the Plan area, this may justify the provision of facilities in the Plan area and proposals for these would be addressed through the requirements of Policies W10 and W11 and other relevant policies in the Joint Plan as appropriate.
- 6.34 As part of the evidence base for the Joint Plan, a review of the current or emerging approach to self-sufficiency in waste management capacity within waste planning authority areas adjoining the Plan area, as well as in those which have recently exported significant amounts of waste to the area, has been undertaken. This suggests that these areas are, or are intending to, plan on the basis of net self-sufficiency (or equivalent) for their area. This in turn suggests that it is unlikely that a significantly increased level of imports into the Plan area will occur in the future, as other areas plan for more capacity to meet their own equivalent arisings. Further evidence work indicates that areas currently receiving exports from the Plan area do not envisage significant problems in such movements continuing over the foreseeable future if necessary. Together, these factors indicate that an approach of planning for net self-sufficiency for the Plan area is likely to be adequate and appropriate in meeting future waste management needs.
- 6.35 The Waste Arisings and Capacity study undertaken as part of the evidence base for the Joint Plan was prepared in partnership with the YDNP and reflected capacity requirements for waste arising in the YDNP within the study. These are in turn reflected in the future capacity requirements identified in the Joint Plan. Nevertheless, it is likely to be practicable for some waste arising in the YDNP to be managed in the Park and this is being addressed in the new Local Plan for the YDNP. A memorandum of understanding between the Authorities and the YDNPA reflects this agreed position.

Meeting future waste management needs

- 6.36 To help with planning for waste it is necessary to make some assumptions about the scale of future arisings that may need to be dealt with; likely future waste management practice, and; the waste management capacity expected to be available over the Plan period. As mentioned earlier, work on this has been carried out to support preparation of the Joint Plan. This work provides an important benchmark but the position with regard to predicting future capacity needs is complicated by a number of factors including:
- The scale of future arisings may be influenced by a wide range of matters such as the economy, technological changes and changes in behaviour of waste producers and these cannot be predicted with any certainty;
 - Waste management policy and practice has been going through a period of rapid change in recent years and this may continue;
 - There are significant limitations in the availability of data relating to current arisings and management of some waste streams (the main exceptions being LACW and hazardous waste);
 - Data on waste management capacity is not comprehensive and is subject to change over short periods, for example as new permissions are granted or expire.
- 6.37 Together, these and other factors mean that it is not practicable to quantify future waste management capacity requirements with a very high degree of precision, suggesting that it will be necessary to include a degree of flexibility in the Plan.
- 6.38 The work commissioned by the Authorities uses two scenarios, one about possible changes in the amounts of waste arising over the Plan period and the other about how waste management practice may change over the same time, and compares these against available information on operational waste management capacity in the area. This can be used to give an indication of the potential scale of any 'capacity gap' between potential requirements and current capacity. The table below provides the projected arisings of waste within the North Yorkshire Sub-region at key years throughout the Plan period.

Waste Type	Quantity 2016 (tonnes)	Quantity 2020 (tonnes)	Quantity 2025 (tonnes)	Quantity 2030 (tonnes)
LACW ³¹	442,297	452,949	468,706	483,416
AWRP Estimated Outputs - C&I	-	67,346	70,233	72,977
AWRP Estimated Outputs - Hazardous	-	16,035	16,723	17,377
C&I	327,252	336,200	347,759	359,736
CD&E	837,201	871,196	897,639	920,306
Hazardous	33,542	34,353	35,395	36,467
Agricultural	33,786	33,786	33,786	33,786
Radioactive	<50m ³	<50m ³	<50m ³	<50m ³
Waste Water	No data available	No data available	No data available	No data available
TOTAL (excluding radioactive and waste water)	1,674,078	1,811,865	1,870,241	1,924,065

Table 5: Projected waste arisings in the North Yorkshire Sub-region 2016, 2020, 2025 and 2030³²

³¹ LACW projections are for 2016/17, 2020/21, 2025/26 and 2030/31 respectively.

- 6.39 The projected waste arisings included in Table 5 are based on the assumption that LACW grows in line with projections used by the York and North Yorkshire Waste Partnership. Arrangements are in place through the Partnership to manage this projected increase over the Plan period, including through use of the Allerton Waste Recovery Park facility (AWRP). The proposed AWRP facility has been designed to accommodate expected growth in arisings of residual LACW over the period to 2040 and is also expected to be able to provide some capacity for C&I waste over the plan period. When operational, the AWRP facility will enable targets agreed under the current Municipal Waste Management Strategy for York and North Yorkshire to be met.
- 6.40 Projections for other relevant waste streams are based on the 'growth' scenario modelled in the Waste Arisings and Capacity report. This represents the highest assumed growth rate of the various scenarios considered in the report, in order to help ensure that adequate capacity is planned for. Further information on the growth scenarios considered are included in the North Yorkshire Sub-Region Waste Arisings and Capacity Requirements Update Report September 2016, contained in the evidence base for the Plan.
- 6.41 In order to help identify any potential future 'capacity gaps', it is also necessary to consider the amount of operational capacity that is currently available within the Plan area, in line with the National Planning Policy for Waste (2014), and how this is expected to change over time as a result of the expected expiry of existing planning permissions. This is shown in Table 6 below. For 2020 onwards the Table also includes capacity within the AWRP facility³³. Although this is not yet operational the facility is at an advanced stage of construction and is expected to be fully commissioned in early 2018. There is therefore a very high degree of confidence that this capacity will come on stream.

Waste Management Method	Capacity 2016 (tonnes)	Capacity 2020 (tonnes)	Capacity 2025 (tonnes)	Capacity 2030 (tonnes)
Recycling (C&I, LACW)	644,338	889,639	864,639	814,639
Recycling (C&D)	279,160	204,160	151,990	151,990
Recycling (Specialist Material)	105,049	105,049	105,049	105,049
Treatment Plant	198,226	184,780	177,756	177,756
Composting	317,877	357,877	342,877	329,541
Energy from Waste	0	320,000	320,000	320,000
Landfill (C&I, LACW, C&D)	478,822	103,822	85,075	37,140
Landfill (C&D)	559,961	289,312	53,637	53,637
TOTAL	2,583,433	2,454,639	2,101,023	1,989,752

Table 6: Total actual (2016) and projected (2020, 2025 and 2030) operating waste management capacity in the North Yorkshire Sub-region (tonnes per annum)³⁴

³² North Yorkshire Sub Region Waste Arisings and Capacity Requirements Update Report September 2016 (Urban Vision)

³³ The AWRP facility will include a range of processes including mechanical treatment, anaerobic digestion, energy from waste recovery and incinerator bottom ash recycling

³⁴ North Yorkshire Sub Region Waste Arisings and Capacity Requirements Update Report September 2016 (Urban Vision)

- 6.42 Since work on arisings and capacity evidence was first commissioned by the Authorities, potential scenarios for waste management practice have been reviewed in the updated Waste Arisings and Capacity Requirements study (2016). This is to ensure that the modelling work takes into account more up-to-date information and targets and responses received on the original scenarios during consultation at earlier stages of Plan preparation. This has resulted in use of the following summarised assumptions about waste management practice in the Joint Plan³⁵.

Waste Stream	Practice assumption		Comment
LACW	Waste is managed in accordance with existing and planned arrangements and in accordance with agreed targets in the JMWMS and delivery of AWRP facility.		Reflects current approach by the York and North Yorkshire Waste Partnership and implementation of the AWRP facility.
C&I waste	Commercial waste	Industrial waste	These assumptions reflect the 'alternative median' scenario modelled in the Waste Arisings and Capacity Update Report (2016) and is considered to represent a realistic target in terms of recycling performance, which is in line with the current EU 'circular economy' target, whilst reflecting the existence of significant permitted energy recovery capacity in the Plan area.
	By 2020: 10% to landfill Of the remainder: 60% recycling 40% EfW By 2030: 10% or below to landfill Of the remainder: 65% recycling 35% EfW	By 2020: 18% to landfill Of the remainder: 60% recycling 40% EfW By 2030: 18% or below to landfill Of the remainder: 65% recycling 35% EfW	
CD&E waste	Maximised recycling scenario: By 2020 75% recycling 20% treatment 5% landfill Alternative median recycling scenario: By 2020 60% recycling 20% treatment 20% to landfill		These assumptions provide a challenging maximum recycling scenario for CD&E waste, recognising the potential for more sustainable management of this waste stream, whilst also reflecting the need to consider requirements for landfill if high rates of recycling are not achieved.

Table 7: Practice scenarios

- 6.43 The scenarios referred to above can, when considered in relation to operational waste management capacity, be used to generate an estimate of the scale of any potential waste management 'capacity gaps', and how these may change over the period to 31 December 2030. This in turn can inform the policy approach in the Joint Plan and ensure that appropriate capacity can be provided.
- 6.44 Table 8 below summarises the potential capacity gaps identified for the key waste management capacity types, taking into account the scenarios presented in Table 7. For CD&E waste the projected capacity gap for recycling is based on the 'maximised' recycling scenario. For CD&E landfill, the gaps are presented on the basis of the 'alternative median scenario'. This approach helps ensure that a high rate of

³⁵ More information on scenarios is provided in the North Yorkshire Sub-region Waste Arisings and Capacity Update Report (Urban Vision, 2016)

recycling is supported, whilst reflecting a potential need for additional landfill capacity if a 75% recycling rate is not achieved.

- 6.45 It should also be noted that the capacity gap figures presented in Table 8 are based on an assumption that the major waste streams arising in the area are managed in the Plan area, in accordance with the principle of net self-sufficiency. In practice it is likely that some waste will continue to be exported (and imported) in accordance with current or future market circumstances. Further flexibility to meet unforeseen requirements is also provided through the positive approach to new development which would help move waste up the hierarchy, or meet needs arising in the Plan area, through Policies W01 and W02 and other relevant policies in the Joint Plan.

Waste Management Method	Projected Capacity Gap/Surplus 2016 (tonnes)	Projected Capacity Gap/Surplus 2020 (tonnes)	Projected Capacity Gap/Surplus 2025 (tonnes)	Projected Capacity Gap/Surplus 2030 (tonnes)
Recycling (C&I, LACW, Agricultural)	-228,319	-442,284	-405,451	-342,710
Recycling (CD&E)	16,672	386,458	453,301	471,418
Treatment Plant	52,534	90,615	111,350	124,564
Composting	-134,199	-133,483	-117,558	-103,265
Energy from Waste	46,386	-102,961	-95,418	-89,631
Incineration (Specialist High Temp)	13,632	13,632	13,632	13,632
Landfill (C&I, LACW, Agricultural)	-261,451	-64,585	-44,356	4,983
Landfill (Hazardous)	7,252	23,464	24,379	25,266
Landfill (CD&E)	-75,841	-20,927	179,749	185,642

Table 8: Main projected capacity Gaps/Surplus in the North Yorkshire Sub-region (tonnes per annum)³⁶. Please note that capacity gaps are positive figures and capacity surplus are negative.

- 6.46 Based on this approach, capacity gaps exist throughout the plan period for recycling of CD&E waste, treatment of waste (physical and chemical), incineration of waste (specialist high temperature) and landfill of Hazardous waste. A capacity gap for Landfill of CD&E waste occurs in the second half of the Plan period. There is potential for a very small capacity gap for landfill of C&I, CD&E and agricultural waste at the end of the plan period. Other waste management methods are projected to be in surplus throughout the Plan period, although as indicated later in this Chapter, provision of further capacity for these forms of waste management may be justified in certain circumstances, including in order to provide further opportunities for movement of specific waste streams up the waste hierarchy or an enhanced geographical network of facilities.
- 6.47 The information above, together with other relevant information, has been used to help develop policies to ensure that adequate provision is made for management of the various main waste streams arising in the Plan area. These are presented in the following sections.

³⁶ Sourced from North Yorkshire Sub Region Waste Arisings and Capacity Requirements Update Report September 2016 (Urban Vision)

Local Authority Collected Waste (LACW)

- 6.48 Local Authority Collected Waste (LACW) includes waste collected from households and a range of other waste from municipal sources, as well as commercial and industrial waste of similar composition, collected by or on behalf of local authorities.
- 6.49 Substantial progress has been made in recent years in achieving the more sustainable management of LACW. When the new AWRP facility is fully operational (expected in early 2018) this will help to deliver a step change in diverting residual LACW from landfill, as well as a further increase in the rate of recycling of this waste stream. A four-year waste treatment framework (2015-2019) is in place with a number of private waste management operators to manage York and North Yorkshire LACW prior to AWRP becoming fully operational. If AWRP were to be delayed or failed to become fully operational, these contracts would be re-tendered before they expire. Any requirements for additional infrastructure in the Plan area arising from such a scenario would, if necessary, be addressed through a review of site allocations in the Joint Plan.
- 6.50 Notwithstanding the expected position when the AWRP facility becomes operational, other new or improved supporting infrastructure may be proposed during the Plan period to move management of LACW up the waste hierarchy and deliver more local solutions for its management.

Policy W03: Meeting waste management capacity requirements - Local Authority Collected Waste

Net self-sufficiency in capacity for management of Local Authority Collected Waste will be supported through:

- 1) Identification of the Allerton Park (WJP08) and Harewood Whin (WJP11) sites as strategic allocations over the Plan period for the management of LACW. Proposals to extend the time period for continued waste management operations at these sites over the Plan period and the development of other appropriate waste management infrastructure will be permitted subject, in the case of the Harewood Whin site, to compliance with relevant national and local Green Belt policy.**
- 2) Delivery of additional transfer station capacity for LACW to serve the needs of Selby District through the allocation of a site at Common Lane, Burn (WJP16). Proposals for development of transfer capacity for LACW at this site or at an alternative location consistent with the site locational and identification principles in Policies W10 and W11 will be permitted.**
- 3) Permitting proposals for:**
 - a. increased capacity for the recycling and treatment of LACW where this would reduce reliance on export of waste from the Plan area and the development would be consistent with the site locational and identification principles in Policies W10 and W11;**
 - b. improvements to the Household Waste Recycling Centre network.**
- 4) Proposals for development at the allocated sites referred to in 1) and 2) above will be required to take account of the key sensitivities and incorporate the necessary mitigation measures that are set out in Appendix 1.**

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Waste Industry	
Key links to other relevant policies and objectives	
<i>W01, W02, W10, W11, S03, D01, D05</i>	<i>Objectives 1, 2, 6, 7</i>
Monitoring: Monitoring indicator 28 (see Appendix 3)	

Policy Justification

- 6.51 Substantial progress has been made in recent years in reducing the amount of Local Authority Collected Waste that is landfilled, with a corresponding increase in recycling, composting and other forms of treatment.
- 6.52 Local Authority Collected Waste is dealt with at a range of existing facilities in the Plan area and substantial capacity for its management is already in place. When fully operational the AWRP facility will provide sufficient capacity for managing residual LACW to enable diversion from landfill of over 95% for this waste stream, and a recycling rate for household waste of over 50%. This will enable national and local targets for recycling and landfill diversion to be met and exceeded. As well as providing a strategically important location for recycling and recovery, the wider Allerton Park site (adjacent to the AWRP facility) contains a significant proportion of the remaining permitted capacity for biodegradable landfill in the Plan area, capable of receiving residual LACW and other waste which cannot be diverted from landfill. Although the progress being made in diverting waste from landfill may mean that the landfill capacity within the site is not required to meet needs arising in the Plan area, there is a small potential gap in capacity for landfill at the end of the plan period and it is considered important to support the retention of the facility to cover this eventuality and provide flexibility in the Joint Plan. The overall Allerton Park complex is therefore likely to remain a strategically important location for the management of LACW and other similar waste during the Plan period and it is appropriate to identify and protect it as such in the Joint Plan. The landfill operation is the subject of a planning permission which is due to expire in 2018 and support in principle for an extension of time for this permission is provided in Policy W03.
- 6.53 Similarly the Harewood Whin site, near York, plays an important strategic role in managing LACW via a range of processes and the site also contains the majority of remaining operational biodegradable landfill capacity in the Plan area alongside the Allerton Park site. It is also the subject of temporary permissions which would need extending during the Plan period and it is considered appropriate to identify and protect the existing site area in the Joint Plan as a strategic allocation, with support in principle for continued operations. As this site is located in the general extent of York's Green Belt, the emerging York Local Plan will continue to designate the land as Green Belt and any further development would need to be consistent with relevant Green Belt policy.
- 6.54 Whilst extensive new infrastructure requirements for managing LACW during the Plan period are not expected (subject to commissioning of the AWRP facility), a requirement for further transfer station capacity to serve Selby District has been identified in order to facilitate movement of waste to the AWRP facility. A site for this at Burn Airfield has been proposed in response to earlier consultation and is allocated in the Joint Plan. It is also considered appropriate to support the principle of developing other capacity and/or improvements to the network of facilities for managing LACW where this could increase the extent to which the area is net self-sufficient in capacity and move waste up the hierarchy, in line with the strategic approach, or in other respects result in a more efficient overall network. In all cases

where further development is involved, it will be necessary for proposals to be consistent with other relevant policies in the Joint Plan, including Policies W10 and W11 which establish locational principles and site identification criteria for waste facilities.

- 6.55 During preparation of the Joint Plan a number of potential allocations were put forward for sites which could manage a combination of LACW and C&I waste, due to the similarity between these streams and the ways in which they need to be managed. A number of these are allocated in the Joint Plan and they have been identified in the following Policy W04 dealing with C&I waste, although their potential dual role should be noted in the context of Policy W03³⁷.

Commercial and Industrial (C&I) Waste

- 6.56 There is no predicted overall gap in recycling, energy recovery or landfill capacity (other than hazardous landfill capacity) for C&I waste over the Plan period under any of scenarios considered although, as for LACW, policy support for further infrastructure is appropriate in order to help maximise the potential for net self-sufficiency in capacity and help meet needs for particular waste types not directly identified in the needs assessment. Waste capacity modelling work to support the Plan has indicated a gap in capacity for physical and chemical treatment of some waste, up to an estimated maximum of around 125,000 tonnes per annum by 2030, as well as for smaller amounts of specialist high temperature incineration, which is currently exported from the Plan area for management. This is likely to include C&I waste.
- 6.57 Some specialist recycling needs and final reprocessing of some bulk recyclate materials such as paper, card, glass, plastic and metals, originating at recycling facilities in the Plan area, is also likely to be met by capacity at regionally and nationally significant reprocessing facilities outside the Plan area, through economies of scale.
- 6.58 C&I waste (along with other key waste streams such as LACW and CD&E waste) contain an element of hazardous waste, which requires management at specialist facilities. A capacity gap for hazardous landfill of around 25,000 tonnes per annum by 2030 has been identified and there is no dedicated hazardous landfill capacity in the Plan area.
- 6.59 The scale of any further requirements for energy recovery and anaerobic digestion capacity for C&I waste is dependent partly on the commissioning of the AWRP proposal (see LACW section above), which could also provide some capacity for energy recovery from C&I waste over the plan period. Since the grant of permission for the AWRP facility, permission has been granted for other energy recovery capacity in the Plan area (the Southmoor Energy Centre development and a scheme at the former ARBRE power station site, both located in Selby District), although these have not yet been implemented. Permission was also granted in 2014 for a substantial anaerobic digestion facility at the former North Selby Mine site in the City of York, although this too has not yet been implemented. If some or all these proposed developments become operational they have the potential to add significantly to the overall scale and range of capacity in the area for the treatment and recovery of energy from C&I waste (and potentially other waste streams).

³⁷ Sites which could play a role in management of both C&I and LACW include WJP02, WJP03, WJP08, WJP11, WJP13, WJP15, WJP16, WJP17, WJP18, WJP19 and WJP25.

- 6.60 Monitoring of the development of any operational capacity at one or more of these permitted sites for C&I waste will therefore be needed and any strategically significant implications addressed as part of any subsequent review of the Plan.

Policy W04: Meeting waste management capacity requirements - Commercial and Industrial waste (including hazardous C&I waste)

- 1) **Net self-sufficiency in capacity for management of C&I waste will be supported through:**
 - i) **Permitting proposals which would deliver increased capacity for the recycling and treatment of C&I waste, particularly where this would reduce reliance on export of waste from the Plan area and the development would be consistent with the site locational and identification principles in Policies W10 and W11;**
 - ii) **Permitting proposals for additional transfer station capacity for C&I waste where it can be demonstrated that additional provision would help reduce overall impacts from road transport of waste and the development would be consistent with the site locational and identification principles in Policies W10 and W11;**
 - iii) **Providing large scale capacity for recovery of energy and anaerobic digestion for C&I waste through a combination of spare capacity within the Allerton Waste Recovery Park facility (WJP08) and the Southmoor Energy Centre (WJP03), former ARBRE Power Station (WJP25) and North Selby Mine anaerobic digestion (WJP02) sites, which are identified in the Plan as allocated sites for these uses. The development of the WJP02 site will only be permitted where it would be consistent with the principles of including land in the York Green Belt;**
 - iv) **Permitting additional energy recovery capacity for C&I waste where the planning authority can be satisfied that the facility would be appropriately scaled to meet unmet needs for management of residual C&I waste arising in the area and the development would be consistent with the site locational and identification principles in Policies W10 and W11;**
 - v) **Subject to energy recovery capacity becoming operational at the allocated sites referred to in part iii) of this Policy, permission will not be granted for further large scale energy recovery for C&I waste where the waste to be recovered would arise mainly outside the Plan area, unless it can be demonstrated that the facility would represent the nearest appropriate installation for the waste to be recovered and the development would be consistent with the site locational and identification principles in Policies W10 and W11.**
- 2) **Provision of capacity for management of C&I waste is also supported through site allocations for recycling, transfer and treatment of C&I waste at:**
 - Land at Halton East, near Skipton (WJP13)**
 - Land at Tancred, near Scorton (WJP18)**
 - Land at Skibeden, near Skipton (WJP17)**
 - Land at Allerton Park, near Knaresborough (WJP08)**
 - Land at Seamer Carr, near Scarborough (WJP15)**
 - Land at Common Lane, Burn (WJP16)**
 - Land at Pollington (WJP22)**
 - Land at Fairfield Road, Whitby (WJP19)**
 - Land at Harewood Whin, Rufforth (WJP11)**
- 3) **Proposals for development of the allocated sites referred to in 1) and 2) above will be required to take account of the key sensitivities and incorporate the necessary**

mitigation measures that are set out in Appendix 1.	
Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Waste Industry	
Key links to other relevant policies and objectives	
<i>W01, W02, W03, W10, W11, D01, D05</i>	<i>Objectives 1, 2, 6, 7</i>
Monitoring: Monitoring indicator 29 (see Appendix 3)	

Policy Justification

- 6.61 Substantial capacity for managing C&I waste arising in the area already exists and significant further capacity has the benefit of planning permission but has not yet been implemented. Evidence produced during preparation of the Joint Plan suggests that there is no predicted overall gap in annual capacity for recycling, energy recovery or composting of C&I waste. Notwithstanding this position, it is known that in recent years some C&I waste has been exported from the Plan area for management, including for treatment and more specialised recycling. Providing support for additional capacity in the Plan area could therefore reduce reliance on exports and maximise the potential for the area to be net self-sufficient in capacity for this waste stream. This is reflected in the positive and flexible approach to permitting further capacity for management of C&I waste, as set out in Parts 1) i-iv) of the Policy. Proposals coming forward under these criteria will also be expected to demonstrate compliance with Policy W10 addressing Overall locational principles for provision of waste capacity and Policy W11 dealing with Waste site identification principles.
- 6.62 The area is likely to remain reliant on export of hazardous C&I waste requiring landfill and for the treatment of some hazardous waste, for which it is unlikely to be practicable to provide specific management facilities in the Plan area, as a result of economies of scale or other factors. Liaison with waste planning authorities which have recently received exports from the Plan area suggest that the potential exists for such exports to continue if necessary. Although there is adequate overall transfer capacity for C&I waste already in place in the Plan area, the provision of additional infrastructure could assist with enhancing the geographical network of facilities, thereby helping to minimise overall transport impacts associated with waste movements, including for those wastes which need to be exported for management outside the Plan area.
- 6.63 Whilst the main focus of the AWRP facility is on the management of LACW, it is also expected that it could be able to provide some capacity for recovery of C&I waste over the Plan period. However, planning permission has been granted recently for substantial additional energy recovery capacity at the Southmoor Energy Centre and former ARBRE Power Station sites (both in Selby district). These permissions have not yet been implemented but the potential capacity at these sites could be significant in meeting unforeseen needs for recovery of C&I waste arising in the area, providing flexibility in the Plan. In view of the strategic significance of the capacity they could provide, these sites are allocated in the Plan and they are also safeguarded under Policy S03. An unimplemented planning permission also exists for a substantial anaerobic digestion facility at the former North Selby Mine site in York. This facility would also have the potential to contribute to availability of a range of technologies for recovery of C&I waste arising in the area and this site is also allocated and safeguarded in the Plan. The North Selby Mine site is located within the general extent of York's Green Belt. The emerging York Local Plan will continue to designate this land as Green Belt and therefore any future proposals on this site will need to comply with national and local Green Belt policy.

- 6.64 In these circumstances it is not considered appropriate to support the principle of further large-scale recovery capacity in the area where the waste proposed to be managed would arise mainly outside the Plan area, unless it can be demonstrated that the facility would represent the nearest appropriate installation for recovery of the waste, in line with relevant legislation. Any such proposals will also be expected to provide for utilisation of heat in accordance with Policy W01 and be consistent with the requirements of Policies W10 and W11 in order to meet needs arising within it. For the purposes of this policy it is considered appropriate to use a threshold of 75,000tpa as an indicator of large scale, in line with the threshold used to identify strategically significant facilities in the Waste Position Statement for Yorkshire and Humber³⁸.
- 6.65 A number of proposed allocations for management of C&I waste have been put forward for consideration during preparation of the Joint Plan. In some cases these are considered suitable for allocation to help maximise the potential for net self-sufficiency in capacity and provide a range of opportunities and locations for management of this waste and these are identified and supported in the Policy. Applications for development of these sites for the proposed use will need to be considered against other relevant policies, including the development management policies in Chapter 9. Due to the similarity between some elements of the LACW and C&I waste streams, some sites currently play a role in managing both and this position is expected to continue. Sites proposed for allocation for C&I waste may therefore also provide capacity for an element of the LACW waste stream and vice versa. Whilst this helps provide a degree of flexibility in provision it also means that it is not possible to quantify the precise scale of capacity that could be provided for any one stream in particular.
- 6.66 It is unlikely that there will be a requirement for significant new capacity to landfill non-hazardous C&I waste over the Plan period, taking into account permitted capacity and expected increases in diversion from landfill, although there is potential for a small capacity gap at the end of the Plan period. However, a large proportion of remaining capacity for landfill of non-inert waste is concentrated in two sites (the Allerton Park and Harewood Whin landfills). Both these sites are subject of time limited planning permissions expiring during the early part of the Plan period. These key sites are allocated in the Plan under Policy W03 and W04, reflecting their potential role for both LACW and C&I waste, to help ensure that their longer term potential is maintained for landfill of residual waste which cannot be dealt with by other means.
- 6.67 There is some uncertainty, given pollution control constraints, about the potential for new landfill sites for biodegradable waste to be developed in the Plan area if necessary. A number of existing sites in the area, with planning permission for biodegradable landfill, have not received environmental permits from the Environment Agency as a result of pollution control concerns, particularly where landfill would take place within existing or former quarries where there is a risk that important groundwater resources could be affected. There is potential for such constraints to affect a substantial number of quarry voids in the Plan area, thus significantly limiting the scope for new biodegradable landfill capacity in the area should it be required. Should an unforeseen requirement for landfill of C&I waste arise, which cannot be met through permitted capacity in the Plan area, this may need to be met by export from the area. Evidence suggests there is significant existing permitted capacity for landfill elsewhere within Yorkshire and Humber³⁹.

³⁸ Yorkshire and Humber Waste Position Statement (Feb 2016)

³⁹ Yorkshire and Humber Waste Position Statement (Feb 2016)

- 6.68 Landfill of hazardous C&I waste requires specialist facilities which are limited in number nationally and do not exist in the Plan area. The small scale of arisings of hazardous waste in the area expected to require landfill means that it is unlikely that proposals will come forward for specific provision to be made in the area, although the Joint Plan does not preclude such development where appropriate. In recent years hazardous waste for landfill has been exported to a range of destinations, including in the Tees Valley and in West Yorkshire. Contact with relevant waste planning authorities and collaboration through the Yorkshire and Humber Technical Advisory Body suggests that there is significant capacity in these areas⁴⁰. Sites with hazardous landfill capacity within these areas will represent the Nearest Appropriate Installation for the disposal of this waste.
- 6.69 Specific proposals for new capacity for managing C&I waste will also need to demonstrate compliance with other relevant policies in the Joint Plan, including the development management policies in Chapter 9.

Construction, Demolition and Excavation (CD&E) Waste

- 6.70 CD&E waste is generated in large quantities, with estimated 2014 arisings in excess of 800,000 tonnes. The majority of these materials are inert, although some biodegradable and hazardous materials can also occur. Capacity for managing CD&E waste is often provided alongside capacity for other waste streams. Whilst this can increase the overall range of management options for these materials, it can also make it difficult to identify definitively the capacity currently available for this specific waste stream and hence the exact size of any potential capacity gap. However, the Waste Arisings and Capacity Assessment (2016) identifies an expected capacity gap for recycling under all scenarios considered, up to a maximum of approximately 470,000 tonnes per annum in the highest case scenario, based on available capacity for managing CD&E waste only. Recycling of CD&E waste tends to be more economically viable at localised facilities due to the costs of transporting lower value, higher density wastes. It can also be achieved by mobile plant working at demolition sites, as well as at fixed facilities, thus providing a range of routes by which it can be achieved.
- 6.71 There is no overall gap in transfer capacity for CD&E waste. However, as with other waste streams, policy support for further capacity is justified in order to provide opportunities for enhancement of the geographic network and to help to reduce overall impacts from road transport of waste.
- 6.72 Hazardous Construction and Demolition waste, such as asbestos contaminated waste, is currently exported for landfill and this remains the only management option for this waste. As with other hazardous waste requiring landfill, it is not likely to be practical to provide this within the Plan area and information suggests that existing management routes are likely to remain available for such waste.
- 6.73 There is a forecast shortfall in capacity for landfill of non-hazardous CD&E waste, particularly from around 2022, as a result of the expiry of a number of time limited permissions, with a maximum annual gap of around 186,000 tonnes per annum by 2030 in the highest case scenario. However, there may be more potential for increased use of this waste as a resource, to reduce the need for landfill further (for example by using it as a resource in engineering projects) and this management route should also be supported for this waste stream. If rates of recycling nearer to

⁴⁰ Sites in Yorkshire and Humber with capacity for landfill of hazardous waste include Bradley Park Landfill in West Yorkshire, Gallymoor Landfill in the East Riding Council area and Winterton South Landfill in North Lincolnshire. Further capacity for hazardous landfill exists in the Tees Valley.

that modelled in the higher recycling scenario included in the waste arisings and capacity assessment are achieved, then the requirement for capacity for landfill of non-hazardous CD&E waste could be significantly less, reaching a maximum of around 96,000 tonnes per annum by 2030. The support for retention of landfill capacity at the Allerton Park and Harewood Whin sites, provided through Policies W03 and W04, could also play a role in helping to provide for landfill needs for this waste stream if required.

Policy W05: Meeting waste management capacity requirements - Construction, Demolition and Excavation waste (including hazardous CD&E waste)

1) Net self-sufficiency in capacity for management of CD&E waste will be supported through:

- i) Permitting proposals which would deliver increased capacity for recycling CD&E waste where the development would be consistent with the site locational and identification principles in Policies W10 and W11;**
- ii) Permitting proposals for additional transfer station capacity for CD&E waste where it can be demonstrated that additional provision would help reduce overall impacts from road transport of waste and the development would be consistent with the site locational and identification principles in Policies W10 and W11;**
- iii) Permitting proposals for additional landfill capacity for CD&E waste where it would be consistent with the principles set out in Policy W01 parts 3) and 4);**
- iv) Permitting proposals for extending the time allowed to use remaining void space at existing CD&E landfill sites that are the subject of time-limited permissions.**

2) Provision of capacity for management of CD&E waste is also supported through site allocations for:

i) Allocations for recycling of CD&E waste:

Land at Potgate Quarry, North Stainley (WJP23)
 Land at Allerton Park, near Knaresborough (WJP08)
 Land at Darrington Quarry, Darrington (MJP27)
 Land at Barnsdale Bar, Kirk Smeaton (MJP26)
 Land at Went Edge Quarry, Kirk Smeaton (WJP10)
 Land at Duttons Farm, Upper Poppleton (WJP05)

ii) Allocations for landfill of CD&E waste:

Land at Brotherton Quarry, Burton Salmon (WJP21)
 Land at Duttons Farm, Upper Poppleton (WJP05)
 Land adjacent to former Escrick Brickworks, Escrick (WJP06)

Proposals for landfill at sites WJP05 and WJP06 will only be permitted as a means of enabling reclamation of any mineral workings developed in connection with allocations MJP52 and MJP55 as relevant.

Sites MJP26, MJP27, WJP10 and WJP05 are located in the Green Belt and any development will need to comply with relevant national and local Green Belt policy.

3) Proposals for development of the allocated sites for recycling or landfill referred to in 2) above will be required to take account of the key sensitivities and

incorporate the necessary mitigation measures that are set out in Appendix 1.	
Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Waste Industry	
Key links to other relevant policies and objectives	
<i>M11, W01, W02, W03, W04, W10, W11, D01, D05, D10</i>	<i>Objectives 1, 2, 4, 6, 7</i>
Monitoring: Monitoring indicator 30 (see Appendix 3)	

Policy Justification

- 6.74 CD&E waste arises in significant quantities in the Plan area and future growth and development activity, particularly within the more urbanised parts, is likely to lead to substantial quantities continuing to arise over the Plan period. There is high potential for some elements of this waste stream to be reused or recycled, sometimes at the point of arising, for example in association with demolition and re-development activity. In many cases such material does not enter the wider waste market. Managing CD&E waste in this way is usually the most sustainable option and often may take place without a specific need for grant of planning permission. Policy M11 supports the separation and maximum recovery of materials with potential for re-use or recycling as aggregate, where they are produced during demolition activity or as part of other waste management activity.
- 6.75 A need for additional capacity for managing CD&E waste has been identified in evidence for the Joint Plan. This includes a requirement for both additional recycling capacity and additional landfill capacity, although the scale of additional requirements cannot be defined precisely and also depends on the future rates of recycling which can be achieved, suggesting a need for some flexibility in the Joint Plan. Provision of additional infrastructure for recycling of CD&E waste is supported through the positive approach set out in Part 1) i) of the Policy and could reduce the need for landfill of this waste stream. Proposals coming forward under this part of the Policy could be at a range of scales provided that they would be consistent with Policy W10 addressing Overall locational principles for provision of waste capacity and consistent with Policy W11 dealing with Waste site identification principles. Where sites considered suitable in principle for recycling of CD&E waste have been proposed for consideration, these are allocated in the Plan to provide further opportunities for the delivery of additional capacity. The combined capacity in these allocations would significantly reduce the projected capacity gap. Applications for development of these sites for the proposed use will be considered against other relevant policies, including the development management policies in Chapter 9. It should be noted that a number of other sites allocated in the Joint Plan may also be able to play some role in managing CD&E waste alongside other major waste streams such as LACW and C&I waste and this could further reduce any capacity gap for this waste stream.
- 6.76 Sustainability principles indicate that waste should only be landfilled where it is not practicable to manage it further up the waste hierarchy. Where landfill is required, there are a number of existing sites in the Plan area with planning permission for this activity. Consultation with the minerals industry suggests that there have been increasing difficulties in sourcing suitable inert wastes for quarry reclamation purposes. Ensuring a high standard of quarry reclamation takes place remains an important objective of both national planning policy and the Joint Plan. Should additional landfill capacity be required, it is appropriate to direct this towards the reclamation of minerals workings, of which there are a substantial number in the Plan area. In some cases it may also be appropriate to use suitable inert CD&E waste to improve the quality of derelict or degraded land, to enable it to be brought back into beneficial use and such an approach is also in line with Policy W01 relating to the waste hierarchy. Where suitable sites for landfill of CD&E waste have been put

forward for consideration, and could help meet needs for landfill of CD&E waste, particularly in the latter part of the plan period, these have been allocated in the Joint Plan. It is also likely that non-inert landfills in the Plan area, such as those suitable for residual LACW and C&I waste, can play a role in providing capacity for landfill of CD&E waste as a result of the need for importation of suitable inert material for cover and restoration purposes. This could further reduce the apparent capacity gap. The Environment Agency have estimated that around 25% of the total capacity of non-inert landfills could be taken up by inert materials for these purposes.

- 6.77 Hazardous CD&E waste requiring landfill as the only realistic management option arises only in small quantities in the Plan area. There is no hazardous landfill capacity in the area and the small volume of such waste arising means that provision of capacity in the area is unlikely to be practicable. Such waste is currently exported and liaison with other relevant WPAs suggests that there is likely to be potential for such exports to continue over the Plan period.

Agricultural Waste

- 6.78 The Plan area has extensive areas of agricultural land and the agricultural sector is an important part of the local economy. Evidence suggests that substantial amounts of agricultural waste arise and that much of this is dealt with at the site where it arises, typically by spreading on land. Whilst evidence suggests that overall capacity for management of agricultural waste is sufficient, there may be potential for some agricultural waste to be managed further up the waste hierarchy than is currently the case, including through processes such as anaerobic digestion, which is encouraged through the Waste Management Plan for England.

Policy W06: Managing agricultural waste

Proposals for the on-farm management of agricultural waste at the point of arising, including proposals for individual farm-scale anaerobic digestion, will be permitted where the proposed development would assist in moving waste up the waste hierarchy and would be appropriately scaled in relation to the arisings requiring management.

Proposals scaled to provide capacity for the management of agricultural waste from more than one agricultural holding, including facilities for the anaerobic digestion of agricultural waste, will be permitted where they would be consistent with the overall locational principles and site identification principles for waste development in Policies W10 and W11 and would help to move waste up the waste hierarchy in accordance with Policy W01.

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Waste Industry

Key links to other relevant policies and objectives

W01, W02, W10, W11, D01

Objectives 1, 2, 7

Monitoring: Monitoring indicator 31 (see Appendix 3)

Policy Justification

- 6.79 The potential requirements for off-farm disposal of agricultural waste (estimated at around 34,000 tonnes per annum⁴¹) have been included in the provision for C&I waste in the figures presented earlier in this Chapter. The large majority of

⁴¹ North Yorkshire Sub Region Waste Arisings and Capacity Requirements Update Report September 2016 (Urban Vision)

agricultural waste is expected to be dealt with on-site through direct disposal to land or via composting. There is however a range of specialist provision in the area, including specialist storage, processing and incineration plants for animal by-products. One method of disposing of farm wastes is through anaerobic digestion whereby organic waste can be used to create energy. The Government is encouraging, through its Anaerobic Digestion Strategy, further development of anaerobic digestion facilities. Whilst any proposals brought forward under this Policy should be directed principally at the management of waste from the agricultural sector, it may be appropriate for limited amounts of suitable organic wastes from other sources to be managed, provided this would be consistent with the overall objectives and requirements of the Policy. Feedstock grown specifically for use in anaerobic digestion facilities is not considered to be waste and therefore falls outside the scope of this Policy.

- 6.80 It may be practicable for management of agricultural waste to take place at the scale of an individual farm holding, depending on the scale and nature of the holding. In other cases it may be more practicable for some agricultural wastes to be dealt with at facilities which provide capacity for multiple holdings, including for non-organic waste such as plastic and metals. Both approaches may be appropriate within the area, depending on the local circumstances, and in order to provide flexibility, both are supported in the Policy subject to compliance with other relevant policies in the Joint Plan.

Low-Level (Non-Nuclear Industry) Radioactive Waste (LLR)

- 6.81 There is relatively limited evidence on arisings of LLR in the Plan area and the means by which it is managed. Available evidence suggests current arisings are very low. However, there is potential for a significant increase in arisings of waste, particularly waste water, containing Naturally Occurring Radioactive Materials (NORM) should shale gas development activity become established in the area on any significant scale. National policy indicates that local plans for waste should address the need to manage this waste stream. The approach to management of LLR arising from oil and gas development is addressed in Policy M18 and through Policies W10 and W11. The main focus of Policy W07 below is therefore on the management of LLR arising from forms of development other than those relating to hydrocarbons.

Policy W07: Managing low level (non-nuclear industry) radioactive waste

Proposals for management of Low Level Radioactive Waste arising in the Plan area will be permitted where they would assist in moving management of the waste up the waste hierarchy through on site treatment and reuse or, where this is not practicable, enable the on site disposal of the waste at the point of arising.

Proposals for new capacity, where this would not be located at the point of arising, should be in line with the requirements of Policies W10 and W11 and other relevant policies in the Joint Plan.

Capacity requirements which cannot be met within the Plan area will be met through export.

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Waste Industry

Key links to other relevant policies and objectives

M18, W01, W02, W10, W11, D01, D07

Objective 2

Monitoring: Monitoring indicator 32 (see Appendix 3)

Policy Justification

- 6.82 The amount of low level radioactive waste arising from non-nuclear industry sources (such as research and medical services) in the area is very small (estimated at less than 50m³ per annum). The Environment Agency has indicated that premises in North Yorkshire that generate radioactive waste currently dispose of that waste either under exemption as Very Low Level Waste, or to sewer or by transfer to permitted clinical waste incinerators, including in West Yorkshire.
- 6.83 There is no specific capacity in the area for the landfill of LLR waste, with the nearest dedicated landfill at Clifton Marsh in Lancashire, although there is no information to suggest that waste from the area is deposited at that facility. A nationally significant repository for radioactive waste is located near Drigg in Cumbria, although again there is no evidence to suggest that any waste from the Plan area is managed at that site.
- 6.84 There is no specific information available on expected future trends in arisings of LLR, although it is possible that growth in the scientific employment sector in York could lead to some increase in future. However, overall volumes from such sources are expected to remain very small. Evidence indicates that there is capacity in the Yorkshire and Humber area to deal with such wastes, including the Knostrop facility in Leeds, which is also likely to represent the nearest appropriate installation for the treatment and disposal of some forms of LLR. Where it is not practicable to provide more local solutions for managing this waste then continued reliance on export is likely to be required.
- 6.85 There is also the substantial volumes of Naturally Occurring Radioactive Materials (NORM) to be generated if exploration, appraisal or development of shale gas takes place in the Plan area. Flowback fluids from hydraulic fracturing in particular can constitute a significant source of NORM, depending on the local geology, although smaller volumes of other wastes containing NORM may also arise. It is not practicable to predict the potential volumes that could arise at this very early stage in development of the industry. The approach to managing waste water from the oil and gas industry is addressed through Policy M18 and Policies W10 and W11.
- 6.86 National policy and strategy applies the principles of the waste hierarchy to LLR (including NORM) and it is appropriate to support the principle of providing local capacity for managing this waste stream where practicable.
- 6.87 Where proposals for new capacity for the management of LLR including NORM come forward in the Plan area, these will be addressed under the requirements of Policies W10 and W11 and other relevant policies in the Joint Plan, including the development management policies in Chapter 9.

Waste Water and Sewage Sludge

- 6.88 Waste water arises in association with residential, commercial and industrial development. Specific data on arisings or future management requirements is not available. In some circumstances permitted development rights exist which may allow some additional waste water treatment capacity to be provided without needing to apply formally for planning permission. However, in some circumstances an application for planning permission will be required and it is appropriate to include policy in the Joint Plan to provide a basis for decision-making if proposals do come

forward. Since work started on the Joint Plan there has been potential for large volumes of waste water to be generated as a result of development for the exploration, appraisal and production of shale gas and other unconventional hydrocarbon sources. The policy approach for such wastes is set out in Policy M18 and Policies W10 and W11. The main focus of Policy W08 below is therefore on the management of waste water and sewage sludge arising from forms of development other than those relating to hydrocarbons.

Policy W08: Managing waste water and sewage sludge

- 1) Proposals for the development of new infrastructure and increased capacity for the management of waste water and sewage sludge will be permitted in line with requirements identified in asset management plans produced by waste water infrastructure providers active in the Plan area. Preference will be given to the expansion of existing infrastructure in appropriate locations rather than the development of new facilities. Where it is not practicable to provide required additional capacity at existing sites, support will be provided for the development of new sites for the management of waste water and sewage sludge in line with the requirements of Policies W10 and W11.**
- 2) Co-location of anaerobic digestion capacity with waste water treatment infrastructure will be supported in principle where the Anaerobic Digestion capacity to be provided would utilise output from the associated treatment works, where it would be of a scale appropriate to the location of the host waste water treatment site and where compliance with the development management policies in the Joint Plan can be demonstrated.**

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA, Waste Industry and Water Companies

Key links to other relevant policies and objectives

M18, W01, W02, W10, W11, D01

Objectives 1, 2, 6, 7

Monitoring: Monitoring indicator 33 (see Appendix 3)

Policy Justification

- 6.89 Provision of adequate capacity for treatment of waste water is necessary in order to ensure that plans for growth (such as housing and economic development) can be delivered. The asset management plans of the various waste water infrastructure providers in the Plan area provide an indication of potential future requirements but do not cover the timeframe of the Joint Plan. Information from the infrastructure providers suggests that, whilst the majority of new investment in capacity is likely to be based around expansion of the existing facility network, there may be a need to develop new sites. Providing some flexibility for this in the Joint Plan is appropriate in order to ensure that adequate opportunities for development of capacity are available.
- 6.90 Some of the output from waste water treatment activity may be capable of being subject to further treatment through in-vessel anaerobic digestion processes and this could help to move this waste further up the hierarchy through reducing landfilling and recovering energy. In some instances, particularly for larger scale WWTW, it may be appropriate to co-locate anaerobic digestion capacity at the site as this would reduce the need for transport of waste. Where such development is proposed it will also be necessary to ensure that compliance with relevant development management policies in the Joint Plan can be achieved.

Power Station Ash

- 6.91 Ash is produced in large quantities as a result of power generation activity in Selby District and forms a major and distinctive element of overall arisings of waste in the Plan area. The requirements of the waste hierarchy and the need to encourage the sustainable supply of minerals indicate that it is preferable for this waste to be put to beneficial use where possible. An element of the power station ash waste stream is already used as secondary aggregate and policy support for increased such use is provided in the policy dealing with Supply of Alternatives to Land Won Primary Aggregate (Policy M11). Potential requirements for colliery spoil disposal are also addressed in more detail in the Minerals Chapter (Policy M20).

Policy W09: Managing power station ash and Incinerator Bottom Ash

Proposals to increase the utilisation of power station ash and Incinerator Bottom Ash as secondary or recycled aggregate or for other beneficial use, in line with policy M11 for the Supply of Alternatives to Land Won Primary Aggregate, will be permitted.

Where ash cannot be utilised for beneficial purposes, support will be given for the continued disposal of power station ash at the existing Gale Common and Barlow ash disposal sites, which are safeguarded as strategic sites for the disposal of waste.

Proposals for new facilities for the management of power station ash and Incinerator Bottom Ash will be determined in accordance with the requirements of Policies W10 and W11.

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Waste Industry

Key links to other relevant policies and objectives

M11, M20, W01, W02, W10, W11, S03

Objectives 1, 2, 4, 6, 7

Monitoring: Monitoring indicator 34 (see Appendix 3)

Policy Justification

- 6.92 Waste ash arising from the major coal and biomass fired power stations in Selby District is dealt with at dedicated private facilities and does not 'compete' with other waste for capacity at facilities available to the market. However, because of the large volumes involved, this is an important waste stream in the area. Ash from Drax power station is disposed of at the adjacent Barlow Ash disposal mound. Remaining capacity at the disposal site is understood to be sufficient to last throughout the Plan period. Ash from Eggborough Power Station is disposed of at the nearby Gale Common site, which again is understood to have sufficient remaining capacity for the Plan period. A third power station, Ferrybridge, is located just outside the Plan area but ash from it has been disposed of at the Gale Common facility and, in emergency situations, at the nearby Brotherton Ings site, part of which is within the Plan area. Capacity at this latter facility is also understood to be sufficient. However, coal fired generation at Ferrybridge closed in March 2016 and disposal capacity within the Plan area for this is no longer expected to be required.
- 6.93 Whilst there has been recent investment in infrastructure to support increased utilisation of power station ash as secondary aggregate, and this is supported through Policy M11, it is expected that large volumes will continue to require

disposal. Well-established long-term disposal arrangements are in place for each of the two main power stations in the Plan area and it is expected that these arrangements will need to continue over the life of the Joint Plan. The main ash disposal sites are strategically important waste management facilities in the area and it is appropriate to safeguard them to ensure their availability for the future. This is addressed under Policy S03 'Waste Management Facility Safeguarding'.

- 6.94 More recently, there has been potential for increased arisings of Incinerator Bottom Ash as a result of a number of proposals coming forward in the area for development of waste-to-energy capacity. Policy M11 supports the use of such material as secondary aggregate. The only large scale energy from waste capacity currently under construction in the area is the Allerton Waste Recovery Park facility. The permitted development includes provision for recycling of Incinerator Bottom Ash. It is also possible that proposals may come forward for management of Incinerator Bottom Ash arising from other energy from waste facilities which have received permission in the area. Where proposals come forward for disposal or processing of ash, including Incinerator Bottom Ash, they will be considered under Policies W10 and W11 and other relevant policies in the Joint Plan as appropriate.

Overall locational approach to provision of waste management capacity

- 6.95 In deciding on an overall approach to locating waste management capacity in the area a number of factors need to be considered including, in particular:
- The nature and distribution of waste arisings in the area;
 - The nature and distribution of the existing network of facilities;
 - Other important characteristics of the area, such as the location of main settlements and future growth, major environmental designations and transport networks;
 - National policy requirements relevant to locating waste facilities.
- 6.96 The existing network of facilities in the Plan area is widely distributed, but in general is associated with the more developed parts of the area and main road transport links, reflecting key sources of arisings and the important role of road transport in the management of waste. The large majority of remaining capacity for landfill of biodegradable waste is now concentrated at two sites, Allerton Park to the south of Boroughbridge, and Harewood Whin, to the west of York. Treatment, transfer and recycling capacity is more widely distributed and tends to be located in and around main population centres in the Plan area. These facilities provide employment and make a contribution to the local and wider economy and are an important element in the overall infrastructure of the area.

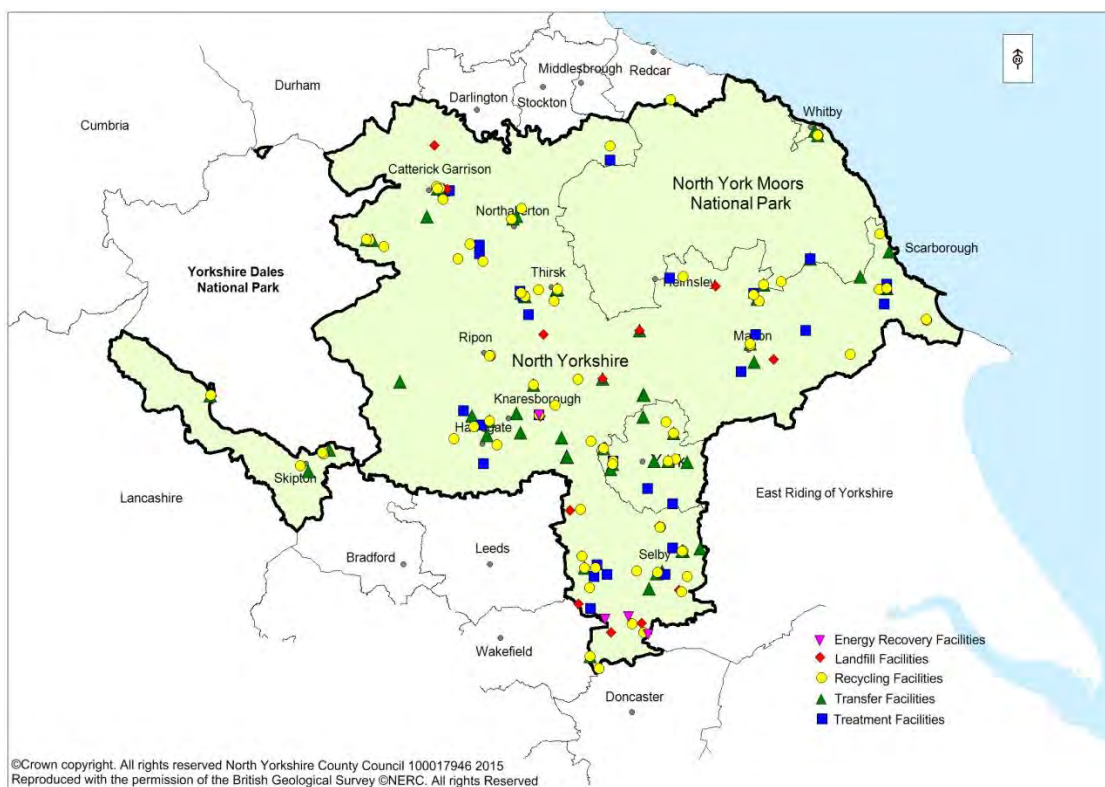


Figure 17: Permitted waste facilities in Plan area

- 6.97 The Plan area is very large and highly rural, with a widely dispersed pattern of settlements. The City of York and the major towns of Harrogate and Scarborough are the main population centres and a significant proportion of future growth in the Plan area is expected to be in and around these locations as well as other main settlements and transport corridors, as shown on the key diagram. Substantial parts of the Joint Plan area are highly constrained by environmental designations, such as National Park and AONBs, as well as important nature conservation, historic environment and other designations, such as Green Belt and the requirement to protect the historic character and setting of York, which would be likely to preclude development of significant new waste facilities as a result of national policy constraints.
- 6.98 Access by road is good in some parts of the area, particularly in terms of north-south links through the central corridor, whereas east-west accessibility is less well developed. This is an issue which is likely to have some impact on the ease with which waste can be moved from locations of arising to locations where it can be managed. Modern waste management processes often involve a need for waste to be processed through more than one facility type. This can lead to additional movement of waste compared to the former situation where the majority of waste was transported directly from point of arising to its final point of disposal.
- 6.99 With the exception of agricultural waste and certain other specific waste types, such as waste from the power generation industry, it is likely that a substantial majority of waste arising in the area is generated within or near to larger settlements, where most existing development is concentrated. As these locations are also expected to be the main focus for growth and associated development over the Plan period, it is likely that they will continue to be important sources of waste arisings.
- 6.100 For some forms of waste management, and some waste streams, there is likely to be a need for a larger 'catchment' of waste arisings than others. For example, more

complex recovery and treatment facilities tend to represent a higher level of investment and require larger catchments of waste to make them viable. Some wastes, such as hazardous waste, arise in small quantities that may mean provision of specialised facilities at a local level may not be viable. This is a particular issue for the Plan area which, as noted above, is largely rural. Policy W10 sets out the main locational principles relevant to identifying site allocations and provision of additional capacity for management of waste.

Policy W10: Overall locational principles for provision of waste capacity

The allocation of sites and determination of planning applications should be consistent with the following principles:

- 1) Providing new waste management capacity within those parts of the Plan area outside the North York Moors National Park and the Areas of Outstanding Natural Beauty, unless the facility to be provided is appropriately scaled to meet waste management needs arising in the designated area and can be provided without causing unacceptable harm to the designated area.
- 2) Maximising the potential of the existing facility network by supporting the continuation of activity at existing time limited sites with permission, the grant of permission for additional capacity and/or appropriate additional or alternative waste uses within the footprint of existing sites and, the extension to the footprint of existing sites.
- 3) Supporting proposals for development of waste management capacity at new sites where the site is compatible with the requirements of Policy W11; and the site is located as close as practicable to the source/s of waste to be dealt with. This means:
 - a) For new facilities serving district scale markets for waste, particularly LACW, C&I and CD&E waste, or for facilities which are not intended to serve the specialised needs of particular industries or businesses, giving priority to locations which are within or near to main settlements in the area (identified on the key diagram) or, for facilities which are intended mainly to serve localised needs for waste management capacity in more rural parts of the Plan area, including agricultural waste, where they are well-located with regard to the geographical area the facility is expected to serve;
 - b) For larger scale or specialised facilities expected to play a wider strategic role (e.g. serving multi-district scale catchments or which would meet specialised needs of particular industries or businesses), these will be located where overall transportation impacts would be minimised taking into account the market area expected to be served by the facility.

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Waste Industry

Key links to other relevant policies and objectives

M18, W01, W02, W03, W04, W05, W06, W07, W08, W09, W11, D05

Objectives 2, 6, 7, 8, 9, 10, 11

Monitoring: Monitoring indicator 35 (see Appendix 3)

Policy Justification

- 6.101 Arisings of waste in the NYMNP and AONBs are low and these areas are also subject to constraints on major new development. As a result, it is not considered appropriate for them to host significant additional waste management capacity, although small-scale provision may be acceptable to meet local needs, particularly where this would assist in moving waste up the hierarchy.
- 6.102 There is already an extensive network of waste management infrastructure in the Plan area, representing a substantial amount of investment by both the private and public sectors. Sustainability principles suggest it will be appropriate to seek to maximise the effectiveness of the existing network in meeting future waste management needs. This will have benefits for the local economy and assist in ensuring the efficient use of existing land and infrastructure. In some cases, existing sites are subject to time-limited permissions which may expire during the Plan period. It is appropriate to support the principle of extending the time limit for undertaking waste management operations at such sites in order to help secure their availability over the Plan period. In some cases it may also be practicable for additional waste management capacity, and or additional or alternative waste uses which are compatible with the location of the site and any relevant constraints, including the potential for impact on local communities, to be provided within the footprint of existing sites, for example through investment in additional processing plant and machinery. Where such development requires planning permission, it will also be appropriate to support it in principle. Where additional capacity can be provided by extending the footprint of existing sites this may also be a suitable means of enhancing the efficiency of the current network and, subject to compliance with other relevant policies in the Joint Plan, is supported in principle.
- 6.103 National planning policy encourages the provision of an integrated and adequate network of facilities which enables waste to be disposed of, and mixed municipal waste collected from private households to be recovered in, one of the nearest appropriate installations. Supporting the management of waste near to where it arises, as well as encouraging communities to take responsibility for the waste arising in their area, are important components of sustainability. In particular it can reduce the amount of transport required, with corresponding benefits for local amenity and reduced environmental impacts in what is a predominantly rural area with a relatively sparse network of major roads. This suggests that, where practicable, new sites for waste management should be well-located in relation to the sources of the arisings to be dealt with. Although detailed information on the geographical distribution of arisings of waste is not available, it is likely that most LACW, C&I and CD&E waste arises in the more developed parts of the Plan area and these are areas where further growth is likely to be focussed. It is therefore appropriate to seek to ensure that, where new development is proposed to deal with such arisings, it is located within or in close proximity to the main settlements in the Plan area. For waste more closely associated with rural activities (such as agricultural waste or waste from other businesses taking place in rural areas) it will be preferable for these to be located within the catchment areas they are intended to serve, even where these are not located in close proximity to main settlements, in order to help to reduce overall transportation impacts. For some types of waste management development outside urban areas, Green Belt designation is a significant constraint and reference should be made to Policy D05 Minerals and waste development in the Green Belt (see Chapter 9) for further information on this matter.
- 6.104 If shale gas development becomes established on any significant scale in the area (see Chapter 5), there could be a potential for new arisings of waste from this source which, based on current information, would be generated within relatively rural

locations in the eastern part of the Plan area where the majority of current PEDLs are located. In considering proposals for management of waste from such development, Policy M18 is also relevant.

- 6.105 Certain facilities can play a wider strategic role in the management of waste, as a result of their large scale or specialised role, or a combination of the two factors. This means that they are likely to serve geographically more extensive catchments of waste (for example significantly above the scale likely to be needed to serve a particular settlement, cluster of settlements or district) and it is therefore particularly important that where new such facilities are proposed, they are well located in relation to the overall catchment area to be served, as well as in relation to the main transport networks that are to be used to transport waste to/from the facility.
- 6.106 In all cases proposals for new capacity will need to demonstrate compliance with other relevant policies in the Joint Plan, including the site identification principles in Policy W11 and the development management policies in Chapter 9.

Site identification principles for new waste management capacity

- 6.107 Alongside policy for overall locational principles for waste facilities, set out above, it is necessary to consider the approach to the specific types of sites that should be considered suitable in principle for new waste management uses. This can provide a basis for identifying suitable site allocations, as well as help with decisions on planning applications for new waste facilities.
- 6.108 Waste management facilities can potentially be located on a wide range of sites. Some modern waste management processes are similar in nature to other forms of industrial development and can occupy similar types of sites. Existing waste management facilities within the Plan area are located on a variety of sites including industrial estates, previously developed land and existing and former mineral workings.
- 6.109 Sites for landfill, particularly for biodegradable waste, are largely constrained to voids with suitable geological characteristics. These typically comprise existing or former mineral workings, the locations of which are determined primarily by geology, where imported waste can be used to help to restore the site. Groundwater pollution constraints and flood risk may be particularly important in determining suitable locations for some types of landfill activities.
- 6.110 The identification of suitable sites for waste facilities is also influenced by matters such as the scale of facility proposed, the nature of the processes involved and the area to be served by the facility. Other important constraints include environmental and local amenity considerations such as noise and odour and transport and access issues. Co-locational opportunities may arise where mutual benefits can be gained by locating particular types of waste facilities alongside certain other forms of development, such as those which can use the output of waste processes, or where the waste management needs of a waste producer can be met without the need for significant transport of waste. A further example is where waste processes which generate energy can be located in proximity to users of heat and/or power, as well as near to appropriate grid connections. National planning policy supports the co-location of waste facilities alongside other complementary uses, as well as the need to ensure that any energy produced is used efficiently, preferably in the form of heat.

- 6.111 The characteristics of the Plan area also need to be taken into account. As a mainly rural area, with a highly dispersed settlement pattern and large areas of important environmental designations which may limit potential for development, opportunities to identify suitable sites, particularly for larger scale facilities of a more industrial nature, are likely to be relatively limited, although there may be greater potential to identify suitable locations for smaller scale facilities.
- 6.112 As well as the general context referred to above, specific considerations are likely to apply to particular forms of waste development. For example, opportunities and constraints relating to sites for recycling and transfer activities, which can usually take place within buildings of a nature that can be accommodated on industrial estates and employment land, will be different to those that apply to large scale recovery or disposal operations.

Policy W11: Waste site identification principles

The allocation of sites and determination of planning applications for new waste management facilities should be consistent with the following principles:

- 1) Siting facilities for the preparation for re-use, recycling, transfer and treatment of waste (excluding energy recovery or open composting) on previously developed land, industrial and employment land, or at existing waste management sites, giving preference to sites where it can be demonstrated that co-locational benefits would arise taking into account existing or proposed uses and economic activities nearby. Where the site or facility is proposed to deal mainly with waste arising in rural areas then use of redundant agricultural buildings or their curtilages will also be acceptable in principle and, for agricultural waste, appropriate on-farm locations;**
- 2) Siting facilities for the open composting of waste on previously developed land, industrial land, existing waste management sites and, where the site or facility is proposed to deal with small scale waste arisings in rural areas, the curtilage of redundant agricultural buildings or other appropriate on-farm locations. Where development of new capacity on greenfield land is necessary then preference will be given to sites located on lower quality agricultural land. Sites for the composting of waste where the process may release bioaerosols should be located at least 250 metres from the nearest residential building;**
- 3) Siting facilities involving the recovery of energy from waste, including through anaerobic digestion, on previously developed land, industrial and employment land, or at existing waste management sites, giving preference to sites where it can be demonstrated that co-locational benefits would arise taking into account existing or proposed uses and economic activities nearby, including where the energy produced can be utilised efficiently. For facilities which can produce combined heat and power, this includes giving preference to sites with the potential for heat utilisation. Where the site or facility is proposed to deal mainly with agricultural waste through anaerobic digestion including energy recovery, then use of redundant agricultural buildings or their curtilages and other appropriate on-farm locations will also be acceptable in principle;**
- 4) Siting facilities to support the re-use and recycling of CD&E waste at the point of arising (for temporary facilities linked to the life of the associated construction project) and at active mineral workings where the main outputs of the process are to be sold alongside or blended with mineral produced at the site; as well as at the types of sites identified in 1) above, where these are well related to the sources of arisings and/or markets for the end product;**

- 5) **Siting facilities to provide additional waste water treatment capacity, including for waste water containing Naturally Occurring Radioactive Materials, at existing waste water treatment works sites as a first priority. Where this is not practicable, preference will be given to use of previously developed land or industrial and employment land. Where development of new capacity on greenfield land is necessary then preference will be given to sites located on lower quality agricultural land. Siting of facilities for management of waste water from hydrocarbons development will also be considered under the requirements of Policy M18 where relevant;**
- 6) **Providing any additional capacity required for landfill of waste through preferring the infill of quarry voids for mineral site reclamation purposes, giving preference to proposals where a need for infill has been identified as part of an agreed quarry reclamation scheme and where any pollution control concerns can be mitigated to an acceptable level.**

In all cases sites will need to be suitable when considered in relation to physical, environmental, amenity and infrastructure constraints including existing and proposed neighbouring land uses, the capacity of transport infrastructure and any cumulative impact from previous waste disposal facilities, in line with national policy.

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Waste Industry

Key links to other relevant policies and objectives

W01, W02, W03, W04, W05, W06, W07, W08, W09, W10, M18

Objectives 2, 6, 7, 8, 9, 10, 11

Monitoring: Monitoring indicator 36 (see Appendix 3)

Policy Justification

- 6.113 National planning policy identifies a range of types of sites and areas which may be suitable for built waste management facilities. It indicates that consideration should be given to a broad range of locations including industrial sites, looking for opportunities to co-locate waste management facilities together and with complementary activities. It states that priority should be given to the re-use of previously developed land, sites identified for employment uses and redundant agricultural buildings and their curtilages. It also encourages the utilisation of heat as an energy source in the siting of low carbon energy recovery facilities in close proximity to potential heat customers. It is considered that these principles remain appropriate to guide identification of allocations for the Plan area and to provide an indication to developers and other users of the Joint Plan of the types of sites that are likely to be considered suitable in principle for waste management facilities by the Authorities when determining planning applications.
- 6.114 In relation to landfill, the long history of minerals extraction activity in the Plan area has resulted in a substantial number of voids which, should a need for further landfill arise, provide opportunities which may be suitable in principle. In a number of cases reclamation through landfill is an agreed element of existing approved schemes, although in some cases sites have not yet received a permit for landfill from the Environment Agency. A number of significant constraints to landfill could arise in association with particular proposals and these would need to be addressed through application of the development management policies in Chapter 9 of the Joint Plan.
- 6.115 A range of site specific considerations may be relevant to determining the actual suitability of any specific sites or locations under consideration. National policy

provides guidance on relevant criteria, which will also need to be taken into account alongside any other relevant policies in the Joint Plan.

DRAFT

Chapter 7: Minerals and Waste Transport and Other Infrastructure

- 7.1 This Chapter considers issues relating to minerals and waste transport infrastructure, as well as other infrastructure supporting the supply of minerals (often referred to as minerals ancillary infrastructure) throughout the Plan area. It identifies policies to help support the provision of any such infrastructure that may be needed.

Non-road transport Infrastructure for minerals and waste

- 7.2 Minerals and waste tend to be high bulk, often low-value products, which need to be moved from source to market or point of management. The majority of minerals and waste sold or managed in the Plan area is transported by road via the existing highway network. Road transport is not usually the most sustainable form of transport due to emissions, congestion and other impacts, including on local amenity. However, in many cases it may be the only viable option because of the absence of suitable alternatives, or because the scale or pattern of movements involved does not justify the investment required to bring alternative arrangements in to use. Key exceptions to road transport of minerals in the area include gas, which is transported by pipeline from production wells to the Knapton generating station, potash from Boulby Mine which is transported by rail and the importation of small amounts of aggregate by rail in the Selby area. Movement of waste is exclusively by road.
- 7.3 The NPPF aims to encourage sustainable methods of transportation, stating that 'encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion'. As sources of supply and demand for minerals are relatively dispersed, as are locations of waste arisings and management, road transport is likely to remain the main method of transport for minerals and waste produced or arising in the Plan area for the foreseeable future. However, the potential benefits of alternative forms of transport, together with the support provided in national policy to use of alternative transport modes, suggests that this is an issue the Joint Plan should address. It will therefore be important to support any such opportunities that do arise, and to seek to protect relevant infrastructure. Safeguarding of minerals and waste transport infrastructure is addressed in Chapter 8.
- 7.4 There is a limited distribution of rail and water transport infrastructure suitable, or potentially suitable, for minerals and waste in the Plan area and the majority is concentrated in Selby District. However, other parts of the network may have further potential or are currently used. For example, in the past crushed rock has been transported by rail from a quarry near Leyburn and until recently coal was transported by rail from Kellingley Colliery, where infrastructure still exists. More recently, a 37km underground tunnel and conveyor system have been approved as part of the York Potash application to transport polyhalite from Doves Nest Farm, near Whitby, to a handling facility at Wilton on Teesside. The map below shows the rail and waterways network as well as known locations of existing rail and water transport infrastructure in the area. These have been identified as they are either in current use for such activity or are understood to have been used previously for this purpose, or for the transport of other bulk products, and have not yet been subject to redevelopment for other uses.

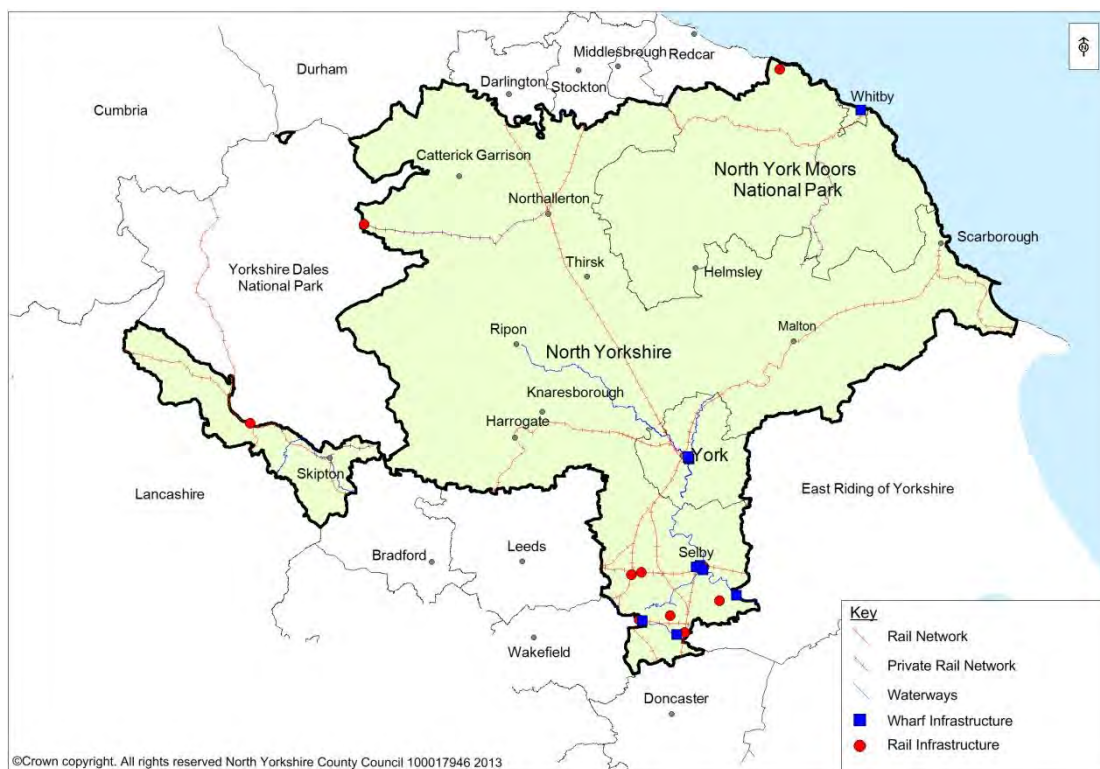


Figure 18: Wharf and rail infrastructure

- 7.5 A shift towards increased use of rail or water transport in the Plan area would most likely arise through bringing into use existing infrastructure which is currently inactive, as this is likely to require less investment, and where substantial volumes of minerals or waste require transporting to particular destinations for sale or processing and the need for double handling can be avoided or minimised.

Policy I01: Minerals and waste transport infrastructure

- 1) The development of rail, water, pipeline or conveyor transport infrastructure, or use of existing infrastructure, will be encouraged and permitted for the transport of minerals and waste produced or arising in the Plan area, as well as for the reception of any large scale imports of minerals or waste into the area.
- 2) Where proposals for minerals or waste development would be located in close proximity to an existing wharf or rail head, they should include information to demonstrate that the potential for use of such facilities has been considered and, where practicable, should prioritise use of alternatives to road transport.

Proposals involving the development of, or use of existing, non-road transport infrastructure (other than pipelines and conveyor systems) should also be well located in relation to the main road network in order to facilitate multi-modal movements of minerals and waste and will be required to demonstrate compliance with other relevant development management policies in the Joint Plan. Where new minerals or waste transport infrastructure is proposed in the Green Belt the development should preserve openness and be consistent with the purposes of Green Belt designation.

- 3) Availability of sustainable minerals supply infrastructure is supported through a site allocation for the rail reception, handling and onward distribution of aggregate at:

Land at Barlby Road, Selby (MJP09)	
Proposals for development of this site will be required to take account of the key sensitivities and incorporate the necessary mitigation measures that are set out in Appendix 1.	
Main responsibility for implementation of policy: NYCC, CYC, NYMNP and Minerals and Waste Industry	
Key links to other relevant policies and objectives	
<i>I02, S04, D01, D02, D03, D05, D11</i>	<i>Objectives 6, 7, 8, 10, 11</i>
Monitoring: Monitoring indicator 37 (see Appendix 3)	

Policy Justification

- 7.6 National policy encourages use of alternatives to road transport wherever feasible and their use can have benefits in terms of reducing overall environmental and amenity impacts on the environment and local communities.
- 7.7 As development of new non-road transport infrastructure is likely to require very substantial investment, relative to the likely volumes of material requiring movement at any particular locations in the Plan area, it is expected that in most cases additional rail and water transport will involve the bringing into use of existing inactive or under-used infrastructure rather than building new wharves or railheads. There may be greater potential for the development of new pipelines for the transport of gas and the use of conveyor systems, as these are less dependent on the location of pre-existing other infrastructure and may in some cases require less overall investment.
- 7.8 For minerals and waste development proposals which are located in close proximity to sustainable transport infrastructure, it is important that consideration is given to the potential for such facilities to be used. The undertaking of a Transport Assessment (see Policy D03) provides an opportunity to address this issue.
- 7.9 In many cases use of non-road transport modes will need to operate alongside an element of road transport (for example for distribution of minerals products to local markets, or the receipt of waste materials for onward bulk transport). It is therefore important that locations for non-road transport infrastructure for minerals and waste are also well located in relation to the main road network, to minimise overall impacts. Key exceptions to this may include the development of pipelines or conveyor systems for the direct transfer of minerals or waste products between production and processing facilities.
- 7.10 In all cases, proposals for development of new sustainable transport infrastructure, or the use of existing infrastructure, should be consistent with relevant development management policies in the Plan to ensure that unacceptable impact on the environment or local communities does not arise.
- 7.11 During preparation of the Joint Plan a site at Barlby Road, Selby (MJP09) was put forward for consideration for allocation for the reception of aggregates by rail. This site is currently operational and helps to contribute to the sustainable transport and supply of aggregate within the Plan area. However, its permitted life is linked to that of an adjacent roadstone coating plant and the longer term availability of rail-linked aggregates reception is uncertain. The allocation has been put forward in order to help secure this use in the longer term. The site has been assessed and is considered suitable for allocation and is therefore identified in the Joint Plan as an allocation for rail reception, handling and onward distribution of aggregate.

Minerals Ancillary Infrastructure

- 7.12 In addition to transport infrastructure, supply of minerals is supported by a range of other associated infrastructure. This includes facilities such as plant and equipment for routine processing or preparing for sale of minerals extracted at the site. In certain circumstances these ancillary activities, together with their associated plant and buildings, may constitute permitted development under the Town and Country Planning (General Permitted Development) Order 1995 (as amended).
- 7.13 In some cases quarries, or sites for the supply of secondary or recycled aggregate, may also host specialist plant or operations for processes such as manufacture of ready mixed concrete, roadstone coating and block making, which typically produce aggregates based products with value added, serving a range of market requirements. The policies in this section are concerned with this type of development. An important aspect of these additional activities, which are of industrial character, is that they all depend on the availability of mineral as a key raw material, but are not in themselves essential for the initial extraction and processing of the primary mineral itself. Where ancillary infrastructure is located at the site of extraction, this can have the benefit of adding value before the raw material leaves the site and thus help reduce the overall volume of material transported. It can also enable provision of range of complementary products from a single location. Processing infrastructure for hydrocarbon development is addressed in the Hydrocarbons (oil and gas) section in Chapter 5.
- 7.14 However, such development is not constrained to a particular location in the way minerals extraction is and, in some instances, infrastructure of this type may be in 'freestanding' locations, such as on industrial or employment land. In some cases this can represent a more sustainable approach, particularly where a wide range of minerals or other raw materials, not available at the 'host' quarry site, are required as part of the process.
- 7.15 Supply of recycled aggregate is partly dependent upon the amount of construction, demolition and excavation waste (CDEW) that is produced, which in turn is influenced by the level of construction activity taking place. Recycled aggregate may be produced from CDEW at certain types of waste management sites and some construction sites use mobile equipment to convert CDEW into recycled aggregate for immediate reuse, either on the same site or elsewhere. Some existing quarry sites also act as sites for the production and supply of recycled aggregate, through import for blending with primary minerals worked at the site. Evidence suggests that the rate of reuse of CDEW is already high. To ensure this is maintained sites and proposals in suitable locations which would help reduce or recycle CDEW should be supported by policy.

Policy I02: Locations for ancillary minerals infrastructure

- 1) Development of ancillary minerals infrastructure at active minerals extraction sites and sites producing secondary aggregate will be permitted provided the following criteria are met:**
- i) The ancillary development produces a 'value added' or complementary product based mainly on the mineral extracted or secondary aggregate produced on the host site; and**
 - ii) The development would not have significant additional adverse impact on local communities, businesses or the environment; and**
 - iii) The development would not unacceptably increase the overall amount of road transport to or from the host site; and**
 - iv) Where the host site is located in the Green Belt the ancillary development is acceptable in accordance with national and local Green Belt policy; and**

<p>v) The development is linked to the overall life of minerals extraction or supply of secondary aggregate at the host site, unless the location is appropriate to its retention in the longer term.</p>	
<p>2) Within the City of York area, development of ancillary minerals infrastructure will also be permitted provided the following criteria are met:</p>	
<p>i) The site would be located on industrial or employment land, previously developed land, or would be co-located with other compatible industrial or commercial development; and</p>	
<p>ii) The site has good access to the transport network; and</p>	
<p>iii) The development would not have significant adverse impact on local communities, businesses or the environment including heritage assets.</p>	
<p>3) The siting of ancillary minerals infrastructure within the North York Moors National Park will only be supported where it would be located within the Boulby mine surface site or Doves Nest Farm mine surface site if developed, or within the Whitby Business Park identified on the Policies Map.</p>	
<p>Main responsibility for implementation of policy: NYCC, CYC and NYMNPA and Minerals Industry</p>	
<p>Key links to other relevant policies and objectives</p>	
<p><i>M11, W05, W09, S05, D01, D02, D03, D04, D05, D10, D11</i></p>	<p><i>Objectives 6, 7, 8</i></p>
<p>Monitoring: Monitoring indicator 38 (see Appendix 3)</p>	

Policy Justification

- 7.16 Within the part of the Plan area that has a two-tier planning structure, development of this nature falls to be determined by the County Council where it would be located within a site permitted for mineral working. Development at freestanding sites will be the responsibility of the District and Borough Councils. Within the City of York and the North York Moors National Park, which are unitary planning authority areas, proposals for free-standing ancillary development will be within the scope of the Joint Plan.
- 7.17 Both active quarries and free-standing sites may, in some circumstances, be appropriate locations for ancillary development. In many cases, quarries will be suitable locations, particularly where a substantial proportion of the raw materials to be used are supplied directly from the host quarry, as this can help to minimise overall transport movements. However, where substantial reliance on imported raw materials is needed, it may be preferable for ancillary activities to take place on free standing sites well-located in relation to transport networks and key markets for the products. In all cases, it will be necessary to ensure that the ancillary activity will not result in unacceptable impact on the environment or local communities and businesses.
- 7.18 There are a small number of existing minerals extraction sites in AONBs in the NYCC area. Where ancillary development is proposed at quarries in the AONBs, particularly high standards of siting, design and mitigation will be needed to ensure that any impacts will be acceptable. Minerals extraction sites may sometimes be located in the Green Belt. Where ancillary development is proposed in such locations it will be important to ensure that it would not compromise the purposes of Green Belt designation or the openness of the Green Belt. Long-term retention of infrastructure, beyond the associated period of mineral extraction, will not be appropriate in such locations.
- 7.19 There is currently no ancillary infrastructure located at any mineral workings in the National Park but a free-standing concrete batching plant is located on a small

industrial estate within the Park near Whitby and a mineral railway is in place to transport material from the Boulby potash mine to Teesport. Environmental constraints in the National Park suggest it will not be appropriate to support further development of ancillary infrastructure elsewhere in this part of the Plan area, unless it would be located within the Boulby potash mine surface site or, if developed, the Doves Nest Farm mine surface site.

DRAFT

Chapter 8: Minerals and Waste Safeguarding

- 8.1 Safeguarding of minerals resources, and of minerals and waste infrastructure, is an important aspect of national policy and necessary to help to ensure the long-term sustainability of the area. This Chapter identifies policies for safeguarding these important assets from encroachment or replacement by other forms of development.
- 8.2 The purpose of safeguarding is not to prevent other forms of development on or near to a safeguarded resource or infrastructure, but primarily to ensure that the presence of the resource or infrastructure is taken into account when other development proposals are under consideration. This is a particularly important issue within those parts of the Plan area which are ‘two-tier’, with the majority of development decisions taken by the District or Borough Councils rather than the minerals and waste planning authority.
- 8.3 In these circumstances, consultation between the District and County Councils will be required where certain other forms of development, with the potential to sterilise minerals resources or impact on important infrastructure, are proposed in a safeguarded area. Details of those types of development which are exempt from safeguarding are set out in the Safeguarding Exemptions List later in this Chapter. In many cases it may be practicable for arrangements such as prior extraction of a mineral, or other mitigation, to be put in place where potential conflict between minerals resources, or minerals and waste infrastructure, and other development pressures arise.
- 8.4 Areas of minerals resources proposed for safeguarding are shown on the Policies Map accompanying the Joint Plan. A schedule of minerals and waste infrastructure sites to be safeguarded is provided in Appendix 2.

Safeguarding of Mineral Resources

- 8.5 Effective safeguarding of minerals helps to preserve finite resources for the future, although there is no presumption that safeguarded resources will be worked. Sensitive development in close proximity to minerals resources can also impact on the ability to work a resource in future, as a result of the impacts necessarily involved in working some minerals, such as blasting. In some cases it is therefore prudent to safeguard a limited buffer zone around the resource. The purpose of the buffer zone is to ensure that the potential impacts of development near to but just beyond the resource boundary are also taken into account when considering the potential for sterilisation of minerals resources by other forms of development.
- 8.6 In 2011 North Yorkshire County Council commissioned the British Geological Survey (BGS) in 2011 to identify an approach to safeguarding of minerals resources in the NYCC area, based on best practice guidance. Consultation with the minerals industry took place during the project and views received were incorporated into the recommendations in the Report. Comparable studies have also been completed by BGS for the City of York Council and NYMNPAs areas. The reports are available to view at www.northyorks.gov.uk/mwevidence.
- 8.7 Whilst safeguarding is primarily concerned with managing potential conflict between surface minerals resources and other non-minerals development, in some cases the

extraction of one underground resource has the potential to sterilise another due to the fact that areas of different resources can overlap. The extraction methods used could also impact upon areas of underground mining for other resources, for example by causing instability or water ingress. Whilst the Plan area has a range of deep mineral resources: coal (including coal bed methane), gas (including shale gas), gypsum, potash, polyhalite and salt; a particular consideration is the potential for hydrocarbon exploration and development activity in the eastern part of the Plan area to overlap with development of strategically important resources of potash and/or polyhalite.

Policy S01: Safeguarding mineral resources

Part 1) - Surface mineral resources:

The following surface minerals resources and associated buffer zones identified on the Policies Map will be safeguarded from other forms of surface development to protect the resource for the future:

- i) All crushed rock and silica sand resources with an additional 500m buffer;
- ii) All sand and gravel, clay and shallow coal resources with an additional 250m buffer;
- iii) Building stone resources and active and former building stone quarries with an additional 250m buffer.

Part 2) – Deep mineral resources:

Potash and polyhalite resources within the Boulby Mine licensed area and Doves Nest Farm indicated and inferred resource area, identified on the Policies Map, will be safeguarded from other forms of surface development to protect the resource for the future.

Reserves and resources of potash and polyhalite identified on the Policies Map, including a 2km buffer zone, will also be protected from sterilisation by other forms of underground minerals extraction, deep drilling and the underground storage of gas or carbon in order to protect the resource for the future.

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and District and Borough Councils

Key links to other relevant policies and objectives

M01, M02, M03, M04, M05, M06, M07, M08, M09, M12, M13, M15, M20, M21, M22, S02

Objective 3

Monitoring: Monitoring indicator 39 (see Appendix 3)

Policy justification for safeguarding of Sand and Gravel/ Crushed Rock/ Silica Sand/ Clay/Shallow coal

- 8.8 A key recommendation of all three minerals safeguarding reports for the Plan area was to safeguard the overall resource of sand and gravel, with provision of a 250m buffer zone. The purpose of a buffer zone is to ensure that the potential impacts of development near to but just beyond the resource boundary are also taken into account when considering the potential for sterilisation of minerals resources by other forms of development. Although glacio-lacustrine deposits are not specifically proposed for safeguarding in the work undertaken by BGS, as a result of their relatively low quality, representations from the minerals industry suggest that they may become of greater commercial relevance in the future as a source of aggregate, as higher quality fluvial and fluvio-glacial deposits become more difficult to source.

Information has been obtained from BGS on the distribution of glacio-lacustrine deposits and these are also safeguarded in the Joint Plan.

- 8.9 With regard to safeguarding the overall resource of Jurassic, Magnesian and Carboniferous limestones, Carboniferous sandstones and chalk, provision of a 500m buffer consultation zone was recommended, taking into account potential impacts associated with working hard rock quarries, including the need for blasting.
- 8.10 As a relatively scarce mineral, safeguarding of silica sand resources will be important. Work carried out by BGS indicates the presence of additional resources adjacent to both the Blubberhouses and Burythorpe sites and these resources will require safeguarding for the longer term. The work recommends safeguarding all resources of silica sand and proposes a buffer zone around the resource of 500 metres to ensure the effective safeguarding of the resource area.
- 8.11 The BGS reports identified the resources of clay that should be the subject of safeguarding, with a recommended 250m buffer zone, taking into account that clay is typically worked without the need for techniques such as blasting.
- 8.12 Although there is no recent history of shallow coal working in North Yorkshire, the Coal Authority recommends safeguarding the resource. The BGS reports for NYCC and the NYMNPA also recommend safeguarding all of the shallow coal resource together with a 250m buffer zone.

Policy justification for safeguarding of Building Stone

- 8.13 Information on the distribution of building stone resources of commercial interest is less detailed than for other forms of surface mineral in the Plan area. Geological deposits with potential to contain building stone resources are potentially very extensive across the area, although in practice it is likely that only relatively small parts of these will contain stone with the right technical and aesthetic properties to constitute viable sources of supply of building stone. BGS have developed an approach for safeguarding within the Plan area, in consultation with building stone specialists, which has led to a number of scarcer mineral resources being identified, within which active working for building stone is taking place and which could be subject of safeguarding. However, some active building stone quarries lie outside the areas identified in this way. In order to address this issue, BGS have suggested that active quarries lying outside the proposed safeguarding areas are also safeguarded, by defining a 250m buffer zone around them also.
- 8.14 Whilst the work by BGS has also revealed difficulties in clearly identifying important historic quarries across the Plan area, it does nevertheless identify a number of former sites in the North York Moors National Park which may be important future sources of building stone for specific parts of the Park and for the repair of specific groups of buildings in and around the Park, based on the Strategic Stone Study. It is considered that these also should be subject of safeguarding, with a 250m buffer zone.

Policy justification for safeguarding of Potash and Polyhalite Resources

- 8.15 Underground mineral resources are not at direct risk of sterilisation through surface development in the same way as surface resources and there is no specific requirement in national policy to safeguard them. However, certain forms of surface development, particularly large structures or those with sensitive processes taking place in them, may be particularly vulnerable to subsidence damage.

- 8.16 Potash, salt and polyhalite resources in the Plan area are considered to be of strategic significance, as the potash and polyhalite deposits are the only known potentially workable resources in the country. It is therefore considered that there is particular justification to safeguard them for the future.
- 8.17 These resources cover a relatively large area in the north-eastern part of the Plan area and it is not considered necessary or proportionate to safeguard the whole of the potential resource area. Furthermore, a large area of the resource is beneath the North York Moors National Park, where the risk of sterilisation as a result of significant surface development is relatively low. However, it would be appropriate to safeguard reserves and resources within the area licensed for extraction from Boulby Mine (the only active potash mine in the Plan area), along with those resources forming part of the York Potash project that have been identified with a higher degree of confidence (i.e. the indicated and inferred resources). This will help to ensure that, where certain types of surface development are proposed within the licensed area, the presence of the resource is taken into account. In this respect, the purpose of safeguarding underground resources is not to prevent surface development in the relevant area but to ensure that the potential implications for sterilisation of potash or polyhalite are taken into account. Types of surface development which are considered relevant for the purposes of safeguarding underground potash and polyhalite are identified in Policy S02 (part two). A surface safeguarding buffer zone has not been identified due to the scale of the area and the extremely low risk of sterilisation by surface development in this part of the Plan area.
- 8.18 Extraction of gas in proximity to underground mining operations can give rise to particular concerns including the potential for gas to migrate towards, or accumulate in, mine tunnels. This could be a particular issue where hydraulic fracturing ('fracking') techniques are involved. Similar considerations could apply where proposals are brought forward for the underground storage of gas or carbon, for example in depleted natural gas reservoirs.
- 8.19 To ensure that consideration is given to protecting reserves and resources of potash, salt and polyhalite from the potential effects of extracting or storing gas, safeguarding is considered appropriate, including an underground buffer zone in addition to the area proposed to be safeguarded on the surface. A buffer zone of 2km is considered to offer a reasonable balance between protection of the resource and providing flexibility for other development to take place where appropriate, representing a horizontal distance which is readily achievable with current technology for horizontal drilling of oil and gas wells. There are no current PEDLs in the area covered by the safeguarded area and buffer zone. As with other forms of safeguarding, the purpose is not to prevent other forms of development from taking place under any circumstances, but to ensure that the presence of the safeguarded resource is taken into account, and given priority where appropriate. In some circumstances it may be practicable to take measures, such as through appropriate phasing of activity, to enable extraction of more than one underground resource in the same area. Where conflict could arise, applicants will need to demonstrate that appropriate measures can be implemented to ensure that the safeguarded resource is adequately protected.

Development in Minerals Resource Safeguarding Areas

- 8.20 This section sets out how applications for development proposed in Minerals Resource Safeguarding Areas will be assessed.

- 8.21 As a two-tier planning system exists in the NYCC planning authority area, the District and Borough councils in that area will be responsible for ensuring that development proposals that they determine in Safeguarding Areas are assessed appropriately. This can be done by using defined Minerals Consultation Areas, within which the District/Borough Councils would consult with NYCC, as minerals planning authority, before decisions are taken on certain forms of development which could sterilise minerals resources. Policy S06 deals with Minerals Consultation Areas. Forms of development which, when proposed within Safeguarding Areas, are considered to be exempt from requirements for consultation are set out later in this Chapter.

Policy S02: Developments proposed within Minerals Safeguarding Areas

Part 1) - Surface mineral resources:

Within Surface Minerals Safeguarding Areas shown on the Policies Map, permission for development other than minerals extraction will be granted where:

- i) It would not sterilise the mineral or prejudice future extraction; or**
- ii) The mineral will be extracted prior to the development (where this can be achieved without unacceptable impact on the environment or local communities), or**
- iii) The need for the non-mineral development can be demonstrated to outweigh the need to safeguard the mineral; or**
- iv) It can be demonstrated that the mineral in the location concerned is no longer of any potential value as it does not represent an economically viable and therefore exploitable resource; or**
- v) The non-mineral development is of a temporary nature that does not inhibit extraction within the timescale that the mineral is likely to be needed; or**
- vi) It constitutes 'exempt' development (as defined in the Safeguarding Exemption Criteria list).**

Applications for development other than mineral extraction in Minerals Safeguarding Areas should include an assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the proposed development.

Part 2) - Deep minerals resources:

In areas identified as Underground Mineral Safeguarding Areas on the Policies Map, proposals for the following types of development should be accompanied by information about the effect of the proposed development on the potential future extraction of the safeguarded underground resource, as well as on the potential for the proposed surface development to be impacted by subsidence arising from working of the underlying minerals resource:

- Large institutional and public buildings;**
- Major industrial buildings including those with sensitive processes and precision equipment vulnerable to ground movement;**
- Major retail complexes;**
- Non-residential high rise buildings (3 storeys plus);**
- Strategic gas, oil, naphtha and petrol pipelines;**
- Vulnerable parts of main highways and motorway networks (e.g. viaducts, large bridges, service stations and interchanges);**
- Security sensitive structures;**
- Strategic water pumping stations, waterworks, reservoirs, sewage works and pumping stations;**
- Ecclesiastical property;**
- Power stations; and**

- **Wind turbines**

Permission will be granted where the assessment demonstrates that a significant risk of adverse impact on the development from mining subsidence will not arise or that the criteria in Part One of the policy (other than the final criterion) are met.

Part 3) – Protecting potash and polyhalite resources from other underground minerals development:

Where proposals for deep drilling or development of underground gas resources or the underground storage of gas or carbon are located within the area safeguarded for potash, salt and polyhalite shown on the Policies Map, permission for development will only be granted where it can be demonstrated that the proposed development will not adversely affect the potential future extraction of the protected mineral.

Main responsibility for implementation of policy: NYCC, NYMNP, CYC, Minerals and Waste industry and District and Borough Councils

Key links to other relevant policies and objectives

S01, S04, S05, S06

Objective 3

Monitoring: Monitoring indicator 40 (see Appendix 3)

Policy Justification

- 8.22 The purpose of safeguarding is not to protect the minerals resource in all circumstances, but to ensure that the presence and potential significance of the resource is taken into account when other proposals in a safeguarded area are under consideration, and that sterilisation of the resource only takes place where there is appropriate justification. In some cases, it may be practicable for prior extraction of the resource to take place, where this can be done without unacceptable impacts on local communities or the environment, in line with the development management policies in the Joint Plan. In other cases, the need for the sterilising development may outweigh the need to protect the resource, or it may be possible to demonstrate that the safeguarded resource is no longer justified for safeguarding. Where non-exempt development (see Safeguarding Exemptions Criteria list in para. 8.47) is proposed in a safeguarded area for surface mineral resources, or where development of the forms identified in Policy S02 (part two) is proposed in an area safeguarded for underground resources, applicants should consider at an early stage any implications that the presence of the safeguarded resource may have for their proposals and include information in any application about measures that would be implemented to avoid unnecessary sterilisation, or to demonstrate that the need for the sterilising development outweighs the need to protect the resource.
- 8.23 Certain forms of surface development are unlikely to lead to significant sterilisation of minerals resources, even when proposed in a safeguarded area. These are identified in the Safeguarding Exemptions Criteria list later in this Chapter. Where development falls within the scope of the exemptions list then applicants do not need to address safeguarding issues in their proposals, and there is no requirement for planning authorities to consider minerals safeguarding issues when taking decisions on such proposals.
- 8.24 To implement an approach to safeguarding in the two-tier part of the Plan area, it will be necessary for consultation to take place between District/Borough Councils and the mineral planning authority. Further information on the approach to this is set out in the section on Minerals Consultation Areas later in this Chapter.

Waste Management Facility Safeguarding

- 8.25 National waste planning policy requires all planning authorities, including district and borough Councils in two-tier planning areas, to ensure that the impact of proposed, non-waste related development on existing waste management facilities and on sites and areas allocated for waste management is acceptable and does not prejudice the implementation of the waste hierarchy.
- 8.26 As not all waste management facilities are the subject of planning permissions granted by the waste planning authority (for example they may be operating under lawful use rights or as uses permitted under the Use Classes Order), comprehensive information on the full extent of the facility network in the Plan area is not available. Also, it is likely that there will be significant changes to the network over the life of the Joint Plan. It is not therefore practicable to identify all facilities for safeguarding in the Plan.
- 8.27 However, certain facilities or sites which are considered to be particularly important should be the subject of specific safeguarding and site allocations for new waste development. More information about the approach to identifying relevant waste infrastructure for safeguarding can be found in the evidence base for the Joint Plan.

Policy S03: Waste management facility safeguarding

Waste management sites identified on the Policies Map, with a 250m buffer zone, will be safeguarded against development which would prevent or frustrate the use of the site for waste development, unless:

- **The need for the alternative development outweighs the benefits of retaining the site; and**
- **Where the site is in active use for waste management purposes, a suitable alternative location can be provided for the displaced infrastructure; or**
- **The site is not in use and there is no reasonable prospect of it being used for waste management in the foreseeable future.**

Where development, other than exempt development as defined in the Safeguarding Exemption Criteria list, is proposed within an identified buffer zone permission will be granted where adequate mitigation can, if necessary, be provided to reduce any impacts from the existing or proposed adjacent waste uses to an acceptable level, and the benefits of the proposed use outweigh any safeguarding considerations.

Main responsibility for implementation of policy: NYCC, CYC, NYMNPA and Waste Industry

Key links to other relevant policies and objectives

W02, W11, S04, S06, D01

Objectives 2, 6, 7

Monitoring: Monitoring indicator 41 (see Appendix 3)

Policy Justification

- 8.28 Waste facilities are an essential part of the total infrastructure of an area and it is important that key facilities are protected in order to ensure their continued availability. Certain forms of waste infrastructure are relatively specialised or of strategic scale, or are in other ways particularly important in terms of the contribution they make to the overall network. In combination they contribute to delivering the objectives of moving waste up the hierarchy and enabling communities to take responsibility for waste arising in their area, in line with local, national and European policy and legislation.

- 8.29 As some waste uses are relatively low-value developments, they are at risk of being replaced by competing, higher-value land uses. Safeguarding facilities can help to guard against this. The purpose of safeguarding certain waste facilities is not to prevent other development from taking place but to ensure that the need to maintain important waste infrastructure is factored into decision-making for other forms of development. This will be particularly important in the two-tier parts of the Plan area, where many development decisions are not taken by the waste planning authority.
- 8.30 In some cases, the introduction of other forms of development in close proximity to established or allocated waste uses, can lead to conflict given the potential for impacts on local amenity due, for example, to noise, dust odour or bioaerosols. Whilst it is not possible to identify all such forms of development exhaustively, they include residential uses and also commercial and industrial uses that depend on a high quality local environment (for example within the food and health care sectors). The identification of a buffer zone around safeguarded waste facilities ensures that the potential for such impacts can be properly taken into account, whilst also recognising the importance of allowing the waste facility to continue to operate. As a range of types and scales of development could be associated with waste management activity, it is not practicable to define individual buffer zones for each facility. A 250m buffer zone reflects a balance between ensuring that the potential for significant impacts arising from some waste uses is allowed for, whilst limiting the extent to which consultation for safeguarding purposes is required. It is also consistent with the Environment Agency's restrictions on open composting of waste taking place within 250m of residential property.
- 8.31 As a two-tier planning system exists in the NYCC area, it is the District and Borough Councils that are responsible for ensuring that relevant non-waste related development proposals are assessed in line with this policy. Consultation with the County Planning authority will be required on any non-exempt development on a safeguarded waste site, or accompanying buffer zone before any decision can be made on the application. Exempt development is identified later in this Chapter in para. 8.47.

Minerals and Waste Transport Infrastructure Safeguarding

- 8.32 In order to ensure that opportunities for the sustainable transport of minerals or waste are protected for the future, it is important to safeguard relevant transport infrastructure sites in the Plan. The NPPF encourages the safeguarding of minerals transport infrastructure and states that mineral planning authorities should safeguard existing, planned and potential railheads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals. In the interests of sustainable development, similar principles should apply to infrastructure with the potential for transport of waste.

Policy S04: Transport infrastructure safeguarding

Railheads, rail links and wharves identified on the Policies Map, with a 100m buffer zone, will be safeguarded against development which would prevent or frustrate the use of the infrastructure for minerals or waste transport purposes, unless:

- i) The need for the alternative development outweighs the benefits of retaining the facility; and**
- ii) Where the minerals or waste transport infrastructure is in active use on the land, a suitable alternative location can be provided for the displaced infrastructure; or**
- iii) The infrastructure is not in use and there is no reasonable prospect of it being**

used for minerals or waste transport in the foreseeable future.	
Where development, other than exempt development as defined in the Safeguarding Exemption Criteria list, is proposed within an identified buffer zone permission will be granted where adequate mitigation can, if necessary, be provided to reduce any impacts from the existing or proposed adjacent minerals or waste transport infrastructure uses to an acceptable level, and the benefits of the proposed use outweigh any safeguarding considerations.	
Main responsibility for implementation of policy: NYCC, CYC and NYMNPA and District and Borough Councils	
Key links to other relevant policies and objectives	
<i>I01, S01, S03, S06, D01,</i>	<i>Objectives 3, 7, 8</i>
Monitoring: Monitoring indicator 42 (see Appendix 3)	

Policy Justification

- 8.33 Transport infrastructure includes facilities or sites which are used, or which may provide potential for, non-road transport of minerals or waste, such as rail heads, sidings, and canal or river wharves. Some minerals, but not waste, are currently transported by rail via rail heads located in the Plan area, including potash from Boulby Mine and the importation of aggregate into two rail-linked sites in Selby district. There are a number of known facilities in the area, such as the rail link at the former Gascoigne Wood Mine site and the rail link at Kellingley Colliery, which has now closed, which have previously played a role in the transport of minerals, and where future potential may still exist.
- 8.34 Transport of coal by barge has previously occurred in the Selby area, and some infrastructure remains but needs repair if it is to be used again. Growing interest in the potential for increased supply of marine aggregate into the Yorkshire and Humber area may increase the significance of both water and rail transport of minerals in future, adding to the justification for safeguarding wharfs and railheads⁴².
- 8.35 In order to protect safeguarded facilities from encroachment by other non-compatible development which may compromise the continued use of the facility for the transport of minerals or waste, for example development which may be sensitive to disturbance from noise or dust, a buffer zone around safeguarded facilities has also been identified. A 100m buffer zone is considered to be adequate to ensure that the potential for significant impacts is taken into account for these forms of development. Where proposals for non-exempt development in these zones would not be compatible with the safeguarded use then permission will be refused unless suitable mitigation can be provided as part of the proposals for the encroaching development or there are other overriding benefits.
- 8.36 In those parts of the Plan area covered by both County and District tier planning authorities, District Councils should consult with the County Council as minerals and waste planning authority before granting permission for non-exempt development in an area safeguarded for transport infrastructure. Exemption criteria are set out in the sections dealing with Safeguarding and Consultation, later in this Chapter in para. 8.47.

⁴² As referred to in the Yorkshire and Humber Marine Aggregate Study 2014

Minerals Ancillary Infrastructure Safeguarding

- 8.37 National planning policy encourages the safeguarding of minerals ancillary infrastructure and states that mineral planning authorities should safeguard existing, planned and potential sites for concrete batching, the manufacture of coated materials and other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.

Policy S05: Minerals ancillary infrastructure safeguarding	
<p>Minerals ancillary infrastructure sites identified on the Policies Map, with a 100m buffer zone, will be safeguarded against development which would prevent or frustrate the use of the site for minerals ancillary infrastructure purposes, unless:</p> <ul style="list-style-type: none"> • The need for the alternative development outweighs the benefits of retaining the site; and • Where minerals ancillary infrastructure is in active use on the land, a suitable alternative location can be provided for the displaced infrastructure; or • The site is not in use and there is no reasonable prospect of it being used for minerals ancillary infrastructure in the foreseeable future. 	
<p>Where development, other than exempt development as defined in the Safeguarding Exemption Criteria list, is proposed within an identified buffer zone permission will be granted where adequate mitigation can, if necessary, be provided to reduce any impacts from the existing or proposed adjacent minerals ancillary infrastructure uses to an acceptable level, and the benefits of the proposed use outweigh any safeguarding considerations.</p>	
<p>Main responsibility for implementation of policy: NYCC, CYC and NYMNPA and District and Borough Councils</p>	
<p>Key links to other relevant policies and objectives</p>	
<p><i>102, D01, S03, S06</i></p>	<p><i>Objectives 3, 6, 7</i></p>
<p>Monitoring: Monitoring indicator 43 (see Appendix 3)</p>	

Policy Justification

- 8.38 In many cases, ancillary infrastructure is located at the site where the minerals that they wholly or partly depend upon are produced. In these circumstances they are protected from being replaced by alternative forms of development by the associated minerals extraction permission and specific safeguarding is not required. As minerals extraction sites tend to be located outside urban areas, the risk of encroachment by other conflicting development is also relatively low.
- 8.39 In other cases, ancillary minerals infrastructure is located at free-standing sites which do not receive similar protection. Such sites are typically on industrial estates where there may be a greater risk of competition from, or encroachment by, other forms of development which, if located in close proximity to the ancillary infrastructure, could impact on its future operation.
- 8.40 In order to ensure that sites for minerals ancillary infrastructure are protected for the future, known free-standing ancillary infrastructure sites are therefore safeguarded in the Joint Plan. Applicants for development which would result in the loss of a safeguarded facility should include information in their application to demonstrate how the safeguarded use will be protected, or why it is no longer appropriate for safeguarding, in line with the criteria in the policy.
- 8.41 To protect safeguarded facilities from encroachment by other non-compatible development which may compromise the continued use of the site minerals ancillary

infrastructure, for example development which may be sensitive to disturbance from noise or dust, a buffer zone around safeguarded facilities has also been identified. A 100m buffer zone is considered to be adequate to ensure that the potential for significant impacts is taken into account for these forms of development. Where proposals for non-exempt development in these zones would not be compatible with the safeguarded use then permission will be refused unless suitable mitigation can be provided as part of the proposals for the encroaching development or there are other overriding benefits.

- 8.42 In those parts of the Plan area covered by both County and District planning authorities, District Councils should consult with the County Council as minerals and waste planning authority before granting permission for non-exempt development in an area safeguarded for ancillary infrastructure. Exemption criteria are set out later in this section

Consultation Areas

- 8.43 The following policy addresses the consultation process between the District and Borough Councils and the County Council within that part of the Plan area falling within NYCC, where development within the jurisdiction of the District or Borough is proposed in safeguarding areas identified in the Joint Plan. This consultation process does not apply to all forms of development dealt with by District and Borough Councils. A list of forms of development which are exempt from the process is provided later in this Chapter in para. 8.47.

Policy S06: Consideration of applications in Consultation Areas

Where development, other than exempt development as defined in the Safeguarding Exemption Criteria list, is proposed in an area safeguarded on the Policies Map for minerals resources, minerals transport infrastructure, minerals ancillary infrastructure and waste infrastructure, and the proposed development site is located outside the City of York and North York Moors National Park areas, consultation with North Yorkshire County Council will be required before permission is granted.

Main responsibility for implementation of policy: NYCC, NYMNPA, CYC, and District and Borough Councils

Key links to other relevant policies and objectives

S01, S02, S03, S04, S05

Objective 3

Monitoring: Monitoring indicator 44 (see Appendix 3)

Policy Justification

- 8.44 This policy only applies in those parts of the Plan area outside the City of York and North York Moors National Park unitary planning authority areas. National policy states that Minerals Consultation Areas (MCAs) should be identified based upon areas defined as Mineral Safeguarding Areas (MSA). Within those areas District and Borough councils should consult the MPA and take account of any local minerals plan before determining a planning application for relevant non-minerals development within it.
- 8.45 As well as safeguarding minerals resources, the Joint Plan safeguards minerals transport infrastructure and ancillary development, as well as important waste management infrastructure, in line with national policy. It is therefore appropriate to identify, within the NYCC area, corresponding consultation areas for these safeguarded areas too. Consultation will not be required where the development

proposed is included in the list of exempt forms of development in para. 8.47 below. As with minerals resource safeguarding, the purpose of consultation is to help to ensure the implementation of the safeguarding policy requirements in those parts of the Plan area where there is a 'two-tier' planning structure.

- 8.46 It is intended that consultation areas will be updated when the Joint Plan is reviewed, in order to ensure that it reflects the distribution of any new resources, sites or infrastructure that may be identified.

Safeguarding Exemption Criteria

- 8.47 The following application types will be regarded as 'exempt' development and, where proposed within an area safeguarded in the Joint Plan for surface minerals resources, minerals ancillary infrastructure, minerals transport infrastructure or waste infrastructure, do not require consideration under relevant safeguarding policies in the Plan:

- Infilling in an otherwise built up frontage within a settlement
- Householder applications within the curtilage of a property
- Advertisement applications
- Reserved matters applications
- Applications for new or improved accesses
- 'Minor' extensions/alterations to existing uses/buildings which do not fundamentally change the scale and character of the use/building
- 'Temporary' development (for up to five years)
- Agricultural buildings adjacent to existing farmsteads
- 'Minor' works such as fences, bus shelters, gates, walls, accesses.
- Amendments to current permissions (with no additional land take involved)
- Changes of use
- Applications for development on land which is already allocated in an adopted local plan where the plan took account of minerals and waste safeguarding requirements
- Listed Building Consent and applications for planning permission for demolition in a conservation area
- Applications for work on trees or removal of hedgerows
- Prior notifications for telecommunications, forestry, agriculture and demolition
- Redevelopment of previously developed land not increasing the footprint of the former development
- Certificates of Lawfulness of Existing Use of Development and
- Certificates of Lawfulness of Proposed Use or Development.

Sites proposed for safeguarding

- 8.48 Policies S03, S04 and S05 deal with the safeguarding of individual waste sites, transport infrastructure, (rail and wharves), and stand-alone minerals ancillary infrastructure. The aim of safeguarding the sites is to protect them from replacement or from the encroachment of unsuitable development which could limit or stop the use of the site for minerals and waste activities.
- 8.49 Location details and plans of the sites which are safeguarded under these policies are included in Appendix 2. The individual plans in the appendix do not include the buffer zones referred to in the policies, but the relevant buffer zone for each site is shown on the Policies Map, which can be viewed at www.northyorks.gov.uk/mwconsult.

Chapter 9: Development Management

9.1 The following sections deal with a range of issues relevant to consideration of planning applications for minerals or waste development in the Plan area.

Presumption in favour of sustainable minerals and waste development

9.2 At the heart of the National Planning Policy Framework is the principle of sustainable development, which should be seen as a golden thread running through both plan making and decision-making. This forms the basis of the Government's 'model policy' on the presumption in favour of sustainable development.

Policy D01: Presumption in favour of sustainable minerals and waste development

When considering development proposals the Authorities will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The authorities will always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date then the Authority will grant permission unless:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- Specific policies in the NPPF indicate that development should be restricted such as policies relating to National Parks and AONBs. Where proposals constitute major development in the National Park and AONBs they will be assessed against the requirements for major development in designated areas set out in Policy D04 of this Joint Plan.

Main responsibility for implementation of policy: NYCC, CYC and NYMNPA and Minerals and Waste industry

Key links to other relevant policies and objectives

D04

Objectives 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12

Monitoring: Monitoring indicator 45 (see Appendix 3)

Policy Justification

9.3 Paragraph 14 of the NPPF states that the presumption in favour of sustainable development does not apply where specific policies in the Framework indicate that development should be restricted. A footnote indicates that this includes National Parks and AONBs, as well as certain other designations⁴³. The fact that around a

⁴³ These include sites protected under the Birds and Habitats Directives, Sites of Special Scientific Interest, Green Belt, Local Green Space, Heritage Coast

third of the Plan area is within either the North York Moors National Park or one of the AONBs makes it appropriate to refer to these specifically in the Policy.

- 9.4 In the National Park and AONBs, proposals for ‘major development’ (which is not defined in legislation or guidance) should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. Within these parts of the Plan area, the presumption in favour of sustainable development will need to be applied in the context of this clear policy. As there is potential for minerals and waste development to constitute major development, it is considered appropriate to refer to this in the Policy.

Development Management Criteria

- 9.5 Planning law requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF states that local plans should contain development management policies for minerals development.
- 9.6 There are a range of matters which need to be considered in determining planning applications for minerals and waste developments, in addition to the specific considerations relating to particular types of minerals and waste development and related infrastructure addressed in the preceding Chapters. These include matters such as the protection of the environment and local communities and, where applicable, reclamation and aftercare requirements.
- 9.7 The NPPF requires minerals plans to ‘set out environmental criteria to ensure that minerals operations do not have unacceptable impacts on the natural and historic environment or human health including from noise, dust, visual intrusion, traffic, tip and quarry slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality’. National Waste Planning Policy requires planning authorities to give consideration to a range of effects including on water resources, land stability, visual intrusion, nature conservation, the historic environment, traffic and access, air emissions, dust, odour, vermin and birds, noise and vibration and litter.
- 9.8 The following sections present a range of development management policies for minerals and waste development. These policies operate alongside any other policies in the Joint Plan that are contained in the preceding Chapters.

Local Amenity Issues

- 9.9 Although essential forms of activity, minerals and waste developments can, as a result of the nature and sometimes scale of activity, have the potential to cause adverse impacts on the amenity of local communities (including residents, visitors and local businesses operating in those communities). A key role for the Joint Plan is to help ensure that, where development does need to take place, it can be managed and controlled to ensure that unacceptable impacts on amenity do not arise.

Policy D02: Local amenity and cumulative impacts

- 1) Proposals for minerals and waste development, including ancillary development and minerals and waste transport infrastructure, will be permitted where it can be demonstrated that there will be no unacceptable impacts on local amenity, local**

businesses and users of the public rights of way network and public open space including as a result of:

- noise,
- dust,
- vibration,
- odour,
- emissions to air, land or water
- visual intrusion,
- site lighting
- vermin, birds and litter
- subsidence and land instability
- public health and safety
- disruption to the public rights of way network
- the effect of the development on opportunities for enjoyment and understanding of the special qualities of the National Park
- cumulative effects arising from one or more of the above at a single site and/or as a result of a number of sites operating in the locality

Proposals will be expected as a first priority to prevent adverse impacts through avoidance, with the use of robust mitigation measures where avoidance is not practicable.

2) Applicants are encouraged to conduct early and meaningful engagement with local communities in line with Statements of Community Involvement prior to submission of an application and to reflect the outcome of those discussions in the design of proposals as far as practicable.

Main responsibility for implementation of policy: NYCC, CYC and NYMNPA and Minerals and Waste industry

Key links to other relevant policies and objectives

Strategic policies in Chapter 5,6 and 7, D03, D06, D07, D08, D09, D10, D11

Objectives 9, 10, 12

Monitoring: Monitoring indicator 46 (see Appendix 3)

Policy Justification

9.10 The potentially harmful impacts of minerals and waste proposals can often be avoided or minimised through careful siting, design and operational practices. This can include use of mitigation measures such as acoustic and screening bunds, screen planting, dust suppression systems and sensitive placement of site lighting. Applicants should give careful consideration to these and other relevant matters when bringing forward proposals, having regard also to any relevant national guidance and standards. Minerals development, which often takes place in rural areas, can involve the extensive development of land and in some instances can impact directly or indirectly on the public rights of way network or use of public open space. Proposals should, where relevant, provide for the protection of the rights of way network and the amenity of users of the network and open space including, where necessary, through the provision of suitable temporary or permanent alternatives. Some impacts may have a cumulative effect alongside other impacts associated with the proposed development, or in association with impacts from other nearby development. In some cases such effects may be 'synergistic' (i.e. in combination the effects amount to more than the sum of the individual effects). Such effects will also need to be taken into account by applicants bringing forward development proposals and by the Planning Authorities in taking decisions. Where it is not practicable to avoid an unacceptable level of impact, permission for new

development will need to be refused. The requirements of this Policy apply alongside any more specific local amenity considerations identified in the minerals and waste specific policies in Chapters 5 and 6. Impacts on local amenity as a result of minerals and waste transport are addressed in Policy D03. Other policies in this Chapter deal with a range of impacts on matters such as the historic environment and landscape and will be applied, where relevant, when proposals are being considered.

- 9.11 Some activities, which may otherwise be regarded as unacceptable, may be necessary in the short-term to facilitate minerals extraction, including some noisy short-term operations such as soil and overburden stripping and therefore some flexibility will be required when setting noise limits. Regard will be had to any national guidance and standards in establishing such limits, with the objective of establishing a high standard of protection.
- 9.12 In many cases, particularly for larger scale development, it is beneficial for developers to have early discussions with local communities in the vicinity of the proposed development site. This can help to ensure that local concerns and opportunities are taken into account in the design of the scheme, including any mitigation measures proposed. Early communication between potential applicants and local communities is supported in the Statements of Community Involvement adopted by the three Authorities and is also supported by national policy and guidance. Prospective applicants for planning permission are therefore strongly encouraged to carry out consultation with local communities in advance of submission of an application and, where practicable, reflect the outcome of that consultation in the design and implementation of the scheme.
- 9.13 Planning authorities are advised in national planning practice guidance not to duplicate other statutory means of pollution control. Examples include the issuing of environmental permits for waste operations and crushing plant, and the control of statutory noise nuisance. However, certain pollution control matters can also be relevant when determining minerals and waste planning applications, particularly where they are relevant to the use and development of land. Applicants are advised to have early discussions with other relevant regulatory authorities to ensure a coordinated approach.

Transport of minerals and waste and associated traffic impacts

- 9.14 The provision and safeguarding of transport infrastructure, to encourage a shift away from road transport towards greater use of alternative forms of transport, has been considered earlier in the Joint Plan (see chapters 7 and 8). This section considers potential impacts associated with transport of minerals and waste.
- 9.15 Impacts from road haulage associated with waste and minerals development can include adverse effects on traffic congestion and highway safety and impacts on local amenity including through increased noise, dust and vibration where heavy vehicles pass through local communities or other sensitive locations. Air quality can also be affected e.g. through the use of heavy diesel fuels. It will therefore be important for any proposals involving additional traffic generation to address potential impacts and for adequate control measures to be used if necessary.

Policy D03: Transport of minerals and waste and associated traffic impacts

- 1) Where practicable minerals and waste movements should utilise alternatives to road transport including rail, water, pipeline or conveyor.**

Where road transport is necessary, proposals will be permitted where:

- There is capacity within the existing network for the level of traffic proposed and the nature, volume and routing of traffic generated by the development would not have an unacceptable impact on local communities, businesses or other users of the highways network, or any such impacts can be appropriately mitigated, for example by traffic controls, highway improvements and traffic routing arrangements; and
- Access arrangements are appropriate to the volume and nature of any road traffic generated and safe and suitable access can be achieved for all users of the site, including the needs of non-motorised users, where relevant; and
- There are suitable arrangements in place for on-site manoeuvring, parking and loading/unloading.

Where access infrastructure improvements are needed to ensure that the requirements above can be compiled with, information on the nature, timing and delivery of these should be included within the proposals.

- 2) For all proposals generating significant levels of road traffic, a transport assessment and green travel plan will also be required to demonstrate that opportunities for sustainable transport and travel have been considered and will be implemented where practicable.

Main responsibility for implementation of policy: NYCC, CYC and NYMNPA and Minerals and Waste industry

Key links to other relevant policies and objectives

<i>Strategic policies in Chapters 5,6 and 7 and Policies D06, D07, D08</i>	<i>Objectives 6, 7, 8, 11</i>
--	-------------------------------

Monitoring: Monitoring indicator 47 (see Appendix 3)

Policy Justification

- 9.16 Whilst national policy encourages greater use of alternatives to road transport it is recognised that, in the Plan area, sources of supply and demand for minerals are relatively dispersed, as are locations of waste arisings and management. Furthermore, use of alternative modes of transport may not always represent a more sustainable option, depending on the circumstances in any individual case. These factors, together with a relative absence of existing infrastructure in many parts of the Plan area to support the use of alternatives to road transport, suggests that road haulage will remain the main means of transport for the foreseeable future. Whilst use of alternative modes where practicable is therefore encouraged, it is also important to ensure that road transport is as sustainable as possible and controlled so as to minimise any adverse impacts. Vehicle movements can have a range of impacts, including cumulative impacts, such as on local amenity and in some cases on the landscape and tranquillity and other development management policies in the Joint Plan will therefore also be relevant in some circumstances.
- 9.17 It will be important for any proposals involving additional traffic generation to address potential impacts and for adequate control measures to be applied if necessary. Where additional movements are likely to be significant, applications should be accompanied by a transport assessment including a green travel plan. The purpose of these assessments is to help to give full consideration to measures that will ensure that the proposed transport arrangements for the minerals or waste involved, and the means of access to the site by staff and visitors, are as sustainable as possible. Prospective applicants are advised to contact the relevant planning authority at an

early stage to establish whether a transport assessment and green travel plan is likely to be required in support of a particular proposal.

Protection of Important Assets

National Parks and AONBs

- 9.18 National Parks are designated under the National Parks and Access to the Countryside Act 1949. The North York Moors National Park was designated primarily for its landscape quality and diversity, and also hosts a variety of important habitats and thousands of historic assets, as well as providing opportunities for outdoor recreation, enjoying impressive views and experiencing peace and tranquillity.
- 9.19 The statutory purposes of National Parks, as set out in the Environment Act 1995 are:
- To 'conserve and enhance the natural beauty, wildlife and cultural heritage of the Park'; and
 - To 'promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public'.

In pursuing these two purposes the 1995 Act also places a duty on National Park Authorities 'to seek to foster the economic and social well-being of local communities'.

- 9.20 The North York Moors Core Strategy and Development Policies document, which provides the overarching planning policy for the National Park, is framed around delivering these National Park purposes and achieving sustainable development within that context. The North York Moors National Park Management Plan sets out the long-term vision for the National Park and promoting the special qualities of the National Park.
- 9.21 Areas of Outstanding Natural Beauty are also established under the National Parks and Access to the Countryside Act 1949 and are designated for the quality of their flora, fauna, historical and cultural associations as well as scenic views. The landscapes of AONBs are defined as having the same value as those of National Parks. The Nidderdale AONB is recognised for its heather moorland to the west, where it abuts the Yorkshire Dales National Park, and its rolling farmland landscapes to the east. The Howardian Hills AONB is recognised for its woodland, rolling agricultural landscapes and parkland. Small parts of the Forest of Bowland AONB, characterised by upland fells and vast tracts of heather moorland, and the North Pennines AONB, characterised by extensive and remote high moorland and upland dales, are within the Plan area. The same level of protection is afforded to both National Parks and AONBs in the NPPF.
- 9.22 Around a third of the Plan area is within either the North York Moors National Park or one of the area's AONBs, and its western boundary adjoins the Yorkshire Dales National Park. The NPPF requires great weight to be given to conserving landscape and scenic beauty in the National Parks and AONBs. In the National Park the conservation of wildlife and cultural heritage are also important considerations and should be given great weight. The NPPF also states that in determining planning applications, local planning authorities should, as far as practicable, provide for the maintenance of landbanks for non-energy minerals from outside National Parks and

AONBs (as well as outside World Heritage sites, Scheduled Monuments and Conservation Areas) and this is considered earlier in the Joint Plan in Chapter 5 .

Policy D04: Development affecting the North York Moors National Park and the AONBs

Part 1) – Major minerals and waste development

Proposals for major development in the National Park, Howardian Hills, Nidderdale, North Pennines and Forest of Bowland Areas of Outstanding Natural Beauty will be refused except in exceptional circumstances and where it can be demonstrated it is in the public interest. The demonstration of exceptional circumstances and public interest will require justification based on the following:

- a) **The need for the development, which will usually include a national need for the mineral or the waste facility and the contribution of the development to the national economy; and**
- b) **The impact of permitting it, or refusing, it upon the local economy of the National Park or AONB; and**
- c) **Whether the development can technically and viably be located elsewhere outside the designated area, or the need for it can be met in some other way; and**
- d) **Whether any detrimental effect on the environment, the landscape and recreational opportunities, can be moderated to a level which does not significantly compromise the reason for the designation.**

Where there are exceptional circumstances and the proposal is considered to be in the public interest, every effort to avoid adverse effects will be required. Where adverse effects cannot be avoided, harm should be minimised through appropriate mitigation measures. Appropriate and practicable compensation will be required for any avoidable effects which cannot be mitigated.

Part 2) – All other developments

Planning permission will be supported where proposals contribute to the achievement of, or are consistent with, the aims, policies and aspirations of the relevant Management Plan and are consistent with other relevant development management policies in the Joint Plan.

Part 3) – Proposals which impact the setting of Designated Areas

Proposals for development outside of the National Parks and AONBs will not be permitted where it would have a harmful effect on the setting of the designated area.

Main responsibility for implementation of policy: NYCC and NYMNPA and Minerals and Waste industry

Key links to other relevant policies and objectives

M01, D01, D06, D07, D08, D11

Objectives 6, 9, 10

Monitoring: Monitoring indicator 48 (see Appendix 3)

Policy Justification

- 9.23 The NPPF states that great weight should be given to conserving the landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these matters.

- 9.24 Major development in or adjacent to the boundary of a National Park or AONB can have a significant impact on the qualities for which the area was designated. National planning guidance states that what constitutes major development in National Parks and AONBs is a matter for the decision maker. Whether an application is considered as major development will depend on its nature, scale and location and the extent to which it has more than a local impact. It should be noted that major development in terms of paragraph 116 of the NPPF is not the same as that defined under the Town and Country Planning Act (Development Management Procedure Order) (England) Order 2010. For this reason, Policy D04 seeks to give further local guidance on the approach to be taken to this issue.
- 9.25 For major development in the National Park and AONBs, the four strands of the major development test need to be addressed in order to determine whether the proposal represents an exceptional circumstance and is in the 'public interest'. One of the main considerations in this assessment, where relating to proposals for minerals extraction, should be the need for the resource itself, including at a national level, and whether there are alternative sources available to meet any national need. The outcome of these considerations will then, where relevant, need to be assessed in accordance with the Habitats Regulations and other relevant policies contained in this Joint Plan and the NPPF. Applicants will be expected to supply sufficient information to demonstrate robustly that proposals fulfil the requirements of the major development test.
- 9.26 Section 11A(2) of the National Parks and Access to the Countryside Act 1949, Section 17A of the Norfolk and Suffolk Broads Act 1988 and Section 85 of the Countryside and Rights of Way Act 2000 require that 'in exercising or performing any functions in relation to, or so as to affect, land' in National Parks and Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes. The duty applies to all public bodies, not just National Park Authorities. Planning guidance states that this duty is relevant when considering development proposals situated outside National Parks or Area of Outstanding Natural Beauty boundaries, but which might have an impact on and implementation of, the statutory purposes of these protected areas.
- 9.27 When considering the setting of National Parks and AONBs the issue is not whether the proposal will be seen but whether its scale, nature and location will detract from the special qualities of the area. One of the purposes of National Park designation is to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public. This purpose can be significantly eroded by development located outside the National Park boundary, especially where the development would be prominent in the context of the views into and out of the Park, particularly from important public rights of way, or where it would harm tranquillity and impact on the dark night skies. Applicants will be expected to demonstrate that proposals will not harm the special qualities of the AONBs and the North York Moors National Park. Although the Yorkshire Dales National Park is producing its own development plan for minerals and waste, consideration also needs to be given to the potential for any impact on the setting of this National Park as a result of proposals in the Plan area.

Green Belt

- 9.28 The Government attaches great importance to Green Belts. The NPPF advises that when considering planning applications for development in such areas, substantial weight should be given to any harm to the Green Belt.

Policy D05: Minerals and waste development in the Green Belt

Part 1) - minerals

Proposals for minerals development within the York and West Yorkshire Green Belts will be supported where it would preserve the openness of the Green Belt and, where the development would be located within the York Green Belt, would preserve the historic character and setting of York. Where minerals extraction in the Green Belt is permitted, reclamation and afteruse will be required to be compatible with Green Belt objectives.

Part 2) - waste

Proposals for waste development in the Green Belt, including new buildings or other forms of development which would result in an adverse impact on the openness of the Green Belt or on the purposes of including land within the Green Belt, including those elements which contribute to the historic character and setting of York, will be considered inappropriate.

Substantial weight will be given to any harm to the Green Belt and inappropriate waste development in the Green Belt will only be permitted in very special circumstances, which must be demonstrated by the applicant, in which the harm by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations.

The following forms of waste development will be appropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt, including those elements which contribute to the historic character and setting of York:

- i) open windrow composting;
- ii) individual farm-scale on-farm composting and anaerobic digestion;
- iii) recycling of construction and demolition waste in order to produce recycled aggregate where it would take place in an active quarry or minerals transport site and is linked to the life of the quarry or site;
- iv) short term waste sorting and recycling activity in association with, and on the same site as, other permitted demolition and construction activity;
- v) recycling, transfer and treatment activities at established industrial and employment sites in the Green Belt where the waste development would be consistent with the scale and nature of other activities already taking place at the site;
- vi) landfill of quarry voids including for the purposes of quarry reclamation and where the site would be restored to an after use compatible with the purposes of Green Belt designation;
- vii) small scale deposit of inert waste for agricultural improvement purposes or the improvement of derelict or degraded land; and
- viii) continued activities within the footprint of established waste sites in the Green Belt.

Main responsibility for implementation of policy: NYCC and CYC and Minerals and Waste industry

Key links to other relevant policies and objectives

101 M16, M17, W03, W04, D10

Objectives 9, 12

Monitoring: Monitoring indicator 49 (see Appendix 3)

Policy Justification

- 9.29 There are significant areas of Green Belt in the Plan area, including parts of the West Yorkshire Green Belt (affecting parts of Selby District and Harrogate Borough) and the York Green Belt (affecting parts of Ryedale, Hambleton and Selby Districts as well as the City of York area). A detailed inner Green Belt boundary for York is yet to be defined, along with parts of the outer boundary. The City of York Green Belt is different to the West Yorkshire Green Belt in that it is one of only six Green Belts in England whose primary purpose is to safeguard the character and setting of a historic city. Although the York Green Belt performs some of the other Green Belt functions to some extent, these are not as important as its primary purpose.
- 9.30 Minerals extraction can only take place where suitable resources occur and there is significant overlap between the distribution of some resources (such as Magnesian Limestone) and the Green Belt. There are a number of long established quarries in the Green Belt in Selby District. National policy states that minerals extraction in the Green Belt is not inappropriate provided the openness of the Green Belt is preserved and where it would not conflict with the purposes of including land in the Green Belt. The purposes of the Green Belt as defined in national policy include:
- to check the unrestricted sprawl of large built up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land
- 9.31 It is likely that in many cases suitably designed, landscaped and restored minerals workings can be accommodated in the Green Belt. Where proposals for extraction in the Green Belt are made, applicants should ensure that careful consideration has been given to the potential impact of the development on the openness of the Green Belt and the purposes of the relevant Green Belt designation, including the impact from any associated plant and infrastructure. Particular consideration should be given to the impact of proposals for the exploration, appraisal and development of hydrocarbons, including unconventional gas resources in the Green Belt, owing to the particular characteristics of, and potential impacts associated with, this form of development. These can include the need for tall structures associated with drilling and related appraisal activity and, potentially, the need for multiple well pads to access the resource. In all cases appropriate design and mitigation measures should be incorporated, where necessary and it will also be necessary to ensure that any proposed reclamation and afteruse is compatible with Green Belt objectives.
- 9.32 In this regard, it should be noted that mineral workings subject to a restoration condition are specifically excluded from the definition of Previously Developed Land in the NPPF (Annex 2) and therefore do not benefit from any additional flexibility afforded to previously developed land in the Green Belt, in terms of any further uses that may be acceptable. The primary aim of the restoration and aftercare of sites in the Green Belt should be to ensure that the site remains in an undeveloped state and returned to the condition and use that existed prior to minerals development or other use compatible with Green Belt objectives.
- 9.33 Waste management activities are generally not constrained by geology in the same way as minerals extraction and there is therefore more locational flexibility. However, other national policy has a bearing on the choice of locations for waste management, including the need to promote community responsibility in the management of waste and to reduce travel. As a result there can be benefits in ensuring that waste facilities are well-located in relation to main sources of arisings, which tend to be in

the more urbanised parts of the Plan area, to help to reduce the need for transport. There can also be benefits in using established infrastructure effectively. As Green Belt is designated in association with larger urban areas there can be some conflict between identifying suitable locations for waste facilities, and protection of the Green Belt.

- 9.34 National waste planning policy indicates that planning authorities should first look for suitable sites and areas outside the Green Belt for waste management facilities that, if located in the Green Belt, would be inappropriate development and local planning authorities should recognise the particular locational needs of some types of waste management facilities when preparing their Local Plan. This suggests that some forms of waste development might be permissible in the Green Belt, in the circumstances of a particular case.
- 9.35 In order to provide local guidance on this matter, the policy identifies a number of types of waste management activities and types of locations where waste development may be appropriate, provided that openness is maintained and the development would be consistent with the purposes for which the land is included in the Green Belt.
- 9.36 The Harewood Whin site in the City of York is a well-established waste facility in the general extent of York's Green Belt, where a range of waste management activities are taking place. The site plays an important strategic role in the management of waste arising in York and North Yorkshire and is located in close proximity to York as the largest urban centre in the Plan area. It is considered that further development within the footprint of existing sites such as this could be appropriate in principle provided that any existing impact on openness, or extent of conflict with the purposes of Green Belt designation associated with the site would not be significantly increased.
- 9.37 The North Selby Mine site is also allocated within the general extent of York's Green Belt. This site holds an unimplemented permission for a substantial anaerobic digestion facility, which was approved as it was considered compatible with the site's continued location within the Green Belt.
- 9.38 Duttons Farm is also allocated within the Green Belt as a site for waste disposal to support the restoration of the site following the extraction of engineering clay. A number of other established waste management sites are also located in the West Yorkshire Green Belt within Selby district.
- 9.39 As with minerals development, where proposals for waste development in the Green Belt are made, applicants should ensure that careful consideration has been given to the design of the development and that mitigation measures are incorporated where necessary.

Landscape

- 9.40 The Plan area has a rich and varied landscape ranging from moorland to rolling farmland to low-lying areas, and seascapes characterised by high cliffs. Landscape is defined by the European Landscape Convention as 'An area as perceived by people, whose character is the result of the action and interaction of natural and/or human factors'.

Policy D06: Landscape

- 1) All landscapes will be protected from the harmful effects of development. Proposals will be permitted where it can be demonstrated that there will be no unacceptable impact on the quality and/or character of the landscape, having taken into account any proposed mitigation measures.
- 2) For proposals which may impact on nationally designated areas including the National Park, AONBs, and the adjacent Yorkshire Dales National Park, a very high level of protection to landscape will be required. Development which would have an unacceptable landscape impact on these areas will not be permitted.
- 3) Protection will also be afforded to the historic character and setting of York and to areas defined as Heritage Coast. Permission will only be granted where it would not lead to an unacceptable impact on the historic character or setting of York or on the undeveloped character of Heritage Coast, unless the need for, or benefits of, the development outweigh the harm caused.
- 4) Where proposals may have an adverse impact on landscape, tranquillity or dark night skies, schemes should provide for a high standard of design and mitigation, having regard to landscape character, the wider landscape context and setting of the site and any visual impact, as well as for the delivery of landscape enhancement where practicable.

Main responsibility for implementation of policy: NYCC, NYMNPA, CYC, Minerals and Waste Industry and Natural England

Key links to other relevant policies and objectives

Strategic policies in Chapters 5,6, and 7

Objectives 9, 12

Monitoring: Monitoring indicator 50 (see Appendix 3)

Policy Justification

- 9.41 The variety of landscapes in the area adds much to its overall distinctiveness. A large part of the area is designated or defined nationally (as either National Park or AONB or Heritage Coast) for the quality of its landscape, and some District and Borough Councils have identified local areas of landscape value in their own local plans. A range of other designations are of relevance to landscape considerations, including heritage land which is conditionally exempt from inheritance tax because of its national significance⁴⁴. Unlike National Parks and AONBs, Heritage Coast is not classed as a nationally designated landscape. Its definition is non-statutory, and can only be made with the agreement of local authorities and landowners, and agreed by Natural England. The North Yorkshire and Cleveland Heritage Coast falls mainly within the Plan area, with approximately 70% of the defined area falling within the North York Moors National Park. However, the southern and northern parts do not benefit from protection via National Park designation. A small part of the Flamborough Head Heritage Coast also falls within the Plan area. The NPPF (para 114) requires local planning authorities to ‘maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access and enjoyment of the coast’. Such areas are therefore afforded a relatively high level of significance in national policy terms. Maintaining the setting of the historic City of York is also an important

⁴⁴ These areas are not identified under planning legislation but may be material considerations relevant to planning. A number of such areas have been designated in the Plan area. They largely coincide with areas already designated as National Park and AONB, where a high level of policy protection already exists. However some are found elsewhere in the Plan area. Areas currently so designated can be viewed at <https://www.gov.uk/tax-relief-for-national-heritage-assets> .

landscape consideration as it is not the subject of specific statutory protection yet is a distinctive and important part of the Plan area. The Vale of York has a flat and low lying landscape with historic views of York Minster tower, Terry's clock tower and other landmark structures⁴⁵ and this setting within the landscape forms an intrinsic part of the city's historical significance. In considering impact on landscape setting, regard will be had to factors including the scale and character of the development proposed, any inter-visibility between the development site and the protected asset and the duration of the proposed development.

- 9.42 Although areas afforded specific protection through designations are of particular significance, all landscapes are important in their own right. Due to their nature and sometimes scale, minerals and waste developments can have significant impacts on the landscape. It is therefore important that, in bringing forward proposals, applicants give careful consideration to potential landscape impacts.
- 9.43 There are a number of Landscape Character Assessments (LCAs) covering the Plan area, including those produced by District and Borough councils, which provide a useful source of information relating to the various landscapes in the area. In addition to the LCAs, a Historic Seascape Characterisation for the Scarborough to Hartlepool coastline is currently being undertaken by Historic England and a North Yorkshire and Lower Tees Valley Historic Landscape Characterisation programme has been produced. Within the National Park and AONBs relevant information may also be available in their respective Management Plans. Applicants should use any available local landscape studies and other relevant information to assist in identifying any potential landscape impacts and mitigation.
- 9.44 In particular, such studies can assist in gaining a wider understanding of the significance of a location or settlement in landscape terms, and how a development proposal may impact not just on the immediate site but on any wider area it may influence. Careful consideration should therefore be given to the wider landscape setting and context of the site, both designated and undesignated, when designing schemes (including any mitigation). In some cases there may be opportunities to enhance local landscape character and quality, for example through landscape planting both on and offsite and as part of minerals site reclamation and applicants should look for opportunities to provide these as part of any proposals.
- 9.45 A study commissioned by NYCC with funding from Historic England in 2010 suggested that landscape provides an important context within which other important assets are found, particularly those relating to biodiversity and the historic environment. It is therefore important to ensure that proposals are informed by a good understanding of any such interactions, as this can lead to a more integrated approach when considering overall impacts and opportunities. The report also highlights the need for effective mitigation and management of any landscape impacts, and the need to ensure that connections between landscape and the natural and historic environment are considered and reflected in the design and implementation of proposals. For major schemes this is likely to require detailed pre-application research and discussion with relevant organisations. More information on the study can be found in the summary report <http://www.northyorks.gov.uk/article/26667/Local-core-documents---managing-landscape-change-project-April-2012>.
- 9.46 An important aspect of the environment of the Plan area, of relevance when considering landscape impact, is the concept of tranquillity. Tranquillity mapping

⁴⁵ Further information can be found in the City of York Council Heritage Topic Paper update 2013

undertaken for CPRE in 2007 indicated that North Yorkshire was the 7th most tranquil of 117 County and Unitary authority areas, with a high degree of tranquillity particularly in the National Parks and AONBs and other less developed parts of the Plan area. A more recent survey by CPRE indicated that 72% of respondents identified tranquillity as the characteristic they valued most about the countryside, and protection of tranquil areas is an objective of the Management Plan for the NYMNP. Although tranquillity cannot be measured in any definitive way, the potential for a development proposal to impact adversely on tranquillity will be a matter to be taken into account when considering applications, particularly those located within or in close proximity to the National Park and AONBs.

- 9.47 A further consideration related to landscape, and which could potentially be impacted by minerals or waste development, particularly in the more rural areas, is the maintenance of dark night skies. The relatively undeveloped nature of large parts of the Plan area, particularly within the National Park and AONBs, mean that there are substantial areas with low levels of light pollution, leading to high-quality starscapes at night which are increasingly rare in England. Proposals for minerals or waste development, particularly those with a requirement for significant amounts of external lighting and which are situated in rural locations should ensure that the impact of development on dark night skies is considered and that mitigation in the form of carefully designed and controlled site lighting is provided where necessary.
- 9.48 In those parts of the Plan area designated as National Park or AONBs, any proposals for major development will also need to satisfy the major development test. Effects on the landscape are a specific consideration under the test.

Biodiversity and geodiversity

- 9.49 The NPPF requires protection and enhancement of biodiversity by ‘minimising impacts and providing net gains where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures’. The NPPF also requires planning authorities to set criteria-based policies against which proposals for any development on or affecting protected wildlife sites will be judged. Plans should also be positive for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure at a landscape scale. Protection of geodiversity is also an objective of national planning policy.

Policy D07: Biodiversity and geodiversity

- 1) Proposals will be permitted where it can be demonstrated that there will be no unacceptable impacts on biodiversity or geodiversity, including on statutory and non-statutory designated or protected sites and features, Sites of Importance for Nature Conservation, Sites of Local Interest and Local Nature Reserves local priority habitats, habitat networks and species, having taken into account any proposed mitigation measures.**
- 2) A very high level of protection will be afforded to sites designated at an international level, including SPAs, SACs and RAMSAR sites. Development which would have an unacceptable impact on these sites will not be permitted.**
- 3) Development which would have an unacceptable impact on the notified special interest features of a SSSI or a broader impact on the national network of SSSIs, or the loss or deterioration of ancient woodland or aged or veteran trees, will only be permitted where the benefits of the development would clearly outweigh the impact or loss.**

- 4) Through the design of schemes, including any proposed mitigation measures, proposals should seek to contribute positively towards the delivery of agreed biodiversity and/or geodiversity objectives, including those set out in agreed local Biodiversity or Geodiversity Action Plans, or in line with agreed priorities of any relevant Local Nature Partnership, with the aim of achieving net gains for biodiversity or geodiversity and supporting the development of resilient ecological networks.
- 5) In exceptional circumstances, and where the development site giving rise to the requirement for offsetting is not located within a SPA, SAC, RAMSAR or SSSI, the principle of biodiversity offsetting to fully compensate for any losses will be supported. These circumstances include where:
- i) It has been demonstrated that it is not possible to avoid or mitigate against adverse impacts; and
 - ii) The provision of compensatory habitat within the site would not be feasible; and
 - iii) The need for and/or benefits of the development override the need to protect the site; and
 - iv) Any compensatory gains would be delivered within the minerals or waste planning authority area in which the loss occurred.

Main responsibility for implementation of policy: NYCC, NYMNPA, CYC, Minerals and Waste industry, District and Borough Councils Local Nature Partnerships, Local Geodiversity Partnerships.

Key links to other relevant policies and objectives

Strategic Policies in Chapters 5,6,and 7, D02, D04, D05, D08, D09, D10, D12

Objectives 9, 11, 12

Monitoring: Monitoring indicator 51 (see Appendix 3)

Policy Justification

- 9.50 The biological and geological diversity of the Plan area is an integral part of its natural environment. A large proportion of the Plan area's natural environment is designated or protected at European, national or local level for the importance of its habitats and/or species. There are also many non-designated areas that nevertheless provide valuable habitats or form important parts of wider ecological networks. Protected species may live outside designated areas and many of these are also protected by law. Whilst there are many biodiversity sites and assets in the area, there are also a smaller number of geological SSSIs and regionally important geological sites which are protected.
- 9.51 The protection and enhancement of ecological networks is becoming increasingly important due to changes in the climate. There are important links between biodiversity and the water environment, such as water quality issues for example, and with matters such as food production. The natural environment in effect provides a range of 'services' (known as ecosystems services) which it is important to maintain and enhance. Biodiversity and geodiversity assets also form an important element of the green infrastructure⁴⁶ of the area and contribute to overall quality of life.

⁴⁶ Green infrastructure is a network of multi-functional green space, both new and existing, both rural and urban, which supports the natural and ecological processes and is integral to the health and quality of life of sustainable communities. It includes parks, open space, playing fields, woodlands, allotments and private gardens.

- 9.52 Minerals and waste developments have the potential to impact adversely on biodiversity and geodiversity. In addition, minerals development, particularly through the process of quarry reclamation, is well placed to provide longer term enhancement of both biodiversity and geodiversity.
- 9.53 Applicants will need to demonstrate, when bringing forward proposals, that any potential impacts on biodiversity and geodiversity have been identified and addressed through avoidance or mitigation where necessary. Opportunities should also be sought to deliver longer term enhancement, including through contributing to the development of enhanced ecological networks to improve reliance and help to mitigate effects of climate change. Proposals should be directed towards the delivery of any priorities already agreed for the area in which the site is situated, as set out in local Biodiversity Action Plans, Geodiversity Action Plans or through any strategy produced by the relevant Local Nature Partnership.
- 9.54 In some cases, it may be possible to deliver greater overall benefits through delivering a coordinated approach in combination with other proposed development. This may particularly be the case for minerals extraction, where there are a number of workings taking place in the same area, for example in the corridors of the Rivers Swale and Ure and opportunities may arise at a landscape scale. The RSPB have indicated that the greatest opportunities can arise in relation to schemes with an area in excess of 200ha. Where as a result of the scale, nature or location of the development proposed, there are opportunities to deliver enhancement of biodiversity or geodiversity, including the provision of green infrastructure, applicants are encouraged to discuss their proposal with the relevant planning authority at an early stage to ensure that a coordinated approach, and maximum overall benefits, taking into account existing permitted schemes and other relevant proposals, can be achieved where practicable.
- 9.55 In some limited circumstances it may be appropriate for compensatory provision to be made elsewhere for habitat losses resulting from development. Such 'offsetting' should be viewed as a last resort measure where the need for, or benefits of, the development outweigh the need to protect the site and no other suitable location is available. It will generally be preferable for mitigation or compensation measures, if necessary, to be delivered at the development site rather than through offsetting at an alternative location.
- 9.56 Where development requiring offsetting is proposed, the arrangements for provision of the offsetting biodiversity gain should be set out as part of the proposals, and the location where the offsetting provision is to be made should be within the same minerals or waste planning authority area as the development giving rise to the need for offsetting. This is to ensure that biodiversity assets are not displaced out of the local area. A further consideration is that, in developing proposals for offsetting, consideration should be given to replacing the community and climate regulation value attached to the biodiversity of the site to be developed, to ensure an appropriate overall level of gain in the interests of sustainability. In practice it is considered that circumstances necessitating offsetting in the Plan area are likely to be very rare.

Historic environment

- 9.57 'Heritage assets' are buildings, monuments, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions. They include both designated and non-designated assets and those which exist on any local list maintained by local authorities. National planning policy requires any effects on heritage assets to be assessed in terms of the significance of the asset, and

states that substantial harm should usually be avoided. For all assets, the desirability of sustaining and enhancing significance should be taken into account.

- 9.58 The setting of a heritage asset is also an important consideration. The NPPF defines the setting as ‘*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral*’.
- 9.59 The Plan area contains tens of thousands of designated and undesignated heritage assets including Listed Buildings, Scheduled Monuments, a World Heritage Site, Registered Parks and Gardens, Registered Battlefields and Conservation Areas and assets which are not yet identified or designated.
- 9.60 Minerals extraction, which may involve the large scale physical disturbance of land, may have a direct impact on heritage assets, including the potential for their physical destruction, and both minerals and waste development can impact on the setting of heritage assets, which can be important in contributing to their overall significance.

Policy D08: Historic environment

- 1) Minerals or waste development proposals will be permitted where it can be demonstrated that they will conserve and, where practicable, enhance those elements which contribute to the significance of the area’s heritage assets including their setting.**
- 2) Particular regard will be had to the benefits of conserving those elements which contribute most to the distinctive character and sense of place of the Plan area including:**
 - The World Heritage Site at Fountains Abbey/Studley Royal;
 - The historic character and setting of York;
 - The archaeological resource of the Vale of Pickering, the Yorkshire Wolds, the North York Moors and Tabular Hills, and the Southern Magnesian Limestone Ridge.
- 3) Proposals that would result in less than substantial harm to the significance of a designated heritage asset (or an undesignated archaeological site of national importance) will be permitted only where this is outweighed by the public benefits of the proposal. Where proposals would lead to substantial harm to or total loss of the significance of a designated heritage asset (or an undesignated archaeological site of national importance), planning permission will be refused unless it can be shown that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or all of the following apply:**
 - i) The nature of the heritage asset prevents all reasonable uses of the site; and
 - ii) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - iii) Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
 - iv) The harm or loss is outweighed by the benefit of bringing the site back into use.

Proposals affecting an archaeological site of less than national importance will be permitted where they would conserve those elements which contribute to its significance in line with the importance of the remains. In those cases where development affecting such sites is acceptable in principle, mitigation of damage will

be ensured through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, adequate provision should be made for excavation and recording and subsequent analysis, publication and archive deposition before or during development.	
Main responsibility for implementation of policy: NYCC, NYMNPA, CYC, Minerals and Waste industry and Historic England.	
Key links to other relevant policies and objectives	
<i>Strategic Policies in Chapters 5,6 and 7 and Policy D10</i>	<i>Objective 9</i>
Monitoring: Monitoring indicator 52 (see Appendix 3)	

Policy Justification

- 9.61 The Studley Royal including the ruins of Fountains Abbey World Heritage Site is a particularly important heritage asset as the only World Heritage Site in the Plan area, and in 2012 an additional buffer zone was identified by the World Heritage Site Committee in order to help protect certain aspects of the visual setting and designed landscapes of the Site. The buffer zone is identified in the Harrogate Borough Council Plan and is also shown on the Policies Map for the Joint Plan. Regard will be had to the purposes of the buffer zone when considering proposals which may impact on the WHS.
- 9.62 Evidence produced by City of York Council in 2013⁴⁷ identifies six principal defining characteristics which are strategically important to the historic character and setting of York, that set York apart from other similar cities in England. These characteristics are:
- The City's strong urban form, townscape, layout of streets and squares, building plots, alleyways, arterial routes, and parks and gardens;
 - The City's compactness;
 - The City's landmark monuments, in particular the City Walls and Bars, the Minster, churches, guildhalls, Clifford's Tower, the main railway station and other structures associated and chocolate manufacturing heritage;
 - The City's architectural character, this rich diversity of age and construction displays variety and order and is accompanied by a wealth of detail in windows and door openings; bay rhythms; chimneys and roofscapes; brick; stone; timber; ranges; gables; ironwork; passageways; and rear yards and gardens;
 - The City's archaeological complexity: the extensive and internationally important archaeological deposits beneath the City;
 - The City's landscape and setting within its rural hinterland and the open green strays and river corridors and lngs, which penetrate into the heart of the urban area, breaking up the City's built form.
- 9.63 York is particularly significant as a result of the nature and concentration of heritage assets it contains and because of the significance of long-distance views of landmark buildings such as the York Minster tower and Terry's clock tower from the wider Vale of York. Maintaining the wider setting of York is also important because of the significance of the City to the tourism and wider economy of the Plan area, with the City receiving around 7 million visitors annually. The City as a whole is not the subject of specific protection through any designations and it is therefore considered appropriate to provide a degree of protection from any adverse impacts on its setting from minerals or waste development.

⁴⁷ City of York Council Heritage Topic Paper update 2013

- 9.64 The Vale of Pickering is also of particular significance. Evidence indicates a concentration of heritage assets, many of which are currently undesignated and in this part of the Plan area there is a close association between minerals resources and significant heritage assets.
- 9.65 Discussion with Historic England has identified a number of other areas, based partly on National Character Area Profiles developed by Natural England <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making/national-character-area-profiles> , within which archaeological resources are likely to be particularly significant, including the Yorkshire Wolds, the North York Moors and Tabular Hills and the Southern Magnesian Limestone Ridge. These are areas of known and well-documented archaeological potential which contain some of the highest concentrations of archaeological features in the country. Much of this is likely to be of national importance. There is a relatively close correlation between these areas and some mineral resources. However, for the most part, the archaeology within these landscapes is largely undesignated. In these areas in particular and other locations where evidence points to the existence of significant heritage assets, it will be particularly important that the extent, siting, design and implementation of any mineral working and reclamation proposals are informed by a detailed understanding of the wider historic and landscape context of the area.
- 9.66 Where necessary, proposals should include comprehensive mitigation and management measures aimed at minimising adverse impacts and delivering enhancements, including to the longer term setting and the enjoyment and understanding of heritage assets where appropriate.
- 9.67 The Managing Landscape Change project, commissioned by North Yorkshire County Council with funding from Historic England, highlighted that the absence of formal designations within an area should not be used to imply an absence of archaeological significance. It could simply mean that heritage assets have not yet been discovered or have not previously been recognised. It suggests that by looking at the potential development site in its wider context it is possible to establish a more complete picture of the potential significance of a site and any heritage assets which could be affected, thus informing the most appropriate strategy for field evaluation of the site or area, in line with paragraph 128 of the NPPF. Interested parties bringing forward development proposals, particularly for minerals extraction in the NYCC area, are advised to review relevant advice in the report of the Managing Landscape Change Study, which is available on the NYCC website.
- 9.68 In all cases, applicants for minerals or waste development are advised to seek information from the relevant Historic Environment Record when bringing forward proposals, and to discuss schemes with the relevant minerals and waste planning authority at an early stage where an initial review of available information suggests that there is potential for heritage assets to be impacted by a particular proposal. National policy provides a high degree of protection to designated heritage assets, or archaeological sites of national importance, that are at risk of substantial harm to, or total loss of, significance. In cases where the partial or total loss of the significance of heritage assets is accepted as being consistent with the criteria in the Policy, leading to the grant of planning permission for the development, developers will be required to record and advance the understanding of the significance of the asset/s to be lost and to make this information publicly available.

Water Environment

- 9.69 Both minerals and waste development have the potential to impact on water resources and quality and can contribute to, or be at risk from, flooding. For example, waste management activities may have the potential to cause pollution as a result of the nature of the processes taking place or the wastes being handled. Mineral sites, as well as landfill and land raise activities, for example through the presence of screening bunds or other alterations to landform, can impact on the flow of water during flood events. The NPPF requires that proactive strategies to mitigate and adapt to climate change should be put in place taking account of, amongst other matters, water supply and demand. It requires that environmental criteria be set out against which planning applications will be assessed, so as to ensure that permitted operations do not have unacceptable adverse impacts on the flow and quantity of surface and groundwater and water habitats in terms of biodiversity. Furthermore, the NPPF requires that both new and existing development should be prevented from contributing to or being put at unacceptable risk from water pollution. A further important consideration is the EU Water Framework Directive (WFD), which sets out a range of obligations to which planning authorities should have regard when exercising their planning functions. The Directive (2000/60/EC) introduced a comprehensive river basin management planning system to protect and improve the ecological health of rivers, lakes, estuaries and coastal and groundwaters. This is underpinned by the use of environmental standards to assess risks to the ecological quality of the water environment and to identify the scale of improvements that would be needed to bring waters under pressure back into good condition.

Policy D09: Water environment

- 1) **Proposals for minerals and waste development will be permitted where it can be demonstrated that no unacceptable impacts will arise, taking into account any proposed mitigation, on surface or groundwater quality and/or surface or groundwater supplies and flows.**
- 2) **In relation to surface and groundwater quality and flows, a very high level of protection will be applied to principal aquifers and groundwater Source Protection Zones. Development which would lead to an unacceptable risk of pollution, or harmful disturbance to groundwater flow, will not be permitted.**
- 3) **Permission for minerals and waste development on sites not allocated in the Joint Plan will, where relevant, be determined in accordance with the Sequential Test and Exception Test for flood risk set out in national policy. Development which would lead to an unacceptable risk of, or be at an unacceptable risk from, all sources of flooding (i.e. surface and groundwater flooding and groundwater flooding from rivers and coastal waters) will not be permitted.**
- 4) **Proposals for minerals and waste development should, where necessary or practicable taking into account the scale, nature and location of the development proposed, include measures to contribute to flood alleviation and other climate change mitigation and adaptation measures including use of sustainable urban drainage systems.**

Key links to other relevant policies and objectives

<i>Strategic Policies in Chapters 5,6 and 7 and Policies D07, D10, D11</i>	<i>Objectives 9, 10, 11</i>
--	-----------------------------

Monitoring: Monitoring indicator 53 (see Appendix 3)

Policy Justification

- 9.70 Large parts of the Plan area, particularly within the City of York area and lower lying parts of the NYCC area are at risk of flooding, as demonstrated in the Strategic Flood Risk assessment that has been prepared alongside the Joint Plan. Flood risk maps are available on the Environment Agency's website. There are also substantial areas which are underlain by principal aquifers, including the Magnesian Limestone resource and some rocks of Jurassic age in the eastern part of the Plan area. Some of these areas also contain groundwater Source Protection Zones, which are identified by the Environment Agency to protect public drinking water supplies and certain supplies used for commercial purposes. In some cases, commercial users of water in the Plan area, such as the brewing industry, are reliant on the availability of water with particular qualities, for example in terms of its chemical and minerals balance. Where development is proposed which has the potential to impact on such sources of supply then this will be a relevant consideration under the Policy, in order to ensure an appropriate degree of protection. Some aspects of the natural environment are also dependent on water of a particular quality being available. The potential for impact on any such receptors will also be a matter to be taken into account where relevant under the terms of this Policy.
- 9.71 The Environment Agency has prepared a number of Position Statements setting out their likely approach to environmental permitting of various forms of development which may present a pollution hazard to groundwater. A number of these Statements are relevant to minerals and waste development, including those relating to conventional and unconventional oil and gas, landfill, non-landfill waste activities and mining, quarrying and gravel extraction. To ensure a general consistency of approach, the planning authorities will, when implementing this Policy, have regard to any relevant EA Position Statements in determining the acceptability of any proposal which has the potential to cause groundwater pollution. Consideration will also be given to the aims and objectives of the Water Framework Directive. Under the WFD, developers and planning authorities should take all measures necessary to ensure that no deterioration of any water bodies including non-main rivers, lakes and groundwater is caused by a development. Development that cannot provide appropriate mitigation to prevent deterioration of surface water or groundwater bodies would be contrary to the objectives of the WFD and should not be permitted. In order to comply with obligations under the WFD, development proposals should seek to improve the water body status of any waters that could be affected by the development. Supporting the achievement of water status objectives outlined in River Basin Management Plans is important in meeting obligations under the WFD but is not necessarily, in itself, sufficient to demonstrate compliance with WFD objectives. A range of other regulatory regimes may also be relevant depending on the circumstances.
- 9.72 National planning policy places considerable emphasis on the need to address flood risk, water pollution and water availability in planning decisions and includes specific national policy tests in relation to flood risk that are required to be met, in the form of a Sequential Test for flood risk and an Exception Test. The Sequential Test involves a risk-based approach to locating development. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. It operates together with a strategic level flood risk assessment which has been prepared alongside the Joint Plan, to ensure that decisions made on policies and site allocations give appropriate consideration to flood risk. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate.

- 9.73 Full details of the tests can be found in the national Planning Practice Guidance dealing with flood risk. Applicants are advised to consider the Guidance and national policy on flood risk at an early stage in developing proposals.
- 9.74 In some cases it may be necessary for a site-specific flood risk assessment to be carried out in support of an application. A site specific flood risk assessment is required for proposals of 1 hectare or greater in flood zone 1 and for all proposals for new development (including minor development and change of use) in flood zones 2 and 3. Further guidance is available in the national Planning Practice Guidance. Applicants should also consider the 'standing advice' on flood risk produced by the Environment Agency when preparing a site-specific flood risk assessment for lower risk development.
- 9.75 Different types of development have different vulnerabilities to flooding and some are considered to be 'water-compatible'. Water-compatible development includes some forms of development which fall within the scope of the Joint Plan, specifically sand and gravel extraction and sewage transmission infrastructure and pumping stations. These forms of development are appropriate within all flood zones. Most other forms of development within the scope of the Joint Plan, such as other types of mineral working and processing as well as waste development (except landfill and hazardous waste facilities) are classed as 'less vulnerable'. These may be acceptable in all flood risk zones except Zone 3b (functional floodplain). Landfill and sites used for managing hazardous waste are 'more vulnerable' and should not take place in Zone 3b and would only be acceptable in Zone 3a if they meet the Exception Test. This Test requires it to be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared, and a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.
- 9.76 Increased risk of flooding is one of the predicted impacts of climate change and should be taken into account in the preparation of flood risk assessments, in accordance with the PPG. The Environment Agency published updated guidance in February 2016⁴⁸ on when and how to make allowances for climate change in flood risk assessments and this should be used as a source of information when assessing proposals in relation to flood risk. Minerals extraction, particularly water-compatible sand and gravel working, can also provide opportunities to contribute to flood alleviation, for example through the provision of increased flood storage capacity where working is taking place in flood plains. Within the Plan area there is an overlap between sand and gravel resources and flood plains and some mineral extraction is already taking place in these locations. Where proposals are brought forward for sand and gravel working, consideration should be given at an early stage in preparing the scheme to the potential to incorporate flood alleviation measures into the design, particularly as part of site reclamation.
- 9.77 Consideration should also be given to the use of sustainable drainage systems for the management of surface water drainage. These are designed to control surface water run-off close to where it falls and to mimic natural drainage as closely as possible. This matter is addressed in Policy D11 dealing with sustainable design.

⁴⁸ Flood risk assessments: climate change allowances (Environment Agency February 2016)

Reclamation and afteruse of minerals and waste sites

- 9.78 The nature of minerals development, which often involves permanent or long-term physical change to land, sometimes on a substantial scale, means that it is important that consideration is given to how sites are reclaimed and used once workings have finished. In contrast, many waste developments, particularly modern developments not involving landfill, are permanent or long-term built developments, which do not give rise to similar considerations of reclamation and afteruse, although in some cases, such as those involving landfill and proposals for temporary plant and buildings, such issues can arise. Whilst the main focus of this section is on minerals development, the policy it contains is also intended to be applied to relevant forms of waste development.
- 9.79 The NPPF states that land worked for minerals should be reclaimed at the earliest opportunity, taking account of aviation safety, and that high-quality restoration and aftercare of mineral sites should take place, including for agriculture (safeguarding the long-term potential of best and most versatile agricultural land and conserving soil resources), geodiversity, biodiversity, native woodland, the historic environment and recreation. It also states that bonds and other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances.
- 9.80 Several parts of the Plan area (particularly the Swale and Ure valleys and parts Selby District) have over the years developed concentrations of mineral sites which can give rise to a number of issues regarding the long-term impact of working and reclamation, including progressive landscape change (particularly where lakes are created following minerals extraction) as well as impact on other environmental assets such as the historic environment, loss of good-quality agricultural land, and impact on the setting and amenities of local communities. Some of these effects can be cumulative in nature, either over extended periods of time or through a number of simultaneous effects.
- 9.81 Reclamation also provides potential opportunities for delivering benefits to the environment or amenity. For example, reclaimed sites can provide biodiversity or geodiversity gain in line with biodiversity and geodiversity action plans, opportunities for informal or formal recreation. In certain areas, reclaimed sites may be able to play a role in flood risk reduction, or in supplying water for agriculture, or in recharging rivers.
- 9.82 Pressure to divert waste away from landfill means that the traditional link between mineral working, and reclamation back to original ground levels through landfill, has now been largely broken. There has been a reduction in landfill of biodegradable waste, and this is likely to continue as new arrangements for managing residual waste arising in the Plan area are implemented. Increasingly, inert material is also being diverted away from landfill as it is subject to more re-use and recycling (such as is occurring with construction and demolition waste).
- 9.83 As a result, forms of low-level (i.e. below original ground level) reclamation are likely to be increasingly common. For hard rock quarries this means that sites will often be reclaimed to a landform significantly different to that which preceded the workings, and for sand and gravel quarries in river valleys where the water table is high, it would mean a continuing likelihood of reclamation involving the creation of substantial lakes. As well as providing opportunities (e.g. for habitat creation, geodiversity and recreation opportunities), this can create impacts such as those referred to in para. 9.80 and, for reclamation involving lakes, potential conflict with airfield safeguarding requirements due to the attractiveness of lakes to flocks of birds.

- 9.84 Large parts of a zone running north-south through the central part of North Yorkshire are affected by airfield safeguarding areas, and there is a large degree of overlap between such safeguarding areas and the overall distribution of sand and gravel resources. This can impact on opportunities for and design of water-based restoration, particularly for biodiversity, given the importance of ensuring that any risk to aircraft from birdstrike⁴⁹ can be managed.

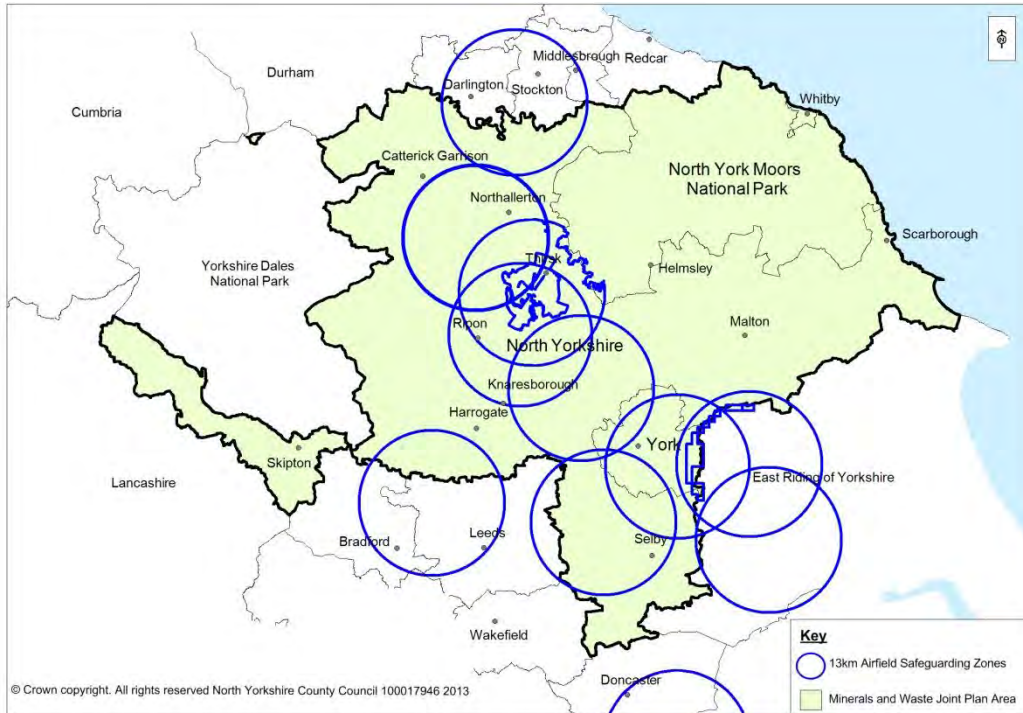


Figure 19: Airfield safeguarding zones

Policy D10: Reclamation and afteruse

Part 1)

Proposals which require restoration and afteruse elements will be permitted where it can be demonstrated that they would be carried out to a high standard and , where appropriate to the scale and location of the development, have demonstrably:

- i) Been brought forward following discussion with local communities and other relevant stakeholders and, where practicable, the proposals reflect the outcome of those discussions;**
- ii) Taken into account the location and context of the site, including the implications of other significant permitted or proposed development in the area and the range of environmental and other assets and infrastructure that may be affected, including any important interactions between those assets and infrastructure;**
- iii) Reflected the potential for the proposed restoration and/or afteruse to give rise to positive and adverse impacts, including cumulative impacts, and have sought where practicable to maximise potential overall benefits and minimise overall adverse impacts;**

⁴⁹ Birds can be ingested in aircraft engines or cause other damage which presents a risk to an aircraft in flight. Larger birds, particularly those which congregate in flocks, tend to present the greatest hazard.

- iv) Taken into account potential impacts on and from climate change factors
- v) Made best use of onsite materials for reclamation purposes and only rely on imported waste where essential to deliver a high standard of reclamation;
- vi) Provided for progressive, phased restoration where appropriate, providing for the restoration of the site at the earliest opportunity in accordance with an agreed timescale;
- vii) Provided for the longer term implementation and management of the agreed form of restoration and afteruse (except in cases of agriculture or forestry afteruses where a statutory 5 year maximum aftercare period will apply).

Part 2)

In addition to the criteria in Part One above, proposals will be permitted which deliver a more targeted approach to minerals site restoration and afteruse by contributing towards objectives, appropriate to the nature, scale and location of the site, including where relevant:

- i) In areas of best and most versatile agricultural land, prioritising the protection and enhancement of soils and the long term potential to create areas of best and most versatile land during reclamation of the site;
- ii) Where opportunities allow, particularly for sand and gravel extraction in the flood plains of the rivers Swale and Ure, providing additional flood storage capacity to help to minimise flooding in upstream and downstream locations;
- iii) Within the National Park and AONBs, enhancing the special qualities of the designated area and/or providing opportunities for the enjoyment and understanding of those special qualities;
- iv) Within airfield safeguarding zones, particularly where reclamation for biodiversity is involved, ensuring that reclamation and afteruse proposals respect safeguarding constraints whilst maximising the potential restoration and afteruse benefits delivered by the site;
- v) In proximity to important heritage assets, ensuring that the significance of assets and their settings is sustained and where practicable enhanced and, also where practicable, that opportunities to facilitate enjoyment of the asset are provided;
- vi) Where the development is located within or adjacent to identified green infrastructure corridors, reflecting any locally agreed priorities for delivery of additional or enhanced green infrastructure and ecosystems services;
- vii) In proximity to major settlements within and adjacent to the Plan area, and subject to local amenity considerations, providing enhanced opportunities for informal and formal public access and recreation;
- viii) Promoting the delivery of significant net gains for biodiversity and the establishment of a coherent and resilient ecological network, based on contributing, where practicable, towards established objectives including the creation of Biodiversity Action Plan habitats, and seeking to deliver benefits at a landscape scale;
- ix) Creating geodiversity benefits where appropriate including contributing towards the delivery of priorities identified in any relevant Geodiversity Action Plan.

Main responsibility for implementation of policy: NYCC, NYMNPA, CYC, Minerals and Waste industry

Key links to other relevant policies and objectives

Strategic Policies in Chapters 5,6 and 7 and Policies D02, D04, D06, D07, D08, D09, D11, D12

Objectives 9, 10, 11, 12

Monitoring: Monitoring indicator 54 (see Appendix 3)

Policy Justification

- 9.85 National planning guidance defines restoration as ‘operations associated with the winning and working of minerals and which are designed to return the area to an acceptable environmental condition, whether for the resumption of former land use or a new use’. The process of restoring a site may also involve a period of aftercare, required to ensure the proposed use is implemented. The term ‘reclamation’ refers to the combined process of restoration and, where relevant, aftercare.
- 9.86 A high standard of reclamation is essential to ensure that development is sustainable. Applicants for minerals or waste development where reclamation is required will need to demonstrate, as part of their initial proposals, how this can be achieved and the intended timescale for delivery, which should be as soon as practicable. Proposals should include provision for phased reclamation where this would assist in minimising the overall impacts of the development. In bringing forward proposals, applicants should have regard to the national Planning Practice Guidance on Flood risk and Coastal Change.
- 9.87 Particularly for proposals which are large in scale, or which would lead to restoration for a use other than the original (pre-development) use, or which are located in close proximity to local communities or in other sensitive locations, applicants should liaise with host communities and other relevant stakeholders, including statutory bodies, at pre-application stage when developing restoration and afteruse proposals. This can ensure that local views are taken into account at an early stage in the design of the scheme and that the proposals receive a higher level of local support.
- 9.88 It is also important, particularly for larger scale development, to ensure that the wider context of a development site, beyond its immediate boundaries, is taken into account, such as other permitted or proposed development in the local area and any potential for local cumulative impacts (both positive and adverse) on other relevant environmental, social or economic matters. By following such an approach it is likely that the overall potential of the reclamation proposals can be maximised, at the same time as any adverse impacts are minimised. Information to demonstrate how the wider context has been taken into account should be included in reclamation schemes and in most cases should be the subject of pre-application discussion with the relevant planning authority. Where reclamation proposals involve the import of waste materials in order to achieve a suitable landform, this should be justified in terms of the benefits to the standard of reclamation that would be achieved and will be assessed in the context of any additional adverse impacts resulting from the importation activity.
- 9.89 The very varied nature of the Plan area means that there are a wide range of contextual factors, constraints and opportunities that could be relevant to the reclamation of sites. To help ensure that, across the Plan area, maximum overall benefits are delivered, it is considered appropriate to encourage a more targeted approach to reclamation of sites. This can avoid any tendency to seek to deliver a range of types of restoration and afteruse within a single site, which may undermine the overall potential of the reclaimed site to deliver positive sustainability benefits. This approach does not mean that all sites should not only be restored to a single type of afteruse. It means that proposals should be directed towards specific objectives, relevant to the circumstances of the site and its location and taking into account the wider context of the area. In all cases, early discussion with the relevant planning authority is recommended when consideration is being given to restoration and afteruse proposals.

- 9.90 Proposals for reclamation should be included as part of the initial planning application. For longer term but temporary development, it may be appropriate for full details to be reserved for later approval, although the overall concept will need to be established at the outset. Whatever forms of reclamation are agreed, it will be necessary to ensure that appropriate safeguards and controls are in place to ensure the satisfactory long term afteruse of the land. Some afteruses, such as formal recreation, will need to be resolved through the submission of a separate planning application which, in some instances in the NYCC area, would need to be determined by the relevant District/Borough Council.
- 9.91 For reclamation to agriculture and forestry, the statutory 5-year maximum aftercare period, which can be required via the imposition of conditions on any relevant planning permission, will be sufficient to achieve the required standard. Some forms of reclamation, particularly where the afteruse involves the creation of wildlife habitats, or where required in order to provide a degree of continuing control over certain types of afteruse, such as informal recreation, may need to be the subject of a longer term management agreement between the developer and/or landowner and the planning authority. Where such a requirement has been identified in any pre-application discussions with the planning authority, applicants should include details of proposed longer term management measures within their proposals. The use of section 106 agreements will, where necessary, be used to ensure implementation of agreed longer term management arrangements. Policy M18 sets out specific further local policy in relation to restoration of sites for hydrocarbons development.
- 9.92 In bringing forward proposals for minerals development giving rise to a requirement for reclamation, applicants should also refer to the good practice recommendations contained in the 'Managing Landscape Change' study commissioned by NYCC with funding from Historic England (available via the NYCC website). Applicants are encouraged to reflect relevant recommendations in their proposed approach.

Sustainable design, construction and operation of development

- 9.93 Delivering a high standard of design, construction and operation for minerals and waste development is important because of the role this can play in contributing to factors such as:
- a high quality environment
 - minimisation and mitigation of adverse impacts from new development
 - efficient use of resources, including minimisation of waste
 - minimisation and where necessary mitigation of climate change causes and effects
- 9.94 National planning policy gives priority to achieving high design standards as an important element of delivering sustainable development. As also set out in the NPPF, planning has a role in sustainable development through the need to mitigate and adapt to climate change and helping the country move towards a low carbon economy. Matters such as flood risk, coastal change and water supply are also relevant, with many parts of the area being vulnerable to flooding both from rivers and from surface water runoff.
- 9.95 Minerals deposits themselves can help to mitigate the effects of climate change. For example, the presence in the ground of mineral resources, such as sand and gravel, can help to slow throughflow of water and therefore help contribute to flood attenuation or alleviation. However, minerals developments can also help adaption

to climate change, particularly where minerals site reclamation and afteruse include provision flood water storage, habitat restoration and other forms of green infrastructure.

- 9.96 The movement of material up the waste hierarchy⁵⁰ can help to mitigate climate change impacts. For example, recycling waste can save CO₂ by conserving virgin materials that would otherwise be used in production, and by reducing landfill, which can lead to the emission of greenhouse gases.
- 9.97 The NPPF supports policies which promote the sustainability of a building. The North York Moors National Park Authority has, since 2008, been operating a policy which requires 10% of predicted CO₂ emissions to be off-set by requiring developments of 5 or more houses or other uses over 200sqm, to generate energy on-site from renewable resources. The emerging City of York Local Plan is proposing to require that new developments meet the relevant BREEAM⁵¹ or Code for Sustainable Homes standards.

Policy D11: Sustainable design, construction and operation of development

Part 1)

Proposals for minerals and waste development will be permitted where it has been demonstrated that measures appropriate and proportionate to the scale and nature of the development have been incorporated in its design, construction and operation in relation to:

- i) Minimisation of greenhouse gas emissions by incorporating energy-efficient siting, design and operational practices including those relating to bulk transport of materials;**
- ii) Minimisation of waste generated by new minerals and waste development;**
- iii) Generation and utilisation of renewable or low carbon energy where practicable and in a manner appropriate to the character and location of the development;**
- iv) Minimisation of water consumption by incorporating water efficiency measures including, where practicable, the re-use of waste water arising from the development;**
- v) Measures to minimise flood risk associated with the development including use of Sustainable Drainage Systems and permeable surfacing;**
- vi) A requirement for the relevant built or civil engineering elements of new minerals and waste developments in excess of 1000m² floor space to meet a minimum 'Very Good' BREEAM or CEEQUAL standard as appropriate;**
- vii) For energy-from-waste development, the efficient generation of energy including, for development with the potential to generate combined heat and power, the beneficial use of heat either on site or incorporating measures to enable provision of heat to other existing or proposed development in the vicinity of the site;**
- viii) Implementation of landscape planting comprising native species able to successfully adapt to climate change and, where practicable, incorporating areas of new wildlife habitat that would help to improve habitat connectivity;**
- ix) Mitigation of the impacts on the development arising from any predicted mining subsidence or land instability;**
- x) For minerals workings and mineral working deposits, consideration of tip**

⁵⁰ See waste context section in Chapter 2 for further information

⁵¹ BREEAM is a design and assessment method for sustainable buildings to improve, measure and certify the social, environmental and economic sustainability of new buildings.

<p>and quarry slope stability, the impacts of any dewatering activity and incorporating appropriate mitigation in the design of tips and slopes to minimise any hazard to people and property.</p> <p>Proposals for substantial new minerals extraction and for the large-scale treatment, recovery or disposal of waste should be accompanied by a climate change assessment showing how the proposals have taken into account impacts from climate change and include appropriate mitigation measures where necessary.</p> <p>Part 2)</p> <p>Proposals for new built development should demonstrate how the development would be designed, constructed and operated in order to:</p> <ul style="list-style-type: none"> i) Minimise waste generated during construction of the development, and incorporate measures to encourage or facilitate the re-use and recovery of any waste generated during construction of the development; ii) Incorporate appropriate space to enable waste arising during use of the development to be separated and stored prior to being collected for recycling or re-use; iii) Use sustainable construction materials where practicable, including use of alternatives to primary land-won aggregate. 	
<p>Main responsibility for implementation of policy: NYCC, NYMNPA, CYC, Minerals and Waste industry</p>	
<p>Key links to other relevant policies and objectives</p>	
<p><i>Strategic Polices in Chapter 5,6 and 7 and Policies D07, D09, D10 D13</i></p>	<p><i>Objectives 9, 10, 11, 12</i></p>
<p>Monitoring: Monitoring indicator 55 (see Appendix 3)</p>	

Policy Justification

- 9.98 Minerals and waste developments can be large in scale and sometimes give rise to significant impacts. The fact that minerals can only be worked where they occur also means that development sometimes needs to take place in sensitive locations. They can also be energy intensive, as a result of transport requirements and the operational processes involved. Careful design and a comprehensive approach to minimisation and mitigation of impacts can make acceptable developments that would otherwise be unacceptable, as well as helping to reduce overall adverse impacts. The incorporation of sustainable design measures such as sustainable urban drainage systems, water consumption efficiency measures, use of sustainable transport modes such as conveyors and pipelines to move minerals within and between sites, can all help conserve natural resources and reduce pollution.
- 9.99 Particular design considerations can apply to quarries and mining waste tips. In particular, there is a need to ensure that quarry faces and any waste tips are designed to ensure the stability of slopes, to ensure the safety of the public and of employees. It is therefore important that proposals for new mineral working and/or the construction of mining waste tips are supported by information about any potential hazard to people and property, that the significance of any potential hazard is assessed, and that any features which could adversely affect the stability of the working are identified. In some cases extraction of mineral, particularly aggregate, can involve pumping to reduce local groundwater levels to facilitate access to the deposit. In most cases, any impacts are likely to be confined to the near vicinity of the quarry site. However, there may be circumstances where there is potential for more significant effects and in these cases it is particularly important that proposals

include an adequate assessment of potential effects and, where necessary, that appropriate mitigation and monitoring are provided.

- 9.100 Some parts of the area are likely to be at greater potential risk of land instability as a result of ground subsidence. Instability arising from the presence of former mine workings is addressed in Policy D13. In the Ripon area there is a history of ground subsidence as a result of the dissolution of gypsum deposits underlying parts of the City and adjacent areas. More information about this can be found in the Harrogate Local Plan (Saved policies). Where new built waste management facilities or ancillary infrastructure is proposed in areas that may be at risk, advice should be sought from relevant specialists about any additional design measures that may be required. Additionally, minerals or waste development that could lead to significant impacts on groundwater movements in this area may require more detailed assessment, as these may have potential to impact on subsidence.
- 9.101 National planning policy gives high priority to achieving high design standards as an important element of sustainable development. With regard to waste, it seeks provision for waste management to be incorporated in the design of other forms of development, as well as the use of design measures to ensure that waste arising from construction and operation of development is handled to maximise reuse and recovery opportunities and that the need for off-site disposal is minimised. Using materials sustainably in new development and in repair and refurbishment provides opportunities to help to conserve natural resources and move waste up the hierarchy. The sustainable design of buildings can also help to address energy consumption through the provision of passive heating and cooling. Whilst many built structures associated with minerals and waste development are specialised structures, where they fall within the scope of the BREEAM sustainability criteria or the equivalent CEEQUAL⁵² rating criteria for civil engineering and infrastructure works then proposals in excess of 1000m² floor space should seek to meet a minimum 'Very Good' standard. Increased energy efficiency can also be secured by ensuring that, where practicable, proposals involving the generation of energy from waste are located where heat output from the facility can be utilised, as this is often more efficient than electrical power generation.
- 9.102 Planning has an important role in delivering sustainable development, mitigating and adapting to climate change and helping the country to move towards a low carbon economy. This includes working towards a radical reduction in greenhouse gas emissions, minimising vulnerability and creating resilience to climate change impacts (such as increased flood risk), supporting the delivery of renewable and low carbon energy and associated infrastructure. Where practicable, developers should incorporate measures to ensure that development (other than short-term development) is resilient to the predicted impacts of climate change. Proposals for new mineral extraction at a rate in excess of 75,000 tonnes per annum and for the treatment, recovery or disposal of more than 75,000 tonnes per annum of waste should be accompanied by an assessment showing how the design for the proposal has taken into account the need for resilience to climate change factors. These thresholds are based on the 75,000 tonnes per annum threshold for strategically significant waste facilities used in the Yorkshire and Humber Waste Position Statement, which has been applied also to minerals output for the purposes of Policy D11.
- 9.103 Within the City of York and the North York Moors National Park the relevant planning authority has responsibility for all forms of development proposals, not just minerals

⁵² CEEQUAL is a sustainability rating and assessment scheme for civil engineering and infrastructure projects, similar to the BREEAM rating system for buildings.

and waste. Within the NYCC area many forms of development are the responsibility of the District and Borough Councils. The incorporation of measures to help ensure the minimisation of waste and the appropriate use of materials in built development is necessary to make development more sustainable. Proposals for all forms of built development, other than householder development, should therefore include information on how waste will be minimised, recycled or reused where relevant as part of the proposals, how alternatives to primary minerals may be able to be substituted for primary minerals in the development, and where relevant, incorporate space in designs to facilitate the separation and storage of waste arising during the operational life of the development.

Protection of agricultural land and soils

- 9.104 The agricultural economy is very important within the Plan area, which is predominantly rural in character. It is therefore also important that, so far as possible, good quality agricultural land and soils are protected from impacts from minerals and waste development.

Policy D12: Protection of agricultural land and soils

Best and Most Versatile agricultural land will be protected from unnecessary and irreversible loss. Where development of best and most versatile agricultural land is justified proposals should prioritise the protection and enhancement of soils and the long term potential to recreate areas of best and most versatile land. Where relevant, development will be subject to aftercare requirements to ensure that a high standard of agricultural restoration can be achieved.

Development proposals will be required to demonstrate that all practicable steps will be taken to conserve and manage on-site soil resources, including soils with environmental value, in a sustainable way. Development which would disturb or damage soils of high environmental value such as peat or other soil contributing to ecological connectivity or carbon storage will not be permitted.

Main responsibility for implementation of policy: NYCC, NYMNPA, CYC, Minerals and Waste industry

Key links to other relevant policies and objectives

Strategic Policies in Chapters 5, 6 and 7 and Policies D07, D10 | *Objectives 9, 10, 11, 12*

Monitoring: Monitoring indicator 56 (see Appendix 3)

Policy Justification

- 9.105 The Plan area contains very large areas of land in use for agriculture, particularly within the NYCC area. A substantial proportion of this land, particularly in the lower lying areas, is of best and most versatile quality (i.e. it meets the requirements for classification as Grades, 1, 2 or 3a quality in the Defra agricultural land classification system). National planning policy requires that local planning authorities should take into account the economic and other benefits of best and most versatile agricultural land and that, where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be used in preference to that of higher quality.
- 9.106 Whilst it is unlikely that there will be a need to develop substantial areas of agricultural land for waste management purposes during the Plan period, the nature of mineral working means that, in the large majority of cases, disturbance of

agricultural land is involved. There is a relatively close association between areas of high-quality agricultural land and minerals resources, for example in the Vales of Mowbray, York and Pickering and in Selby District. To meet future needs for minerals it is expected that development of agricultural land, including some land of best and most versatile quality, will be necessary as a result of the wide range of other constraints that apply in identifying suitable locations for mineral working, including the fact that minerals can only be worked where they occur.

- 9.107 Proposals involving development of more than 1ha of agricultural land should be accompanied by sufficient information to demonstrate the quality of the land within the site, in accordance with the national agricultural land classification system. Where disturbance of agricultural land is justified, particularly best and most versatile land, it will be important to ensure that soils are stripped, handled, stored and conserved at the site in a manner which maintains their longer term potential. This will allow their eventual reuse to recreate land of best and most versatile quality or, in some cases, to enhance the quality of land of previously lower quality. Where practicable, soils removed to allow minerals extraction should be directly replaced as part of progressive restoration of the site. Where this is not practicable, soils can be stored in screening mounds as part of landscaping proposals. In all cases it is important to avoid repeated handling of soils as this can result in a progressive degradation in quality. It is also important to ensure that soils are only stripped, handled and replaced when in a relatively dry condition, to prevent damage to the soil structure. Where permission is granted for development which involves stripping, handling or replacement of soil, conditions will be attached to ensure best practice in the interests of protecting the soil resource. Short term relaxations of usual noise limits may be incorporated in any permission to allow short-term noisy activities, such as soil-stripping and bund formation.
- 9.108 Where reclamation of mineral workings to agriculture is proposed, an aftercare period will be required (usually for 5 years) to ensure that the site is capable of beneficial afteruse for agriculture and this will also be a requirement of conditions imposed on any permission.
- 9.109 In some cases, soils may have particular qualities which mean they are important for biodiversity, even if they are not suitable for formation of best and most versatile agricultural land. Such soils are also a valuable resource and should be retained and used effectively as part of site restoration to ensure that their value is preserved for the future.

Coal Mining Legacy

- 9.110 An issue associated with coal mining is the legacy of large numbers of disused mines in the Plan area. Across the whole of North Yorkshire (including the two National Parks) there are approximately 13,500 recorded mine entries. These can give rise to land stability issues and other hazards.
- 9.111 It is the responsibility of the Coal Authority to map and monitor old and disused mines and also highlight the public safety hazards and risk associated with them, but the Authorities, and the District and Borough Councils in the NYCC area, must take them into consideration when dealing with planning applications and development proposals.

Policy D13 - Consideration of applications in Development High Risk Areas

Where development, other than exempt development as defined in the Development High Risk Exemptions list, is proposed within Development High Risk Areas identified by the Coal Authority, proposals should be accompanied by a Coal Mining Risk Assessment and where necessary incorporate suitable mitigation measures in relation to land stability. Permission will be granted where it can be demonstrated, through the Coal Mining Risk Assessment, that the development will not be at unacceptable risk.

Main responsibility for implementation of policy: NYCC, NYMNPA, CYC, Minerals and Waste industry and The Coal Authority

Key links to other relevant policies and objectives

D11

Objectives 9, 10

Monitoring: Monitoring indicator 57 (see Appendix 3)

Policy Justification

- 9.112 National planning policy and guidance indicates that Planning Authorities should be concerned about land stability as failure to deal with the issues could cause harm to human health, local property and associated infrastructure and the wider environment. The planning system has an important role in considering land stability by:
- Minimising the risk and effects of land stability on property, infrastructure and the public.
 - Ensuring that development should not be placed in unstable locations without various precautions, and
 - Bringing unstable land back into productive use, wherever possible.
- 9.113 The Coal Authority has identified Development High Risk Areas (formally known as Coal Mining Development Referral areas). These are most likely to be subject to land stability and other public safety hazards associated with old mine entries. They occur mainly within Selby District and more limited locations in the western part of the Plan area. Low Risk Development Areas are more extensive.
- 9.114 Within Development High Risk Areas, the Coal Authority will expect all new development proposals that require planning permission, except certain types of development that are exempt, to be accompanied by a Coal Mining Risk Assessment when submitted to the relevant local planning authority. Proposals in Development High Risk Areas for the types of development identified in the Development High Risk exemptions lists in paragraphs 9.116 and 9.117 below, as well as proposals in Development Low Risk Areas, will not require a Coal Mining Risk Assessment but the Coal Authority's standing advice will apply and the local planning authority will include an informative note within the decision notice when granting planning permission.
- 9.115 The exemption list is divided into two parts. The first part is based on type of application and the second on the nature of the development proposed. Proposals only need to meet a criterion on one of the lists in order to be exempt.
- 9.116 Exemptions based on type of application:
- Reserved matters/reserved details, approval of matters specified in conditions,
 - Householder development,
 - Extension of time,
 - Change of use,

- Variation or removal of condition,
 - Heritage consents, (listed building or conservation areas),
 - Advertisement consents,
 - Lawful development certificates,
 - Prior notification, (any type),
 - Hazardous substances consent,
 - Tree or hedgerow works, (TPO or in conservation area),
- 9.117 Exemptions based on nature of development:
- Change of use, (land or buildings) – where no other built development is proposed,
 - Temporary structures with no ground works,
 - Means of enclosure,
 - Street type furniture,
 - Alterations to existing non-residential buildings that create no new floor space,
 - Non-commercial private/domestic stables.

Section 106, Community Infrastructure Levy and Planning Performance Agreements

- 9.118 Section 106 of the Town and Country Planning Act 1990 provides a mechanism for planning obligations, in order to make development acceptable in planning terms which would otherwise not be acceptable. This can include the making of a financial contribution towards measures (which may be off-site in some circumstances) where needed to mitigate against or compensate for the impacts of the development. Such contributions should be proportionate to the scale and nature of the development and the matters which need to be dealt with. The minerals and waste planning authorities will seek such agreements where justified and where they would be in accordance with relevant legislation and guidance.
- 9.119 The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010. NYCC is not a CIL-charging authority. City of York Council and the North York Moors National Park Authority have not yet adopted any CIL policy. However, should CIL be introduced in either of these areas any relevant obligations relating to minerals and waste development would need to be met.
- 9.120 A Planning Performance Agreement (PPA) is defined as an agreement between the local planning authority (or minerals and waste planning authority in the context of this Joint Plan) and an applicant to provide a project management framework for handling a planning application. A PPA enables the planning authority and the applicant to agree timescales, actions and resources for handling a particular application. It should cover the pre-application stages but may also extend through to the post-application stage. PPAs can be particularly useful in setting out an efficient and transparent process for determining large and/or complex planning applications. They encourage joint working between the applicant and the planning authority and can also help to bring together other parties such as statutory consultees. Their form can vary in type from a detailed legal document through to much simpler memoranda of understanding. Due to the scale and complexity of some minerals and waste developments, it may be appropriate for a planning application to be dealt with through a PPA.

Chapter 10: Introduction to Site Allocations

- 10.1 In order to help support delivery of the policies in the Joint Plan, a range of sites are identified as allocated sites in Appendix 1. These are sites which have been submitted to the Authorities for consideration for allocation during preparation of the Joint Plan and which are considered suitable in principle for the forms of development proposed, following application of a site selection process, including sustainability appraisal. In a small number of instances Preferred Areas have been identified. These are broader areas within a defined boundary in which it is considered that there is likely to be potential to develop a suitable site, for example in order to meet longer term requirements for a particular mineral. Planning permission would need to be granted, following submission and consideration of a detailed planning application, before any development of the site for the proposed use/s could take place. The information accompanying each site allocation also identifies a range of key matters, identified as part of the site assessment process, to inform the content of such an application.

Note: when providing a response relating to a specific site please ensure the site reference number is included with the relevant comments.

Appendices

The following appendices form part of the Joint Plan.

APPENDIX 1 - ALLOCATED SITES AND AREAS OF SEARCH

APPENDIX 2 - SAFEGUARDED SITES

APPENDIX 3 - MONITORING FRAMEWORK

APPENDIX 4 - SAVED POLICIES TO BE REPLACED BY THE MINERALS AND WASTE
JOINT PLAN POLICIES

DRAFT

Glossary

Term	Description
Aggregates	Sand and gravel, crushed rock and other bulk materials used in the construction industry for purposes such as the making of concrete, mortar, asphalt or for roadstone, drainage or bulk filling.
Agricultural waste	Includes a variety of substances such as pesticides containers, oil and silage wrap, as well as slurry which result from activities including horticulture, fruit growing, dairy farming, livestock breeding, seed growing, grazing and nurseries.
Airfield (Aerodrome) Safeguarding	Aerodromes need to take measures necessary to ensure safety of aircraft while flying in the vicinity of an aerodrome. Planning applications should meet certain criteria relating to height and location of proposed development to the aerodrome. Any proposed development with bird attractant properties within 13km of an aerodrome needs to be consulted upon.
Air Quality Management Areas (AQMA)	Locations where national targets for air quality are not being met. Each local authority is responsible for measuring their air quality and trying to predict how it may change over several years. The aim of the review is to make sure that the national air quality objectives will be achieved across the UK by the relevant deadlines. These objectives have been put in place to protect people's health and the environment. If objectives are not achieved an AQMA with an accompanying plan is produced in order to improve air quality.
Anaerobic digestion	Organic matter broken down by bacteria in the absence of air, producing a gas (methane) and solid (digestate). The by-products can be useful, for example biogas can be used in a furnace and digestates can be re-used on farms as a fertiliser.
Area of Outstanding Natural Beauty AONB	Area designated under the National Parks and Access to the Countryside Act 1949 where the primary purpose is the conservation and enhancement of natural beauty including flora, fauna, geology and landscape. Each AONB has a Statutory Management Plan.
Appropriate Assessment	Process for assessing impacts on European sites, habitats or species. It is a decision making tool.
Aquifers	An aquifer is an underground layer of water-bearing permeable rock or unconsolidated materials (gravel, sand, or silt) from which groundwater can be extracted.
Area of Search	An area identified as having minerals resources potentially suitable for extraction and where working may be acceptable subject to more detailed assessment at project stage.
Best and Most Versatile Agricultural Land (BMVL)	Defined as Grades 1, 2 and 3a by Agricultural Land Classification methodology. BMVL is the land which is most flexible, productive and effective in response to inputs and which can best deliver future crops for food and non-food uses.

Biodegradable waste	Includes food waste, garden waste and cardboards which can decompose without any assistance.
Biodiversity	Simply means biological diversity. It is the degree of variation amongst living organisms within a given area.
Biodiversity Action Plan	Produced in response to UN Convention on Biological Diversity (1992) and lists priority habitats and species.
Borrow pits	Site where mineral (often aggregate) is excavated specifically for a construction project nearby.
British Geological Survey (BGS)	The BGS provides geological maps and advice to the public, local authorities, academics and industry.
Brownfield site	Land which has been previously developed, excluding mineral workings or other temporary uses.
Building stone	Hard rock types suitable for use directly for construction in the form of walling, roofing, flagstones or for ornamental purposes. In the Plan area the principle rock types used as building stone include Carboniferous sandstones, Permian dolomitic limestones and Jurassic limestones and sandstones.
Carbon Capture and Storage (CCS)	Involves capturing carbon dioxide, either before or after burning, transporting it in pipelines and permanently storing it underground in suitable geological formations.
CEEQUAL	A sustainability rating and assessment scheme for civil engineering and infrastructure projects, similar to the BREEAM rating system for buildings.
Climate change	Is a change in the statistical distribution of weather over periods of time that range from decades to millions of years.
Coal bed methane	Extracted by drilling into unmined coal seams to release the gas.
Coal mine methane	Extraction of methane from active and abandoned coal mines.
Coal mining legacy	Disused mines which give rise to land stability issues and other hazards. The Coal Authority map and monitor the mines and highlight public safety hazards and risk associated with them.
Coal mining risk assessment	Needs to be carried out by applicant in Development High Risk Areas and submitted alongside a planning application.
Colliery spoil	By product of coal mining, can be used as secondary aggregate.
Co-location	Having complementary industries or facilities sharing the same area of land.
Commercial and industrial waste (C&I)	Produced by a range of sectors which can be separated into commercial groups (including Retail & Wholesale, Public Services and other services) and industrial groups (including food, drink & tobacco, chemical/non-metallic minerals, power and utilities, metal manufacturing, machinery and equipment and textiles, wood and paper publishing).

Composting	Aerobic processing of biologically degradable organic wastes to produce an end product of compost.
Community Infrastructure Levy (CIL)	A new levy that local authorities in England and Wales can choose to charge on new developments in their area. The charges are based on the size and type of the new development. The money raised from the community infrastructure levy can be used to support development by funding infrastructure that the council, local community and neighbourhoods want, like new or safer road schemes, park improvements or a new health center.
Conservation Areas	Those areas which represent 'an area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance under the Planning (Listed Buildings and Conservation Areas) Act 1990'. Also includes Nature Conservation Areas.
Construction, demolition and excavation waste (CDEW)	Waste which arises from activities such as construction, refurbishment, demolition or excavation. It includes items such as plasterboard, bricks, soils, minerals, glass, metals and tiles.
Conventional hydrocarbons	Oil and gas where the reservoir is in porous rock such as sandstone or limestone and can be extracted using traditional drilling techniques.
Crushed rock	Hard rock (such as limestone) which has been quarried, fragmented and graded for use as aggregate.
Designated heritage asset	A World Heritage Site, Scheduled monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.
Derelict land	Land so damaged by development that it is incapable of beneficial use without treatment.
Development High Risk Areas (previously Coal Mining Development Referral Areas)	Identified by the Coal Authority mining areas most likely to be subject to land stability and other public safety hazards.
Ecology	The study of living organisms in relation to their surroundings.
Ecosystems services	Can be simply described as the benefits people obtain from ecosystems. These include: provisioning services (food and water); regulating services (flood and disease control); cultural services (such as spiritual and cultural benefits); and supporting services (such as nutrient cycling that maintains conditions for life on Earth).
Energy from waste (EfW)	The conversion of waste into a useable form of energy, often electricity and/or heat.

Environmental assets	Naturally occurring entities that provides environmental “functions” or services.
Environmental Impact Assessment	Formal process used to predict the environmental consequences (positive and negative) of a plan, policy, program or project prior to moving forward with the proposal.
Exception Test for flood risk	This is undertaken for locations where the sequential test alone cannot deliver acceptable locations and where development is necessary for social or economic reasons.
Flood alleviation	Measures put in place to lower or eliminate the risk of flooding in developed areas.
Flood Zones	These Flood Zones refer to the probability of river and sea flooding, ignoring the presence of defences, and are classified into different categories. The Environment Agency has a map of the different flood zones on their website.
Furnace Bottom Ash	Is the coarse ash fraction produced by coal-fired power stations when pulverized fuel is burned at high temperatures and pressures. It has similar chemical properties to PFA, consisting predominantly of oxides of silica, aluminium and iron, but has a sand-like gritty texture and can be used as secondary aggregate.
Gasification	A chemical or heat process to convert a waste to a gaseous form of energy.
Geodiversity	The variety of rocks, minerals, fossils, soils, landforms and natural processes.
Geodiversity Action Plan	Used for the conservation and enhancement of geodiversity across an area or region.
Green Belt	Specially designated area protected from most forms of development in order to stop urban sprawl and the coalescence of settlements, preserve the character of existing settlements and encourage development to locate within existing built-up areas.
Green infrastructure	‘Green infrastructure is a network of multi-functional green space, both new and existing, both rural and urban, which supports the natural and ecological processes and is integral to the health and quality of life of sustainable communities. Green Infrastructure includes parks, open spaces, playing fields, woodlands, allotments and private gardens.
Groundwater Source Protection Zones	Protection zones for groundwater supplies such as wells, boreholes and springs including those used for used for public drinking water supply. Displayed on maps and used to help prevent contamination of the water.
Groundwater	Is the water located beneath Earth's surface in soil pore spaces and in the fractures in rock formations. A unit of rock or an unconsolidated deposit is called an aquifer when it can yield a

	usable quantity of water.
Gypsum	Gypsum is a product of the evaporation of seawater and is used mainly in the manufacturing of plaster, plasterboard and cement. Synthetic gypsum is produced at power stations as a by-product of the process of flue gas desulphurisation.
Habitats Regulations Assessment (HRA)	Is founded in European legislation and regulations which introduced a need to carry out Habitat Regulations Assessments (and the associated appropriate assessment) for any plans or projects which may affect European sites of significance (Natura 2000 sites).
Hazardous waste	Waste that may cause particular harm to human health or the environment.
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
Historic environment record	Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.
Historic Parks & Gardens	The Register of historic parks and gardens of special historic interest in England is a record of nationally significant historic parks and gardens managed by English Heritage. As with listed buildings they are graded as I, II* or II. Local authorities and County Gardens Trusts may have local registers or local lists of historic parks and gardens of local significance.
Hydraulic fracturing (fracking)	Fracking is the fracturing of rock by injecting a pressurized liquid in order to extract oil or gas.
Incineration with energy recovery	Burning of waste in an incinerator and using the energy produced as heat or as electrical energy.
Landbanks	A landbank is a stock of land with planning permissions for the winning and working of minerals, usually expressed in terms of assumptions about annual production rates.
Landfill	Disposal of waste into the land. Usually involves the infill of pre-existing voids. Land raise involves the disposal of waste where there is no pre-existing void.
Landscape	An area, as perceived by people, the character of which is the result of the action and interaction of natural and/or human factors.

Landscape character	A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse.
Landscape character assessment (LCA)	The process of identifying and describing variation in the character of the landscape, and using this information to assist in managing change. The assessment seeks to identify and explain the unique combination of elements and features that make landscapes distinctive. The process results in the production of a Landscape Character Assessment (also shortened to LCA).
Landscape strategy	The overall vision and objectives for what the landscape should be like in the future, and what is thought to be desirable for a particular site, landscape type or area as a whole, usually expressed in formally adopted plans and programmes or related documents.
Listed Buildings	Are buildings that have been placed on the Statutory List of Buildings of Special Architectural or Historic Interest, under the Planning (Listed Buildings and Conservation Areas) Act 1990. A listed building may not be demolished, extended or altered without special permission from the local planning authority.
Local Aggregates Assessment (LAA)	An annual assessment, prepared by mineral planning authorities, of aggregate minerals supply requirements in a planning area or areas.
Local Authority Collected Waste (LACW)	Household waste plus other similar waste collected and managed by local authorities.
Local Enterprise Partnership (LEP)	Are locally-owned partnerships between local authorities and businesses. They aim to determine local economic priorities and undertake activities to drive economic growth and create jobs.
Low level (non-nuclear) radioactive waste (LLW)	Waste, not derived from the nuclear industry and having a radioactive content not exceeding four gigabecquerels per tonne (GBq/te) of alpha or 12 GBq/te of beta/gamma activity.
Local Nature Partnership	Partnerships of a broad range of local organisations, businesses and people who aim to manage and bring about improvements in their local natural environment.
Major development test	<p>The NPPF states that planning permission should be refused for major developments in National Parks and AONBs except in exceptional circumstances and where it can be demonstrated they are in the public interest. These applications should include assessment of:</p> <ul style="list-style-type: none"> - The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy. - The cost and scope for having the development outside the designated area, or meeting the need in another way - Any detrimental effect on the environment, the landscape and recreational opportunities, and extent to which that could be moderated. <p>Major development in the context of the major development test is</p>

	not defined and is determined on a case-by-case basis.
Mechanical biological treatment	Involves processing residual waste by a combination of both mechanical and biological treatment methods.
Mechanical recovery facility (MRF)	Actively alters the composition of waste in order to produce an end product that can be utilised.
Mineral and Waste Joint Plan (MWJP)	Is the planning policy document which will set out a local basis for minerals and waste planning for the area comprising North Yorkshire, City of York and North York Moors National park planning authority areas. Forms part of the statutory Development Plan.
Mineral consultation areas (MCAs)	An area identified in order to ensure consultation between the relevant minerals planning authority and lower tier planning authority areas before the determination of non-mineral applications.
Mineral safeguarding areas (MSAs)	Areas defined by mineral planning authorities to protect potentially economic resources of minerals from other forms of development which may prevent future extraction of the mineral.
Annual Monitoring Report	A report containing information on how plan production is progressing and once the Plan is adopted the extent to which policies set out in the Plan being achieved.
Municipal waste	Comprises mainly household and some other waste for which the waste collection and disposal authorities have responsibility forms an element of LACW, which includes similar C&I waste collected by local authorities.
Municipal Waste Management Strategy	Strategy produced by waste management authorities which outlines targets for dealing with municipal waste within their area.
National Park	Areas designated to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. Two National Parks are located within North Yorkshire: the North York Moors National Park and the Yorkshire Dales National Park.
National Planning Policy Framework (NPPF)	Simplified planning document which acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications.
Planning Practice Guide (PPG)	More detailed advice to be used in conjunction with the NPPF.
Naturally Occurring Radioactive Material (NORM)	Found everywhere in low concentrations, can be released during mineral extraction and processing when it is concentrated and becomes a waste.
Neighbourhood Plan	Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the

	development and growth of their local area.
Oil and Gas Authority	Oil and gas regulator in the UK
Petroleum exploration and Development Licence (PEDL)	PEDLs cover the three main stages of petroleum activity which are exploration, appraisal and development. The licence provides exclusivity to the holder to undertake seismic investigations, drill wells and develop discoveries. PEDLs are issued by the Oil and Gas Authority, an Executive Agency of DBEIS.
Potash	There are various forms of potassium bearing minerals which can be mined for potash including sylvinite, polyhalite and carnalite. Potash is mainly used as a fertiliser and rock salt may occur in association with potash and this is used to grit the roads in winter.
Power station ash	Ash produced as a by-product by coal fired or biomass power stations. Can sometimes be used as an alternative source of aggregate.
Preferred area	An area identified as having policy support for development but where it is not practicable to define a specific development boundary.
Proximity Principle	Dealing with waste close to where it arises.
Pulverised fuel ash	Pulverised fuel ash (pfa) is the ash resulting from the burning of pulverised coal in coal-fired electricity power stations. The ash is very fine and it is removed from the flue gases and can be used as a secondary aggregate.
Pyrolysis	The combustion of waste, at temperatures in the range of 400 – 800c, in the absence of oxygen. The result is the production of liquid, gas and char, whose after-use depends on the type of waste. The most common usage is as a fuel for energy production.
RAMSAR site	Internationally important wetlands which are treated as European sites.
Reclamation	Restoring land that was once used for mineral extraction or as a landfill, in order to return it to a condition suitable for some other beneficial use.
Registered Battlefields	Designated battlefields which are monitored by Historic England and if required put on the 'at risk' register.
Registered Parks and Gardens	Designated parks and gardens which are monitored by Historic England and if required put on the 'at risk' register.
Reserves	Mineral reserves are resources which are economically viable for extraction and have the benefit of planning permission.

Residential buildings	For the purposes of the Plan this includes any permanent building which is normally occupied by people or would be so occupied, if it were in use for purposes for which it is designed.
Residual waste	Waste which cannot be recycled or otherwise dealt with further up the waste hierarchy.
Safeguarding	Protection of specific resource or site from being adversely impacted by alternative or encroaching development.
Scheduled Monuments	'Scheduling' is the process through which nationally important sites and monuments are given legal protection by being placed on a 'schedule', under the Ancient Monuments and Archaeological Areas Act 1979. Scheduling is the only legal protection specifically for archaeological sites. Only deliberately created structures, features and remains can be scheduled.
Secondary/recycled aggregate (RSA)	Includes materials such as waste and by-products with properties which enable them to be used as an alternative source of construction aggregate. Common examples are power station ash, spoil and recycled construction materials such as concrete and bricks.
Sequential Test	A sieving process which seeks to direct development away from areas more likely to flood.
Setting	The surroundings in which a valued area, site, building or feature is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.
Shale gas	Gas contained within small pores in fine grained rocks which can only be extracted using certain techniques (see Hydraulic fracturing).
Silica sand	Sandstone which contains a high proportion of silica (99% SiO ₂) in the form of quartz. Low levels of impurities are important as well as grain size.
Site Allocations	Identified sites with a specific boundary which could deliver the policies within the Minerals and Waste Joint Plan.
Sites of Importance for Nature Conservation (SINCs)	A site may qualify as a SINC due to the presence of notable species or an important habitat. SINCs form part of a wider national network of non-statutory locally valued wildlife sites and are generally administered by local authorities in partnership with conservation organisations. At a local level SINCs are also known as Local Geographical Sites (LGS) and Local Wildlife Sites (LWS).
Sites of Special Scientific Importance (SSSIs)	SSSIs are the country's very best wildlife and geological sites. There are over 4,000 SSSIs in England, covering around 7% of the country's land area. Over half of these sites are internationally important for their wildlife, and also designated as Special Areas of Conservation (SACs), Special Protection Areas

	(SPAs) or Ramsar sites.
Source Protection Zones	Environment Agency defined zones which include boreholes, springs and wells used for public drinking supply and certain commercial uses and so need protection from pollution.
Special Area of Conservation (SAC)	These are areas that have been given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity.
Special Protection Area (SPA)	For rare and vulnerable birds as listed in Annex 1 to the European Union's Birds Directive.
Strategic Environmental Assessment (SEA)	The Environmental Assessment of Plans and Programmes Regulations 2004 (which transposed the SEA Directive into law in England).
Strategic Flood Risk Assessment (SFRA)	An assessment usually undertaken by a local authority or group of local authorities to consider flood risk and examine the risks involved in developing certain areas within the County.
Statement of Community Involvement	Produced by local authorities as part of the Planning and Compulsory Purchase Act 2004 to explain to the public how they can be involved in the preparation of local development documents.
Sustainability Appraisal (SA)	This is a formal systematic and iterative assessment of local planning policy documents during their preparation in order to assess the extent to which they encompass the aim of working towards sustainable development.
Sustainable Communities Strategy (SCS)	The SCS creates a long-term vision for an area to tackle local needs and is prepared by the Local Strategic Partnership.
Sustainable development	Is a pattern of resource use that aims to meet human needs while preserving the environment so that these needs can be met not only in the present, but also for future generations. Delivery of sustainable development is an overarching objective of the planning system.
Sustainable Urban Drainage (SuDs)	SuDS are an approach to managing rainwater falling on roofs and other surfaces through a sequence of actions. The key objectives are to manage the flow rate and volume of surface runoff to reduce the risk of flooding and water pollution. SuDS also reduce pressure on the sewerage network and can improve biodiversity and local amenity.
Two tier structure	Where 2 or more Local Authorities cover the same area each with responsibility for different functions, including different aspects of planning.
Unconventional hydrocarbons	Oil or gas which cannot be extracted using traditional drilling techniques and include underground coal gasification, coal bed and coal mine methane and shale gas.

Underground coal gasification	The burning of coal underground and extracting the gasification products which can be processed to provide fuel.
Vein minerals	Vein minerals are layers of ore between layers of rock and can include fluorspar, barytes and lead.
Waste hierarchy	Is a guiding theme for waste policy at all levels and seeks the sustainable management of waste by giving preference to waste management methods towards the top of the hierarchy (such as prevention, re-use and recycling) over methods lower down the hierarchy (such as recovery and disposal).
Waste recovery	Processing waste to prevent it going to landfill. Recovery processes include incineration with energy recovery, advanced thermal treatment, anaerobic digestion and composting.
Waste Water	Water which is disposed of at domestic properties or through commercial and industrial activities.
World Heritage Sites	World Heritage Sites (WHS) are protected areas that are internationally recognised for their outstanding global value
Zero waste economy	Where material resources are re-used, recycled or recovered wherever possible, and only disposed of as the option of very last resort

Annex B: Allocated Sites

Minerals and Waste Joint Plan

Appendix 1

Allocated Sites Areas of Search

DRAFT

1 Introduction

- 1.1 During preparation of the Minerals and Waste Joint Plan, interested parties were invited to indicate land they would wish to see made available for minerals and waste development over the period up to 31 December 2030. The purpose of these 'calls for sites' was to help ensure that suitable and deliverable locations for future minerals and waste development can be identified in order to meet the objectives of the Plan.
- 1.2 Specific site allocations are those which can be identified with a relatively high degree of precision and where the grant of planning permission may reasonably be expected subject to submission of an acceptable detailed planning application (see Section 2 below). In a small number of instances Preferred Areas have been identified. These are broader areas within a defined boundary in which it is considered that there is likely to be potential to develop a suitable site, for example in order to meet longer term requirements for a particular mineral, although more detailed environmental and other investigations are likely to be needed before any part of the area could be confirmed as being suitable for development. They therefore provide a clear indication to developers of where development may be supported subject to necessary further testing of suitability.
- 1.3 Following a consultation on a first full draft of the Plan, a number of sites or areas put forward for development have either been withdrawn from consideration by the original submitter of the site, or have not been considered suitable to take forward further. As a result of this, and in order to provide flexibility to help ensure that an adequate supply of sand and gravel can be made available to meet potential requirements towards the end of the plan period, Areas of Search for concreting sand and gravel have been identified. These are areas where evidence suggests that suitable resources are likely to be present. They are relatively large areas, whose boundaries are defined with a lesser degree of precision than for specific site allocations or preferred areas, within which developers should direct their more detailed site search activity in order to bring forward additional resources if necessary. These Areas of Search are shown on the key diagram in the Plan and reproduced in this Appendix for convenience.
- 1.4 Sites have been assessed in line with a Site Identification and Assessment Methodology produced to support the Plan, which is available to view at: <http://www.northyorks.gov.uk/article/26220/Site-and-area-assessment>. A small number of additional sites were submitted following on from the Preferred Options consultation and these have also been subject of site assessment.
- 1.5 Assessment has included Sustainability Appraisal and a range of other assessments. Details of the Sustainability Appraisal Framework forms for each site can be viewed via the link above. A view has been taken with regard to which are considered suitable to take forward for inclusion in the Plan and which should be discounted. Consideration has also been given to what key aspects (such as environmental impacts) may need mitigation if the site or area is developed for the proposed use. Where mitigation is required any future planning application would need to be

accompanied by suitable information to inform this mitigation (e.g. hydrological survey, historic environment survey, traffic assessment, etc.).

- 1.6 The remainder of this Appendix provides information about the sites or areas allocated in the Plan and identified Areas of Search. Details of those sites which have been considered and discounted are presented in the evidence base together with a table summarising those sites which have been withdrawn. Details regarding the identification of Areas of Search for sand and gravel are also presented in the evidence base.
- 1.7 In a small number of cases sites submitted for consideration have been subject of planning applications and have received permission during preparation of the Plan but have yet to be implemented. In a number of cases they are also identified as allocated sites where the development proposed is considered to be particularly significant in the context of the policies of the Plan.
- 1.8 The proposed boundaries of the specific site allocations do not necessarily coincide exactly with potential planning application or operational boundaries. Allowance would need to be made in any planning applications for appropriate standoffs, screen or landscaping and other environmental or operational constraints.
- 1.9 The sensitivities and development principles identified for each allocation or area should not be taken as an exhaustive list, but as key matters of principle to be addressed in the preparation of a planning application for development of the site or area. Specific proposals will need to take account of all matters relevant at the time of the application, which may include additional issues not referred to in this document as a result of, for example, changes in national policy or changes in environmental designations. It should also be noted that the identification of the sensitivities and development principles is not intended to replace the benefits which would be gained from a request for pre-application advice from the relevant planning authority prior to submitting a planning application. Neither does it replace the matters identified in any adopted local validation list at the time of the application, which provides further guidance on the information that may be required when submitting a planning application.

Note: when providing a response relating to a site or area please ensure the site reference number (which starts with MJP or WJP) is included with the relevant comments.

Contents

ALLOCATED SITES AND PREFERRED AREAS

Ref	Site Name	Type of site	Page No.
CRAVEN DISTRICT			
WJP13	Halton East, near Skipton	Retention of waste transfer station with higher vehicle numbers and hours of operation	10
WJP17	Skibeden, near Skipton	Retention of Household Waste Recycling Centre for waste transfer of household and some commercial waste	13
HAMBLETON DISTRICT			
MJP06	Langwith Hall Farm, east of Well	Extraction of sand and gravel	16
MJP07	Oaklands, near Well	Extraction of sand and gravel	20
MJP33	Home Farm, Kirkby Fleetham	Extraction of sand and gravel	24
HAMBLETON and HARROGATE DISTRICTS (SPLIT)			
MJP11	Gebdykes Quarry, near Masham	Extraction of Magnesian limestone	28
HAMBLETON and RICHMONDSHIRE DISTRICTS (SPLIT)			
MJP21	Land at Killerby	Extraction of sand and gravel	31
MJP17	Land to South of Catterick	Extraction of sand and gravel	36
HARROGATE BOROUGH			
MJP14	Land in vicinity of Ripon Quarry, North Stainley	Extraction of sand and gravel	40
MJP10	Potgate Quarry, North Stainley	Extraction of Magnesian limestone	44
WJP08	Allerton Park, near Knaresborough	Retention of landfill and associated landfill gas utilisation plant and use of site for growth of energy/biomass crops beyond 2018. Proposed composting, transfer station and materials recycling facility, recycling (including of minerals for secondary aggregates)	48
WJP24	Potgate (former plant site), North Stainley	Recycling of inert construction and demolition waste for secondary aggregates	52
RICHMONDSHIRE DISTRICT			
WJP18	Tancred, near Scorton	Retention of recycling (including treatment, bulking and transfer), open windrow composting	55

RYEDALE DISTRICT			
MJP08	Settrington Quarry	Extraction of Jurassic limestone	58
MJP30	West Heslerton Quarry	Extraction of sand	62
MJP63	Brows Quarry, Malton	Extraction of Building Stone	65
SCARBOROUGH BOROUGH			
WJP15	Seamer Carr, Eastfield, Scarborough	Retention of existing recycling (including treatment, bulking and transfer), open windrow composting, and energy from waste (biomass) facilities beyond end of current planning permissions which are limited to 2020 and new inert waste screening facility	69
SELBY DISTRICT			
MJP45	Land to north of Hemingbrough	Extraction of clay	73
MJP55	Land adjacent to former Escrick brickworks	Extraction of clay	77
MJP28	Barnsdale Bar Quarry, Kirk Smeaton	Extraction of Magnesian limestone	81
MJP29	Went Edge Quarry, Kirk Smeaton	Extraction of Magnesian limestone	84
MJP23	Jackdaw Crag, Stutton	Extraction of Magnesian limestone	88
MJP22	Hensall Quarry	Extraction of sand	92
MJP44	Land between Plasmor Block making plant, Great Heck and Pollington Airfield	Extraction of sand	95
MJP54	Mill Balk Quarry, Great Heck	Extraction of sand	98
MJP09	Barlby Road, Selby	Rail and road freight distribution facility including handling facility for aggregates	101
MJP24	Darrington Quarry processing plant site and haul road	Retention of plant site and haul road for processing of Magnesian limestone	104
MJP27	Darrington Quarry (recycling)	Recycling of inert waste	107
MJP26	Barnsdale Bar, near Kirk Smeaton (recycling)	Recycling of inert waste	110
WJP10	Went Edge Quarry recycling, near Kirk Smeaton	Recycling of construction and demolition waste for secondary aggregate	113
WJP16	Common Lane, Burn	Bulking and transfer of municipal and commercial waste	116
WJP06	Land adjacent to former Escrick brickworks, Escrick	Landfill of inert waste for restoration of extraction site	119
WJP21	Brotherton Quarry, Burton Salmon	Import of inert waste for restoration purposes	122

WJP22	Land on former Pollington airfield	<ul style="list-style-type: none"> • Import of wood for wood pellet production • Additional infrastructure associated with wood processing 	125
WJP03	Southmoor Energy Centre, former Kellingley Colliery	Energy from Waste facility	128
WJP25	Former ARBRE Power Station, Eggborough	Energy Recovery facility with Advanced Thermal Treatment	131
NORTH YORK MOORS NATIONAL PARK			
WJP19	Fairfield Road, Whitby	Recycling and transfer of municipal and commercial waste	134
CITY OF YORK			
MJP52	Field SE5356 9513, to north of Duttons Farm, Upper Poppleton	Extraction of clay	137
WJP02	Former North Selby Mine Site, Deighton	Anaerobic digestion facility	140
WJP05	Field to north of Duttons Farm, Upper Poppleton	Landfill and recycling of waste from construction industry	144
WJP11	Harewood Whin, Rufforth	Retention of the following facilities beyond 2017 <ul style="list-style-type: none"> • landfill • recycling (including treatment bulking and transfer) and liquid waste treatment • Energy from Waste (Biomass and Landfill Gas Utilization) • kerbside recycling and waste transfer operation and Construction of new waste transfer station	147

Note 1: Sites MJP11 *Gebdykes Quarry*, MJP22 *Hensall Quarry* and MJP55 / WJP06 *Land adjacent to former Escrick brickworks* include additional land which was submitted post-Preferred Options.

AREAS OF SEARCH

Area Name	Type of site	Page No.
Area of Search A	Extraction of sand and gravel	152
Area of Search C	Extraction of sand and gravel	154

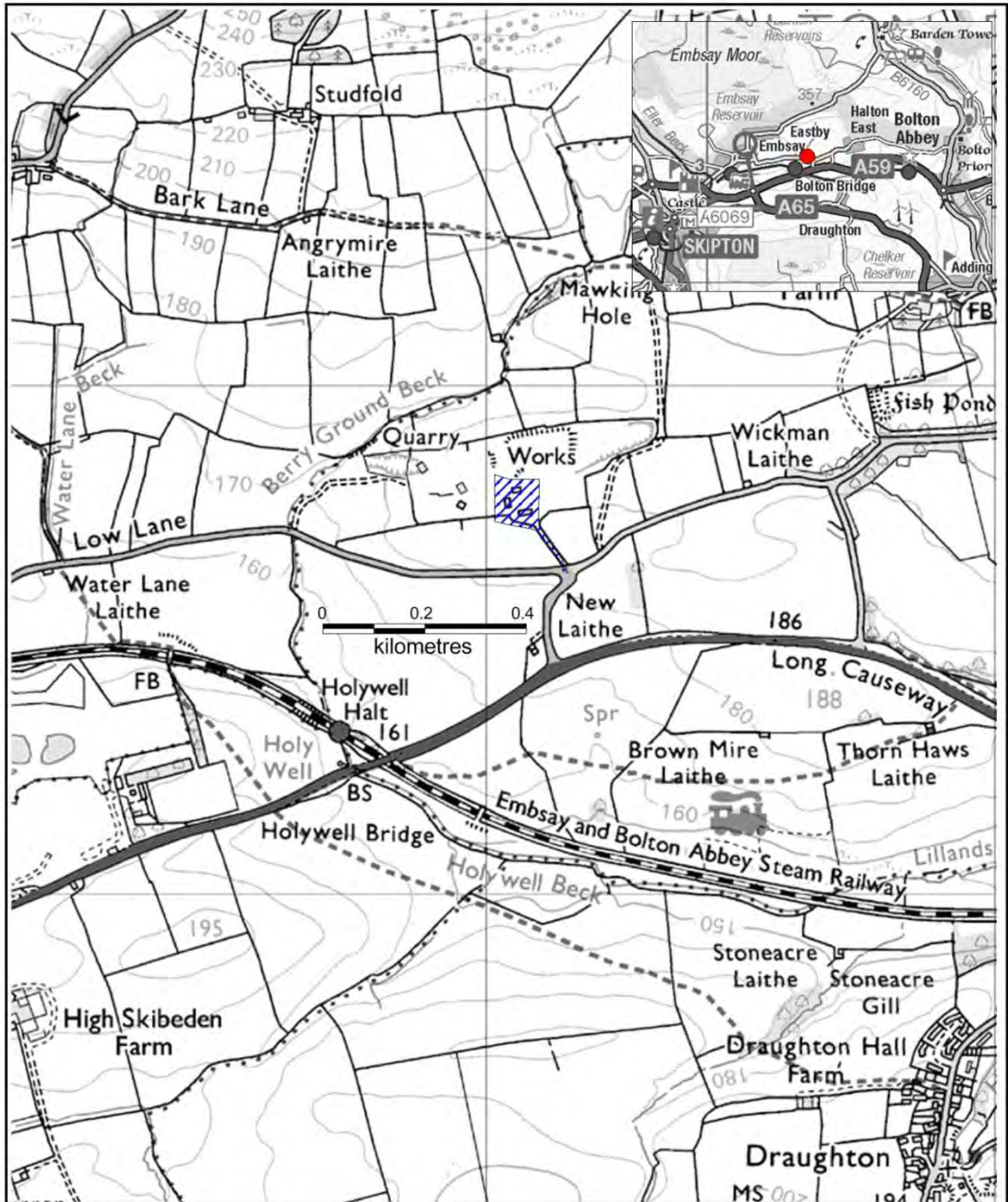
DRAFT

SECTION 2 – ALLOCATED SITES AND PREFERRED AREAS

HALTON EAST, NEAR SKIPTON


Site reference	WJP13
Nature of Submitted Proposal	
Retention of waste transfer station for household and some commercial waste with higher vehicle numbers and hours of operation	
Location of Land	Halton East Waste Transfer Station Halton East Works Low Lane Halton East BD23 6AD
(Grid Reference)	(403069 453772)
District	Craven
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Yorwaste Ltd
Landowner	Landowner supports submission
Current Use	Waste transfer station
Minerals Estimated Reserve (tonnes)	None proposed
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	40,000
Recycled Materials Annual output (tonnes)	40,000
Size of Site (hectares)	0.85
Estimated date of commencement	From 2019
Proposed Life of Site	20 years plus
Proposed Access	Existing entrance at the Four Lane Ends junction of Low Lane (C399 road from Embsay) with the U2313 (unclassified road to Halton East village) thence via Low Lane south to the A59
Light vehicles (two-way daily movements)	4 (application details NY/2013/0230/73A)

HGVs (two-way daily movements)	36 (application details NY/2013/0230/73A)
Possible site restoration and aftercare (if applicable)	None proposed as existing permission is for a permanent site
Other information (if applicable)	Planning permission C5/34/2013/14104 currently limits the higher vehicle numbers and hours of operation until February 2019 after which it would default back to the terms of Planning Permission C5/34/2011/12077
Key Sensitivities identified by Site Assessment	
<ul style="list-style-type: none"> • Ecological issues, including impacts on: protected species • Heritage asset issues, including proximity to and impact on: Halton East, Draughton and Eastby Conservation Areas • Landscape and visual intrusion issues, including: proximity to the Yorkshire Dales National Park and local landscape features • Water issues, including: hydrology, flood risk (Zone 1) and surface water drainage • Traffic impact, including access and HGV use of local roads • Amenity issues, including: noise, dust 	
Development requirements identified through Site Assessment and Consultation processes	
<ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species • Appropriate landscaping to mitigate impact on: Halton East, Draughton and Eastby Conservation Areas and the Yorkshire Dales National Park and local landscape features and their respective settings • Surface water runoff from this site should be managed using SuDS where appropriate • A traffic assessment and travel plan to ensure suitable arrangements for access and local roads, including an appropriate traffic management plan regarding access to and from the A59 • Appropriate arrangements for the assessment, control of and mitigation of effects such as noise and dust 	
Reasons for allocating site	
<p>This site could contribute to the retention of infrastructure which could help move waste up the waste hierarchy (Policy W01) and facilitate net self-sufficiency in the management of waste (Policy W02). No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environment which indicate any significant conflict with other relevant policies in the Plan, including Policies W03 meeting capacity requirements for LACW, W04 meeting capacity requirements for C & I waste, W10 overall locational principles for waste capacity and W11 waste site identification principles.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified through the site assessment process that would indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: WJP13

Site Name: Halton East, near Skipton

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

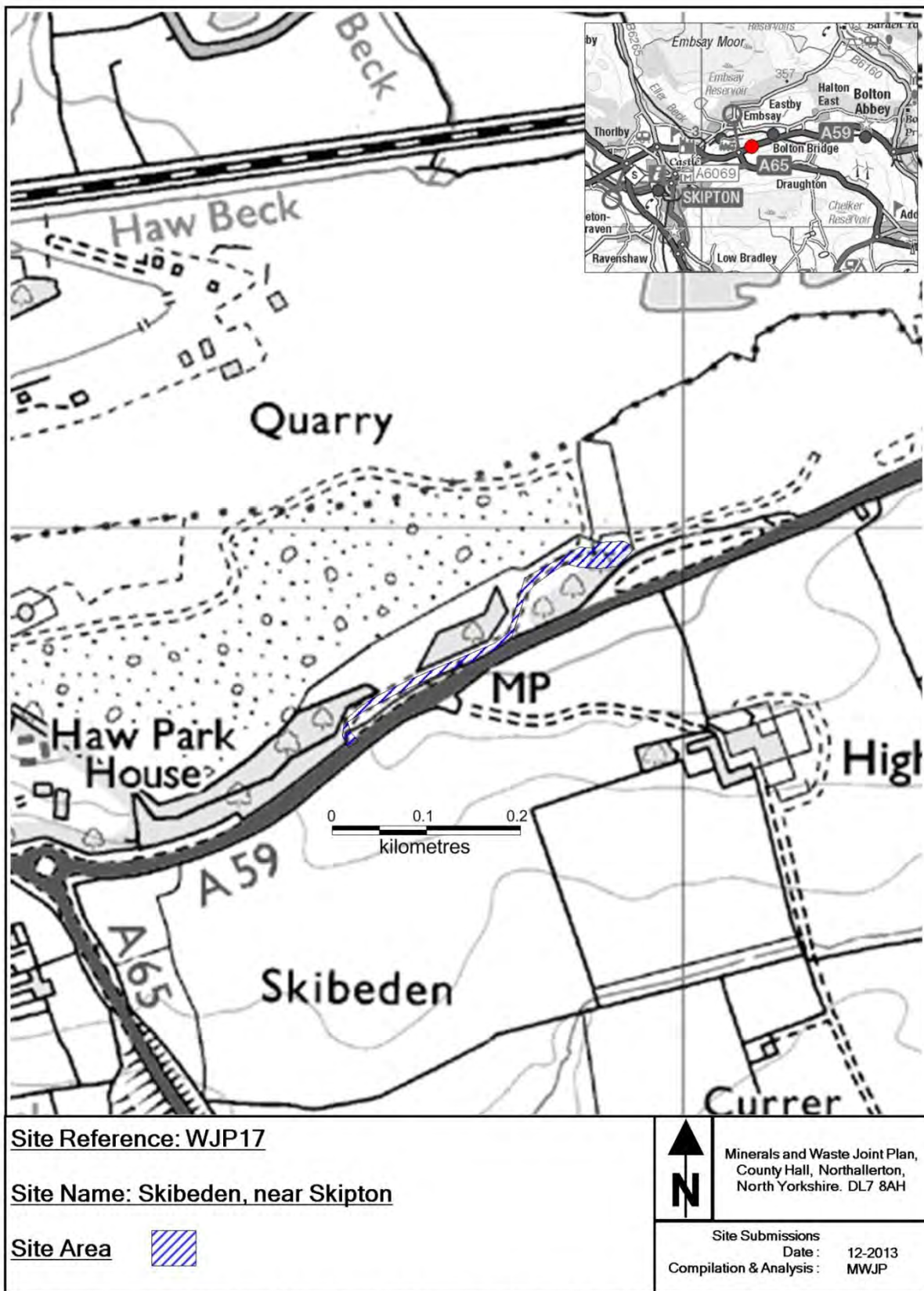
Site Submissions
Date : 12-2013
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

SKIBEDEN, NEAR SKIPTON

Site reference	WJP17
Nature of Submitted Proposal	
Retention of Household Waste Recycling Centre for waste transfer of household and some commercial waste	
Location of Land	Skibeden Landfill and HWRC Harrogate Road Skipton North Yorkshire BD23 6AB
(Grid Reference)	(401929 452970)
District	Craven
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Yorwaste Ltd
Landowner	Landowner supports submission
Current Use	Household Waste Recycling Centre for waste transfer of household and some commercial waste
Minerals Estimated Reserve (tonnes)	None proposed
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	5,000
Recycled Materials Annual output (tonnes)	5,000 (estimate based on imports)
Size of Site (hectares)	0.39
Estimated date of commencement	Once restoration of the landfill site is completed
Proposed Life of Site	Permanent
Proposed Access	Existing access at Skibeden HWRC onto A59 (approximately 330m east of junction between A59 and A65)
Light vehicles (two-way daily movements)	209 (source NYCC Waste Management)
HGVs (two-way daily movements)	1 – 2 (estimate)

Possible site restoration and aftercare (if applicable)	None specified
Other information (if applicable)	Landfill site is closed to the receipt of LACW waste and is undergoing restoration and the submission is that the HWRC site would be retained for use beyond the time when the landfill site is restored.
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: potential for invasive species, potential habitats • Landscape and visual intrusion issues, including: setting of the Yorkshire Dales National Park, effects on users of local roads • Water issues, including: hydrology, flood risk (Zone 1) and surface water drainage • Traffic impacts, including: access onto the A59 • Amenity issues, including: noise, dust, odour 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including measures to address and control of invasive species • Appropriate site design and landscaping to mitigate impact on setting of the Yorkshire Dales National Park and local roads including through retention of existing planting • Surface water runoff from this site should be managed using SuDS where appropriate • A traffic assessment to ensure suitable arrangements for access onto and in connection with the A59 • Appropriate arrangements for the assessment, control of and mitigation of effects such as odour, noise and dust 	
<p>Reasons for allocating site</p> <p>This site could contribute to the retention of infrastructure which could help move waste up the waste hierarchy (Policy W01) and facilitate net self-sufficiency in the management of waste (Policy W02). No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan, including Policies W03 meeting capacity requirements for LACW, W04 meeting capacity requirements for C & I waste, W10 overall locational principles for waste capacity and W11 waste site identification principles.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified through the site assessment process that would indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

LANGWITH HALL FARM, EAST OF WELL

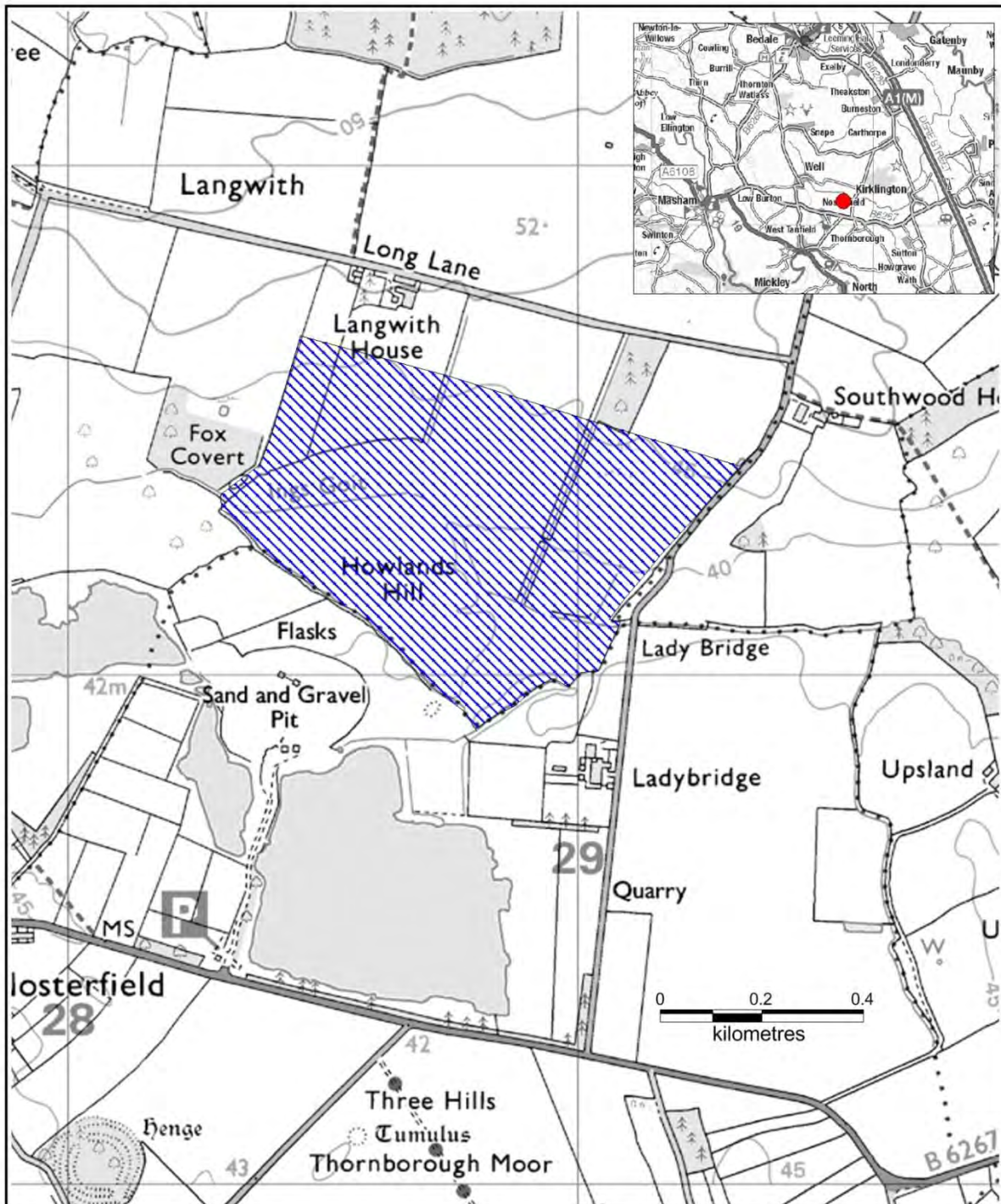
Site reference	MJP06
Nature of Submitted Proposal	
Extraction of sand and gravel as a proposed extension to existing quarry	
Location of Land	Land to south of Langwith House Long Lane Well Bedale DL8 2PD
(Grid Reference)	(428876 481246)
District	Hambleton
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Tarmac
Landowner	Landowners support submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	2,300,000
Minerals Annual Output (tonnes)	500,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	43.1
Estimated date of commencement	2016
Proposed Life of Site	4-5 years
Proposed Access	No direct access to public highway proposed from MJP06 site, rather material would be taken direct to the existing processing Nosterfield Quarry plant site by an internal route and would then use the existing Nosterfield Quarry access on to B6267 (approximately 500m east of Nosterfield village)
Light vehicles (two-way daily movements)	34 two-way movements (application details NY/2011/0242/ENV)
HGVs (two-way daily movements)	200 two-way movements (application details NY/2011/0242/ENV)

Possible site restoration and aftercare (if applicable)	Lake, nature conservation, agriculture and forestry (application details NY/2011/0242/ENV)
Other information (if applicable)	Proposal includes diversion of the Ings Goit stream. Planning application (NY/2011/0242/ENV) is awaiting determination for a similar, but not identical area. An application (NY/2014/0271/ENV) for the continuation of extraction from the existing site and the retention of the plant site until 31 January 2018 was granted planning permission in February 2016.
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Moor Lane SINC, Ings Goit stream and protected species; potential habitats; presence of invasive species including <i>Crassula helmsii</i>; cumulative impact • Potential impact on best and most versatile agricultural land • Heritage asset issues, including: proximity to and impact on Scheduled Monuments including the Thornborough Henges, other archaeological remains, Well and Kirklington Conservation Areas and Listed Buildings in Nosterfield • Landscape and visual intrusion issues, including: impact on villages, impact of relocating stream and cumulative impact of increasing areas of open water • Water issues, including: hydrology, flood risk (zones 1, 2 and 3) and surface water drainage (including impact on Ings Goit arising from diversion) • Traffic impact, including: access and HGV use of local roads including on the B6267 • Amenity issues, including: noise, dust, rights of way 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on Moor Lane SINC, Ings Goit stream, protected species, potential habitats and cumulative impact and including measures to address and control of invasive species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on heritage assets (Scheduled Monuments including Thornborough Henges, other potential archaeological remains, Listed Buildings in Nosterfield, Well and Kirklington Conservation areas) and their settings and the impact on villages and local landscape features such as the Ings Goit and arising from increasing areas of open water • A site specific flood risk assessment, which to be satisfactory will need to include necessary mitigation such as compensatory storage, attenuation and surface water drainage and SuDS as appropriate (including appropriate mitigation for the impact of relocating the Ings Goit Beck) • A traffic assessment to ensure suitable arrangements for access and local roads, including an appropriate traffic management plan regarding the B6267 and Moor Lane • Appropriate arrangements for the assessment, control of and mitigation of effects including from noise and dust • An appropriate restoration scheme using opportunities for habitat creation and reconnecting the Henges to their landscape setting, but which is also appropriate to the site's location within a birdstrike safeguarding zone 	
<p>Reasons for allocating site</p> <p>This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of sand and gravel (Policies M02, M03 and M04) and could contribute to meeting requirements for the supply of sand and gravel in the southwards distribution area over the Plan period (Policy M07) as evidence, including from the current</p>	

planning application NY/2011/0242/ENV, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.


Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process that would indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated site**.



Site Reference: MJP06

Site Name: Langwith Hall Farm, east of Well

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 09-2013
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

OAKLANDS, NEAR WELL

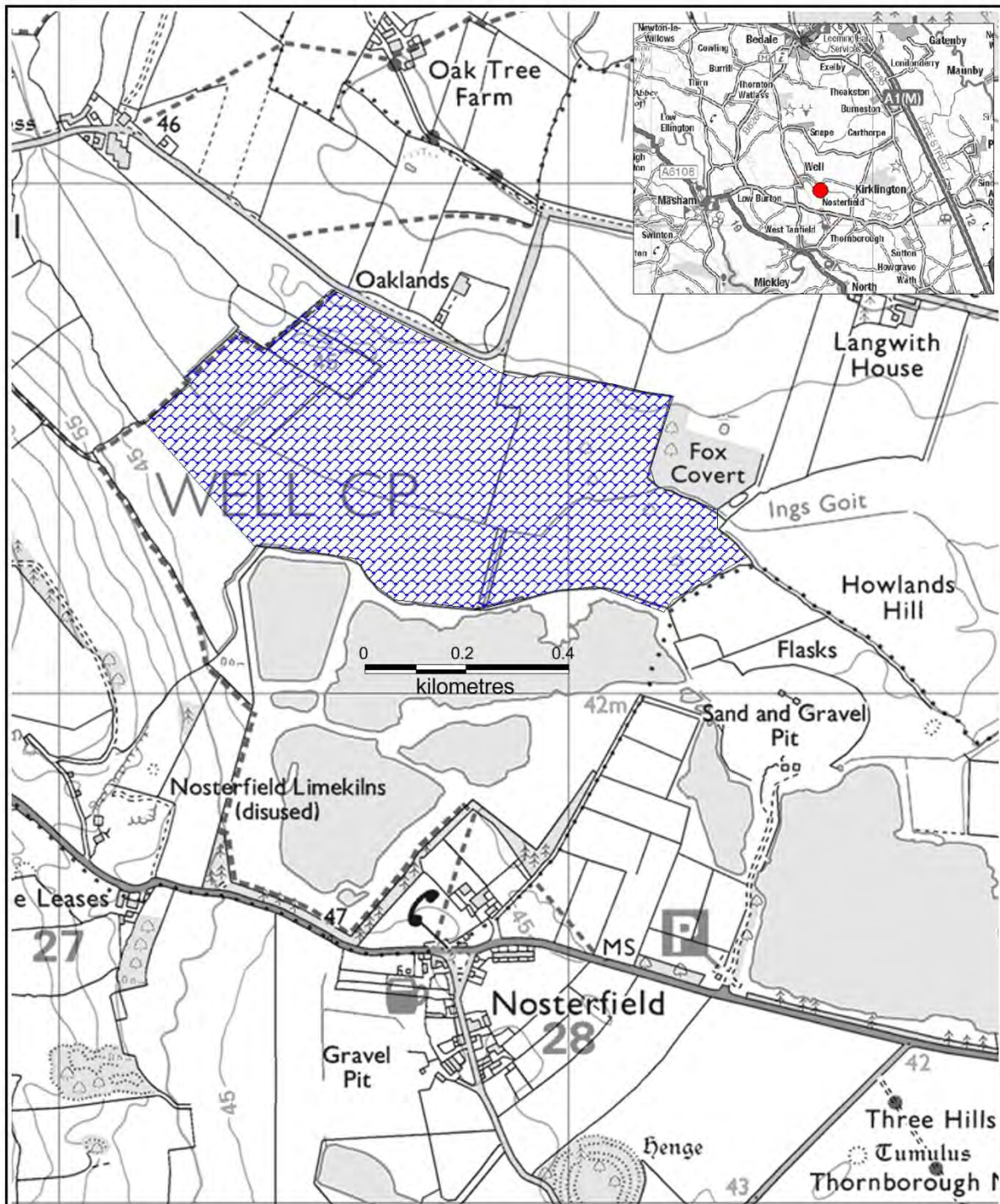
Site reference	MJP07
Nature of Submitted Proposal	
Extraction of sand and gravel as proposed extension to existing quarry	
Location of Land	Oaklands Long Lane Well Bedale DL8 2PE
(Grid Reference)	(427688 481421)
District	Hambleton
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Tarmac
Landowner	Landowners support submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	3,602,720 (whole area based on submitter information) Note: the estimated reserve which could acceptably be developed at this site is likely to be significantly less as a result of the range of constraints which apply.
Minerals Annual Output (tonnes)	500,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	44.6
Estimated date of commencement	Approximately 2020-21 (to follow MJP06)
Proposed Life of Site	6 years (potentially significantly less depending on definition of any acceptable working area)
Proposed Access	No direct access to public highway from MJP07 site, rather material would be taken to the existing processing plant site in Nosterfield Quarry by an internal route and would then leave using the existing Nosterfield Quarry access onto B6267 (approximately 500m east of Nosterfield village)
Light vehicles (two-way daily movements)	34 two-way movements (similar to MJP06)

HGVs (two-way daily movements)	200 two-way movements (similar to MJP06)
Possible site restoration and aftercare (if applicable)	No detailed design yet, but restoration would be in keeping with existing Nosterfield quarry and with the Langwith (MJP06) site, involving creation of a lake, nature conservation, agriculture and forestry
Other information (if applicable)	Proposal includes diversion of the Ings Goit stream and extraction would be by suction dredger with material to be pumped by pipeline to the existing conveyor system for transport to the existing processing plant
Key Sensitivities identified by Site Assessment	
<ul style="list-style-type: none"> • Ecological issues, including impacts on: Moor Lane SINC, Ings Goit beck and protected species; potential habitats; presence of invasive species; cumulative impact • Impact on best and most versatile agricultural land • Heritage asset issues, including: proximity to and impact on Scheduled Monuments including Thornborough Henges, other archaeological remains, Well and Kirklington Conservation Areas and Listed Buildings in Nosterfield • Landscape and visual intrusion issues, including: impact on villages, impact of relocating stream and cumulative impact • Water issues, including: hydrology, flood risk (zones 1, 2 and 3) and surface water drainage (including appropriate mitigation for the impact of relocating the Ings Goit beck) • Impacts on public rights of way within and in close proximity to the site • Traffic impact, including: access and HGV use of local roads including on the B6267 • Amenity issues, including: noise, dust 	
Development requirements identified through Site Assessment and Consultation processes	
<ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on Moor Lane SINC, Ings Goit beck and protected species and including measures to address and control of invasive species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site configuration, design and landscaping to mitigate impact on heritage assets (Scheduled Monuments including Thornborough Henges, other potential archaeological remains, Listed Buildings in Nosterfield, Well and Kirklington Conservation areas) and their settings and the impact on villages and local landscape features • A site specific flood risk assessment which to be satisfactory will need to include necessary mitigation such as compensatory storage, attenuation and surface water drainage and SuDS as appropriate (including appropriate mitigation for the impact of relocating the Ings Goit beck) • Suitable arrangements for public rights of way (diversion or retention, and associated mitigation, as appropriate) • A suitable traffic assessment to ensure suitable arrangements for access and local roads, including an appropriate traffic management plan regarding the B6267 and Moor Lane • Appropriate arrangements for the assessment, control of and mitigation of effects including from noise and dust • An appropriate restoration scheme using opportunities for habitat creation, but which is also appropriate to location within a birdstrike safeguarding zone 	
Reasons for allocating area	
This is consistent with the broad geographical approach to the supply of aggregates (Policy	

M01) and the provision of sand and gravel (Policies M02, M03 and M04) and could contribute to meeting requirements for the supply of sand and gravel in the southwards distribution area over the Plan period (Policy M07) as geological information provided by the submitter indicates that there is a resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, biodiversity and the water environment that would indicate any significant conflict with other relevant policies in the Plan although Historic England have expressed concern about the potential for impact on heritage assets.

The area is subject to significant constraints regarding heritage assets and potential for impacts on the landscape and setting of Well including as a result of the cumulative changes in the landscape arising from the change from agricultural land to water and taking account of the local topography of the area. However, it is considered that, subject to more detailed project specific assessment and appropriate siting, design and mitigation, there is likely to be potential for some further minerals extraction within the overall area put forward, although this may be for a significantly reduced area. There are further development requirements which have been identified through the Site Assessment process which would also need to form part of the development proposals for any subsequent planning application.

Therefore the area is identified as a **Preferred Area** within which an appropriately located, scaled and designed site could be developed.



Reference: **MJP07**

Name: **Oaklands, near Well**

Preferred Area: 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 09-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

HOME FARM, KIRKBY FLEETHAM

Site reference	MJP33
Nature of Submitted Proposal	
Extraction of sand and gravel from a new extraction site	
Location of Land	Home Farm Kirkby Lane Kirkby Fleetham DL7 0SU
(Grid Reference)	(428103 495992)
District	Hambleton
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Aggregate Industries
Landowner	Landowners support submission
Current Use	Agriculture and woodland
Minerals Estimated Reserve (tonnes)	3,500,000
Minerals Annual Output (tonnes)	300,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	114.7
Estimated date of commencement	Anticipated to be about 2019
Proposed Life of Site	12 years
Proposed Access	The site is allocated on the basis that access to the highway for heavy goods vehicles will be obtained via the Killerby site allocation MJP21 and associated access point to the local access road west of site MJP21.
Light vehicles (two-way daily movements)	21 (submitter information)
HGVs (two-way daily movements)	128 (submitter information)
Possible site restoration and aftercare (if applicable)	Mix of restoration uses may include: <ul style="list-style-type: none"> • Agricultural Land • Wetland areas – shallow lakes, ponds, marshland

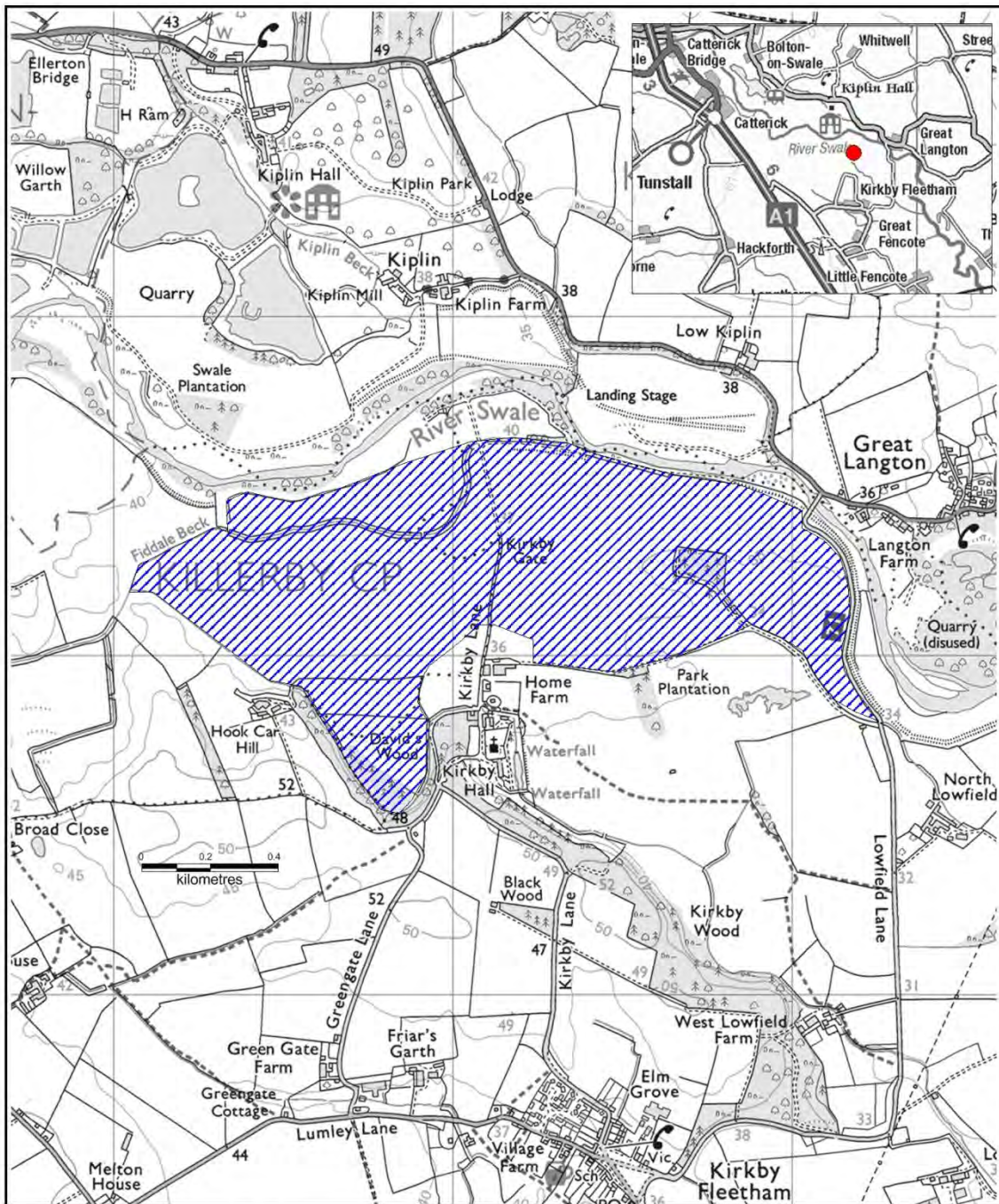
	<ul style="list-style-type: none"> • Woodland - framework and structure planting • Recreation – fishing and permissive walkways • Hedgerows and copses
Other information (if applicable)	
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Swale Lakes SSSI, Great Langton Pond and Park Plantation SINCs, ancient woodlands, trees, hedgerows, protected species, MoD restrictions regarding restoration, potential habitats, presence of invasive species • Impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: Listed Buildings at Kirkby Hall, Hook Car Farmhouse, Langton Farmhouse, North Lowfield Farmhouse and Kiplin Farmhouse, archaeological remains and undesignated designed landscapes such as at Kirkby Hall • Landscape and visual intrusion issues, including impacts on: National Cycle network, local landscape features and cumulative impact of quarrying • Water issues, including: hydrology, aquifer, flood risk (Zones 2 and 3), surface water drainage, potential for flood storage • Impacts on rights of way (actual and claimed) • Traffic impact, including: access and HGV use of local roads including the B6271 • Amenity issues, including: noise, dust, fumes, vibration, lighting, health, quality of life, cumulative impact with other quarries in the area 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological impacts, including on Swale Lakes SSSI, Great Langton Pond and Park Plantation SINCs, ancient woodland in the vicinity of the site and protected species including measures to address and control invasive species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: heritage assets (Listed Buildings at Kirkby Hall, Hook Car Farmhouse, Langton Farmhouse, North Lowfield Farmhouse and Kiplin Farmhouse, archaeological remains and undesignated designed landscapes such as at Kirkby Hall), local landscape features, and their respective settings, rights of way and properties in Great Langton which overlook the site • A site specific flood risk assessment, which to be satisfactory will need to include necessary mitigation, such as compensatory storage, attenuation and SuDS as appropriate include regarding any impact on streams within the site • Appropriate site design to ensure protection of the aquifer • Suitable arrangements for public rights of way (diversion or retention, and associated mitigation, as appropriate) • A traffic assessment to ensure suitable arrangements for access and local roads, including an appropriate traffic management plan, with traffic to access the site via the MJP21 site onto the A1(M) local access road, rather than via the B6271 • Plant site to be located on the south side of the river Swale such that no operations are on the north side of the river • Appropriate arrangements for the assessment, control of and mitigation of effects of noise and dust, fumes, vibration, lighting • An appropriate restoration scheme using opportunities for the creation of a coherent justified habitat network, using opportunities for habitat creation, in conjunction with nearby sites such as the Killerby MJP21 site and contributing to the parkland setting of Kirkby Fleetham Hall to help deliver maximum benefits, but which is also appropriate to location within a birdstrike safeguarding zone 	

Reasons for allocating site

This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of sand and gravel (Policies M02, M03 and M04) and could contribute to meeting the requirements for the supply of sand and gravel in the northwards distribution area (Policy M07) as evidence, including geological information from the submitter, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity and water environments which indicate any significant conflict with other relevant policies in the Plan.

Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process that would indicate that the site on the south side of the river Swale could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated site**.



Site Reference: MJP33

Site Name: Home Farm, Kirkby Fleetham

Site Area:



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 07-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

GEBDYKES QUARRY, NEAR MASHAM

Site reference	MJP11
Nature of Submitted Proposal	
Extraction of Magnesian limestone as proposed extension to existing quarry	
Location of Land	Gebdykes Quarry Masham Ripon HG4 3BT
(Grid Reference)	(423503 482933)
District	Harrogate (to north of C133 road) Hambleton (to south of C113 road)
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Lightwater Quarries Ltd
Landowner	Landowner supports submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	3,400,000 (to north of C133 road) 400,000 (between existing quarry extraction area and C133 roadside landscape planting) Total: 3,800,000
Minerals Annual Output (tonnes)	235,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	25.8 north of C133 and 1.3ha between existing quarry extraction area and C133 roadside landscape planting Total: 27.1
Estimated date of commencement	2022-2025
Proposed Life of Site	15 years
Proposed Access	Existing Gebdykes Quarry access onto the B6268 approximately 250m south of the Five Lane Ends junction. The means of, and location of, the crossing from MJP11 northern area into the existing Gebdykes quarry to be confirmed; but may be a conveyor beneath the C133 lane (between Five Lane Ends and High Burton) at a point to the east of Gebdykes Farm

Light vehicles (two-way daily movements)	7 (estimated)
HGVs (two-way daily movements)	64 (submitter information)
Possible site restoration and aftercare (if applicable)	Low level mixed agriculture, nature conservation and woodland restoration with slopes around perimeter of site
Other information (if applicable)	Existing quarry site restoration is to agriculture and woodland. The proposed strip of land to the North of the existing quarry will retain the existing screening, the area proposed goes from the boundary of the existing extraction to the boundary of the existing screening. Landscaping will follow along the lines of the existing permission, with low level agricultural restoration.
Key Sensitivities identified by Site Assessment	
<ul style="list-style-type: none"> • Ecological issues, including cumulative impact and impacts on: Mar Field Fen SSSI, hedgerows and trees, protected species, potential habitats • Impact on best and most versatile agricultural land • Heritage asset issues, including: proximity to and impact on archaeological remains, Listed Buildings (Low Mains Farmhouse, Low Burton Hall & a dovecote); and Masham Conservation Area) • Landscape and visual intrusion issues, including: cumulative impact and impact on other landscape features such as the character of the River Ure valley • Water issues, including: hydrology, flood risk (Zone 1) and surface water drainage, birdstrike depending on nature of restoration • Impacts on rights of way and their users • Traffic impact, including: access and means of crossing road between existing quarry and MJP11 site • Impacts on tourism and Ministry of Defence facilities (regarding birdstrike and height of structures) • Amenity issues, including: noise, dust 	
Development requirements identified through Site Assessment and Consultation processes	
<ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species and mitigation of the potential hydrological impacts on Mar Field Fen SSSI • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate landscaping (including details of any planting and subsequent maintenance, including weed control) to mitigate impact on heritage assets (Listed Buildings - Low Mains Farmhouse, Low Burton Hall & a dovecote, and archaeological remains, Masham Conservation Area) and their settings, and local landscape features and on users of local roads and rights of way • A site specific flood risk assessment which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation, surface water drainage and SuDS as appropriate • Appropriate arrangements for crossing road between existing quarry and MJP11 site (including taking account of existing utility pipelines) and improvements to existing quarry access • Appropriate arrangements for control of and mitigation of effects such noise and dust on local residences • An appropriate restoration scheme using opportunities for habitat creation, such as 	

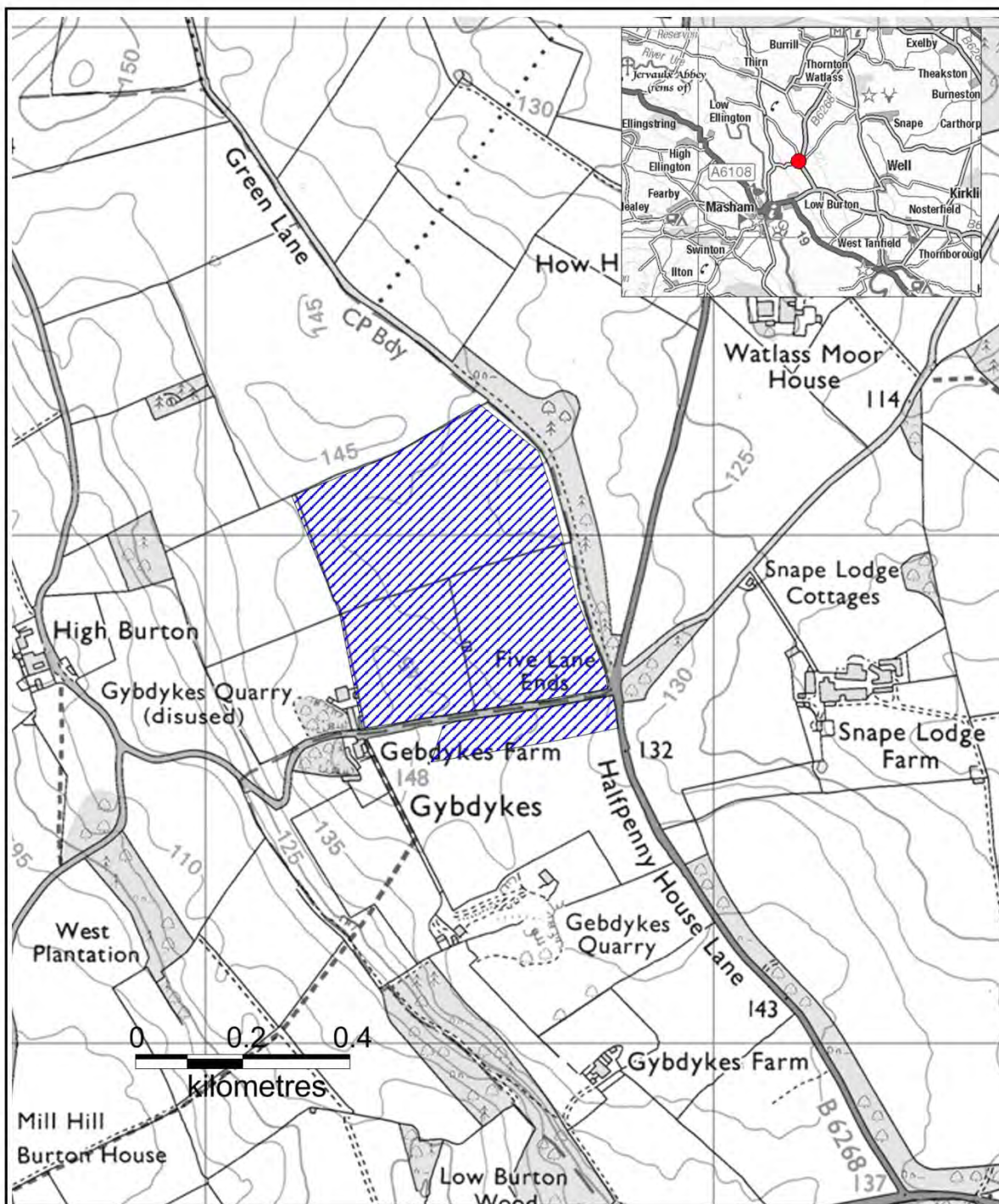
magnesian grassland, that is appropriate to the location within a birdstrike safeguarding zone

Reasons for allocating site

This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of crushed road (Policies M05 and M06) and could contribute to meeting requirements for the supply of Magnesian limestone towards the end of the Plan period (Policy M09) as evidence, including from the adjacent existing quarry, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.


Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process.

Therefore the site is an **allocated site**.



Site Reference: MJ11

Site Name: Gebdykes Quarry, near Masham

Site Area: 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date: 06-2016
Compilation & Analysis: MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

LAND AT KILLERBY

Site reference	MJP21
Nature of Submitted Proposal	
Extraction of sand and gravel from a new extraction site	
Location of Land	Killerby Richmond DL10 7PY
(Grid Reference)	(426259 495822)
District	Hambleton and Richmondshire
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Wardell Armstrong (on behalf of Tarmac)
Landowner	Landowners support submission
Current Use	Agriculture and woodland
Minerals Estimated Reserve (tonnes)	11,370,000
Minerals Annual Output (tonnes)	650,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	213, of which 122 is proposed for extraction
Estimated date of commencement	Anticipated to be 2020-21, as submitter is promoting MJP21 as a replacement for the existing Scorton and Ellerton quarry sites
Proposed Life of Site	Extraction would occur for an initial period of 2 years, after which the remaining permitted reserves at Ellerton Quarry would be extracted (5-6 years), then the remainder of the Killerby reserves would be extracted during a period of 14 years
Proposed Access	Access to be as in the latest details for application NY/2010/0356/ENV, that is at the bend at north end of Low Street (C114), with vehicles to go west along Low Street onto the new Local Access Road next to the upgraded A1(M)
Light vehicles (two-way daily movements)	42 (application details NY/2010/0356/ENV)

HGVs (two-way daily movements)	336 (application details NY/2010/0356/ENV)
Possible site restoration and aftercare (if applicable)	Agriculture, marshland, lakes and woodland (details submitted in connection with application NY/2010/0356/ENV include latest version of restoration scheme)
Other information (if applicable)	Application (NY/2010/0356/ENV) is currently awaiting determination
Key Sensitivities identified by Site Assessment	
<ul style="list-style-type: none"> • Ecological issues, including impacts on: Swale Lakes SSSI, river Swale including the section designated as a SINC site, tributaries to the river Swale such as South and North Lowfield Stells and the Fiddale beck, woodland, protected species, presence of invasive species, cumulative effects, MoD restrictions regarding restoration, potential habitats • Impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: Scheduled Monuments including: World War II fighter pens at Catterick, Castle Hills Motte & Bailey Castle, Bainsse settlement, archaeological remains, Listed Buildings including at: Oran House, Killerby Hall, Hook Car Farmhouse, Kirkby Fleetham Hall, Friars Garth, Kiplin Hall, Kirkby Fleetham Conservation Area, Hornby Park Registered park and garden and Killerby Hall unregistered park and garden • Landscape and visual intrusion issues, including impact of: cumulative effect of quarrying and effects of temporary bridges • Water issues, including: water main, hydrology, flood risk (mostly Zone 1, some areas of 2 and 3), surface water drainage and potential for flood storage • Impacts on rights of way and their users • Impacts on MOD facilities regarding potential for birdstrike and height of structures • Traffic impact, including: access and HGV use of local roads including the local access road and the A1(M) • Amenity issues, including: noise, dust, quality of life, cumulative impact 	
Development requirements identified through Site Assessment and Consultation processes	
<ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on Swale Lakes SSSI, the river Swale and its tributaries and protected species including measures to address and control invasive species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping of site to mitigate impact on: heritage assets (Scheduled Monuments including: World War II fighter pens at Catterick, Castle Hills Motte & Bailey Castle, Bainsse settlement, archaeological remains, Listed Buildings including at: Oran House, Killerby Hall, Hook Car Farmhouse, Kirkby Fleetham Hall, Friars Garth, Kiplin Hall, Kirkby Fleetham Conservation Area, Hornby Park Registered park and garden and the unregistered park and gardens at Killerby Hall), local landscape features and their respective settings • A suitable flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate together with measures to deal with the existing water main and the protection of groundwater resources • Suitable arrangements for public rights of way (diversion or retention, and associated mitigation, as appropriate) • Suitable arrangements for access and use of local roads including the Local Access Road, including a traffic assessment / travel plan and an appropriate traffic management plan 	

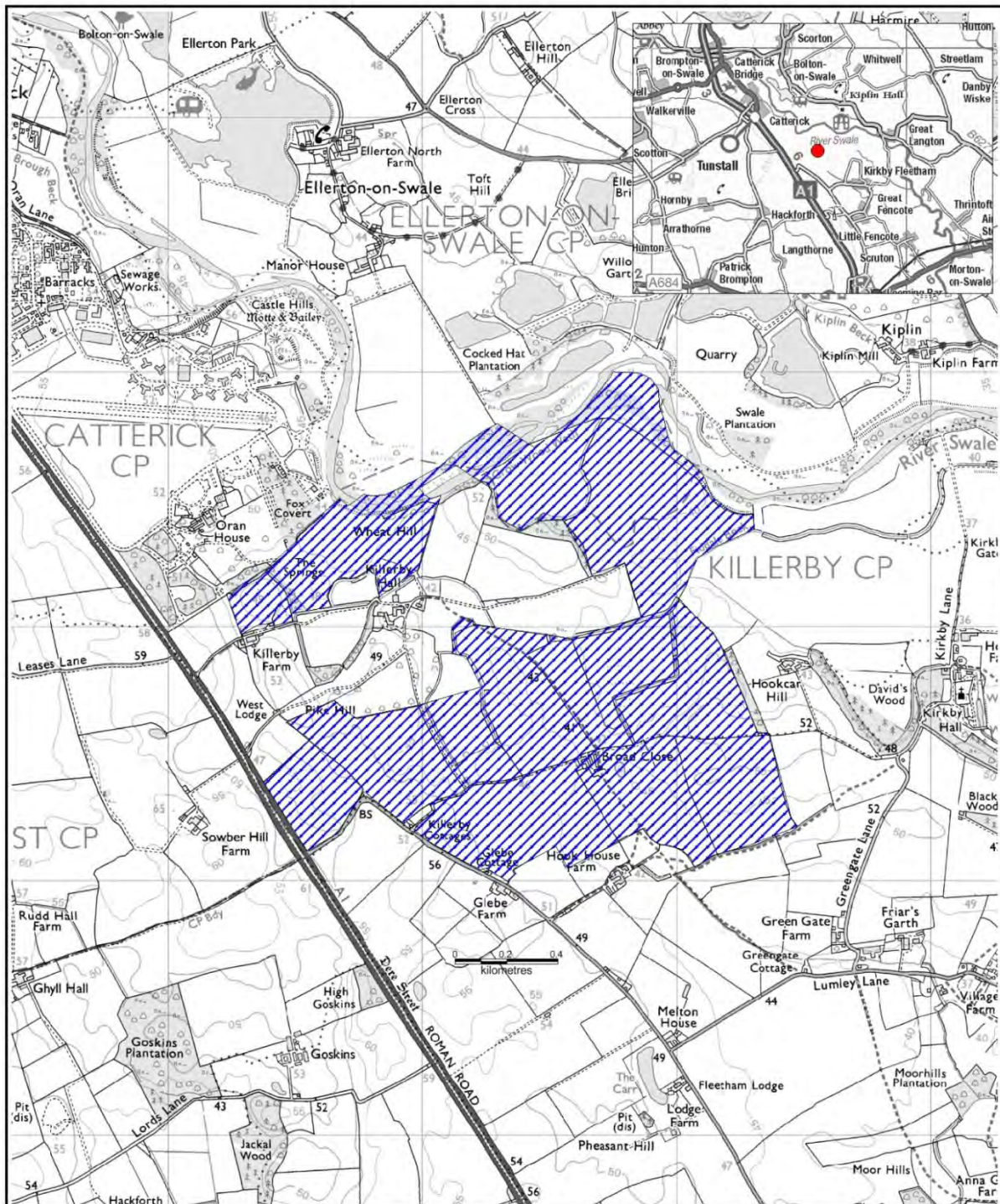
- Appropriate arrangements for assessment of, control of and mitigation of effects such as noise, dust, vibration and lighting on residents, local communities and tourism
- An appropriate restoration scheme using opportunities for habitat creation, but which is also appropriate to location within a birdstrike safeguarding zone

Reasons for allocating site

This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of sand and gravel (Policies M02, M03 and M04) and could contribute to meeting requirements for the supply of sand and gravel in the northwards distribution area over the Plan period (Policy M07) as evidence, including from the current planning application NY/2010/0356/ENV, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.

Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process that would indicate that the site could not be developed and operated in an appropriate manner.

Therefore the site is an **allocated site**.



Site Reference: MJP21

Site Name: Land at Killerby

Site Area



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 09-2013
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946. 2013.

LAND TO SOUTH OF CATTERICK

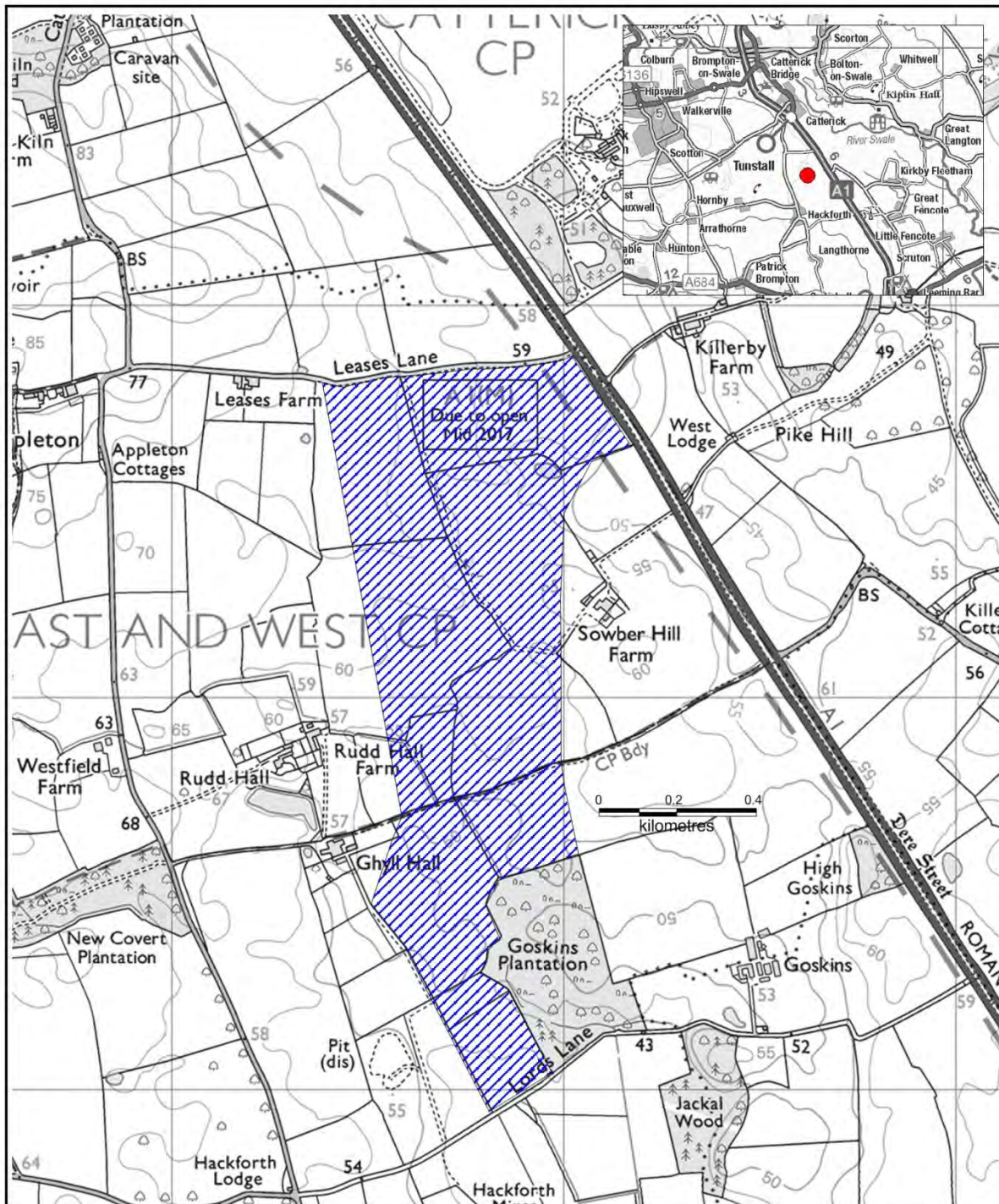
Site reference	MJP17
Nature of Submitted Proposal	
Extraction of sand and gravel from a new extraction site	
Location of Land	Land to south of Catterick (between Leases Lane; Rudd Hall Farm; Ghyll Hall; Hackforth Lodge; Lords Lane; Goskins Plantation; Sowber Hill Farm and the A1)
(Grid Reference)	(424718 495031)
District	Hambleton and Richmondshire
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	AMEC (on behalf of Lafarge – now known as Tarmac)
Landowner	Landowners support submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	3,000,000 (submitter information)
Minerals Annual Output (tonnes)	Estimate of 150,000 -250,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	81.52
Estimated date of commencement	Not known yet, but likely to be in later part of the Joint Plan period as submitter is promoting the site as a replacement for the existing Scorton quarry and the Killerby (MJP21) site once those reserves have been exhausted
Proposed Life of Site	Unknown at present
Proposed Access	Not known yet, but will take account of the new mid-Catterick A1(M) roundabout in order to access the strategic road network and potentially use Lords Lane to access the Local Access Road.
Light vehicles (two-way daily movements)	Estimate of 10-18 two-way daily movements (based on estimate of annual output)
HGVs (two-way daily movements)	Estimate of 72-121 two-way daily movements (based on estimate of annual output)

Possible site restoration and aftercare (if applicable)	No detailed design yet, but may include lake(s), fen, conservation grassland, agriculture and woodland
Other information (if applicable)	
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Swale Lakes SSSI, protected species, potential habitats • Potential impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: Scheduled Monuments including Baines settlement, WWII fighter pens and round barrow, archaeological remains, Listed Buildings including Rudd Hall and Ghyll Hall, Registered and unregistered park and gardens, including Hornby Castle Park • Landscape and visual intrusion issues, including impact on: Hackforth and East Appleton, cumulative effect of quarrying, users of the A1 • Water issues, including: hydrology, flood risk (mostly Zone 1, small areas of 2 and 3) and surface water drainage • Traffic impact, including: access, A1(M) improvements • Impacts on rights of way (bridleway between C36 Hackforth to East Appleton road and the A1) • Impacts on MOD facilities regarding potential for birdstrike and height of structures • Amenity issues, including: noise, dust 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on Swale Lakes SSSI and protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: heritage assets (Scheduled Monuments including Baines settlement, WWII fighter pens and round barrow, archaeological remains, Listed Buildings including Rudd Hall and Ghyll Hall, Registered and unregistered park and gardens including Hornby Castle Park), Hackforth and East Appleton villages, landscape features and their respective settings and users of the A1 • A traffic assessment providing for suitable arrangements for access and local roads taking account of the upgrades to the A1 including the Local Access Road • Suitable arrangements for public rights of way (diversion or retention, and associated mitigation, as appropriate) including the bridleway along Ghyll Lane • A suitable groundwater assessment and a site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • Appropriate arrangements for control of and mitigation of effects such as noise and dust • An appropriate restoration scheme using opportunities for habitat creation but which is also appropriate to location within a birdstrike safeguarding zone and location in proximity to the Hornby Castle Park Registered Park and Garden 	
<p>Reasons for allocating site</p> <p>This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of sand and gravel (Policies M02, M03 and M04) and could contribute to meeting longer term requirements for the supply of sand and gravel in the northwards distribution area (Policy M07) as evidence indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which</p>	

indicate any significant conflict with other relevant policies in the Plan.

Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process that would indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated site**



Site Reference: MJP17

Site Name: Land to South of Catterick

Site Area:



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 07-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

LAND IN VICINITY OF RIPON QUARRY, NORTH STAINLEY

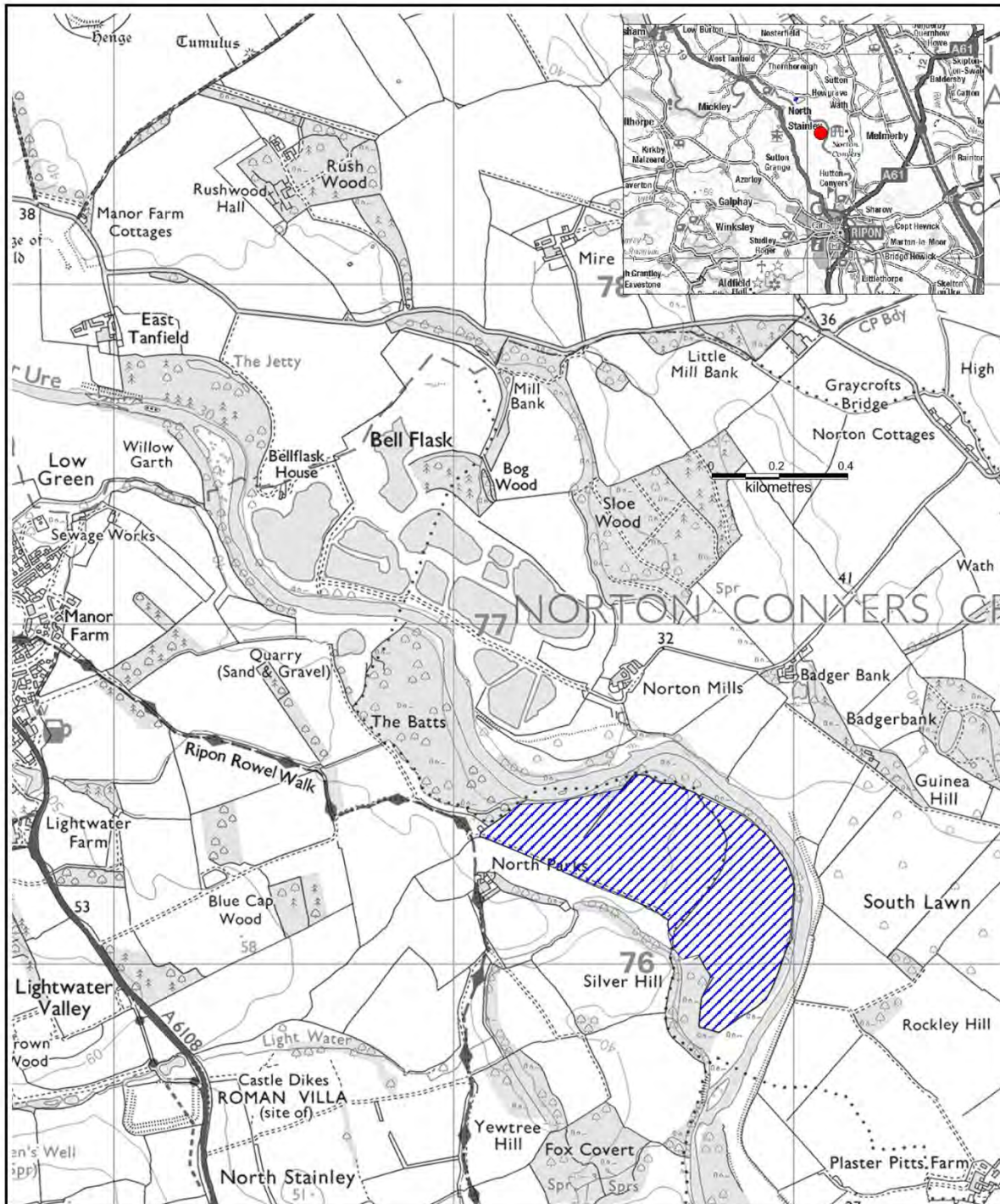
Site reference	MJP14
Nature of Submitted Proposal	
Extraction of sand and gravel as proposed extension to existing quarry	
Location of Land	Ripon Quarry North Stainley HG4 3HT
(Grid Reference)	(430558 476313 Pennycroft and Thorneyfields)
District	Harrogate (Pennycroft and Thorneyfields)
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Hanson UK
Landowner	Landowners support submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	3,500,000 (Pennycroft and Thorneyfields)
Minerals Annual Output (tonnes)	250,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	30.22 (Pennycroft and Thorneyfields)
Estimated date of commencement	2016-17 (Pennycroft and Thorneyfields)
Proposed Life of Site	15 years (Pennycroft and Thorneyfields)
Proposed Access	Existing Ripon Quarry access onto A6108 (approximately 460m south of North Stainley) with the mineral to be moved from the area to the existing plant site on the south-west side of the River Ure without passage on the highway
Light vehicles (two-way daily movements)	16 (based on application details NY/2011/0429/ENV)
HGVs (two-way daily movements)	80-150* (based on application details NY/2011/0429/ENV depending on processing capacity installed)
Possible site restoration and aftercare (if applicable)	Pennycroft and Thorneyfields: lake, reed bed and wet woodland

Other information (if applicable)	Pennycroft and Thorneyfields is subject to an application (NY/2011/0429/ENV) which is awaiting determination.
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Ripon Parks and River Ure Bank Ripon Parks SSSIs, SINCs, High Batts SSSI and Nature Reserve and river Ure corridor, woodland, protected species, presence of invasive species • Impacts on gas pipeline which crosses the site • Impact on best and most versatile agricultural land • Heritage asset issues, including: proximity to and impact on Scheduled Monuments (including Thornborough Henges and the East Tanfield medieval village), Listed Buildings including at Norton Conyers, Norton Conyers Registered and unregistered park and gardens, area of known archaeological importance within the wider Swale/Ure catchments • Water issues, including: hydrology, dewatering, flood risk (Zones 2 and 3), surface water drainage and potential for flood storage • Landscape and visual intrusion issues, including: floodplain, cumulative impact of extraction and water bodies, restoration design • Impacts on rights of way, leisure routes (Ripon Rowel Walk) and their users • Traffic impact, including: access and HGV use of local roads, including at the Clock Tower junction in Ripon • Amenity issues, including: noise, dust 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on the Ripon Parks and River Ure Bank Ripon Parks SSSIs and the River Ure to demonstrate that minerals extraction at this site will not destroy or damage the interest features for which the High Batts, Ripon Parks and River Ure Bank Ripon Parks SSSIs are designated and in respect of protected species including measures to address and control invasive species • Suitable arrangements for retention or diversion of gas pipeline (as appropriate) • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping of site to mitigate impact on heritage assets (Listed Buildings including at Norton Conyers, Norton Conyers Registered park and garden), local landscape features and their respective settings • A suitable groundwater impact assessment and a suitable flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and surface water drainage and SuDS as appropriate and mitigation of any hydrogeomorphic impacts on the river, its tributaries and on groundwater supplies • A traffic assessment to ensure suitable arrangements for access and local roads, including an appropriate traffic management plan • Suitable arrangements for public rights of way and the Ripon Rowel Walk (diversion or retention, and associated mitigation, as appropriate) • Appropriate arrangements for the assessment of, control of and mitigation of effects such as noise and dust • An appropriate restoration scheme using opportunities for habitat creation, but which is also appropriate to location within a birdstrike safeguarding zone 	
<p>Reasons for allocating site</p> <p>This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of sand and gravel (Policies M02, M03 and M04) and could contribute to meeting requirements for the supply of sand and gravel in the southwards distribution area over the Plan period (Policy M07) as evidence indicates that there is a</p>	

suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.


The site is subject to significant constraints. There are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application. However, it is considered that the issues identified are likely to be capable of being mitigated to an acceptable level such that the site could be developed and operated in an appropriate manner.

Therefore the site is an **allocated site**.



Site Reference: MJP14

Site Name: Ripon Quarry, North Stainley

Site Area: 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 06-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946. 2016.

POTGATE QUARRY, NORTH STAINLEY

Site reference	MJP10
Nature of Submitted Proposal	
Extraction of Magnesian limestone as proposed extension to existing quarry	
Location of Land	Potgate Quarry North Stainley Ripon HG4 3JN
(Grid Reference)	(427689 476336)
District	Harrogate
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Lightwater Quarries Ltd
Landowner	Landowner supports submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	3,700,000
Minerals Annual Output (tonnes)	235,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	19.4
Estimated date of commencement	2021
Proposed Life of Site	16 years
Proposed Access	Access to be into the western field of MJP10 from Potgate Quarry through the Musterfield extension (see below) with mineral to be processed at the existing quarry plant site. Material would then leave the site via the existing access along Water Lane (bridleway) onto the A6108 approximately 100m south of North Stainley. There would be no direct access to MJP10 from the public highway.
Light vehicles (two-way daily movements)	32 (based on NY/2012/0319/ENV application details)
HGVs (two-way daily movements)	90-162 (based on NY/2012/0319/ENV application details)

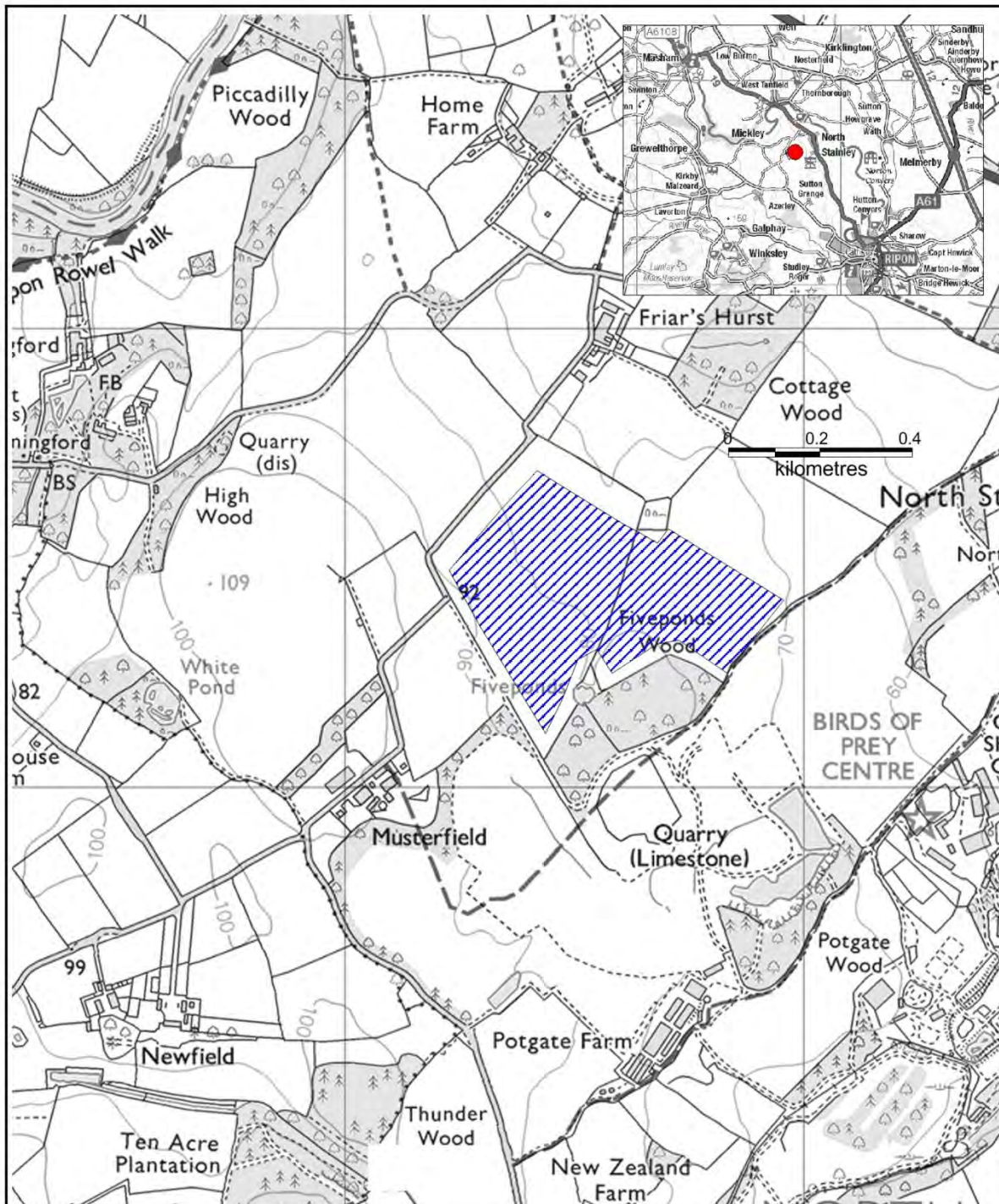
Possible site restoration and aftercare (if applicable)	Arable agriculture with some biodiversity habitats (woodland, pasture, conservation grassland, hedgerows, pond, exposed rock faces and screes)
Other information (if applicable)	Planning permission was granted on 30 January 2015 for the extraction of limestone from an area of land west of the site at Musterfield (NY/2012/0319/ENV)
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including cumulative impact and impacts on: Five Ponds Wood SINC, Ripon Parks SSSI, hedgerows and veteran or mature trees, protected species, potential habitats • Impact on best and most versatile agricultural land and livestock • Heritage asset issues, including: proximity to and impact on archaeological remains, Listed Buildings (Stainley Hall, Friars Hurst and the groups of buildings at Old Sleningford Hall and Sleningford Park) • Landscape and visual intrusion issues, including: cumulative impact, Nidderdale AONB, tourism facilities and other landscape features such as historic field patterns • Water issues, including: hydrology, flood risk (Zone 1), water supply and surface water drainage • Impacts on public rights of way along Water Lane and to south/west of submission area • Traffic impacts, including: access along Water Lane to the A6108 and conflict between use of the lane by HGVs and by NMUs • Amenity issues, including: noise, dust, blasting, public safety 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on Five Ponds Wood SINC and demonstrating that minerals extraction at this site will not destroy or damage the interest features for which the Ripon Parks SSSI is designated and in respect of hedgerows and veteran or mature trees and protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping of site to mitigate impact on heritage assets (Listed Buildings including Stainley Hall, Friars Hurst and the groups of buildings at Old Sleningford Hall and Sleningford Park), Nidderdale AONB, tourism facilities and local landscape features such as historic field patterns • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • Suitable arrangements for public rights of way (diversion or retention, and associated mitigation, as appropriate) • A traffic assessment to ensure suitable arrangements for access, including along Water Lane to the A6108 taking account of the use of the lane as a public right of way • Appropriate arrangements for the assessment of, control of and mitigation of effects such as noise, dust, blasting and issues regarding public safety • An appropriate restoration scheme integrated with the existing Potgate quarry scheme and using opportunities for habitat creation. 	
<p>Reasons for allocating site</p> <p>This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of crushed road (Policies M05 and M06) and could contribute to meeting requirements for the supply of Magnesian limestone over the Plan period (Policy M09), as evidence, including from the recent planning application NY/2012/0319/ENV,</p>	

indicates there is a suitable resource in the location, and the development would not conflict with other relevant policies in the Plan. The revised proposals and further clarification of the role of the site, provided since consultation at preferred options stage, have addressed previous areas of concern relating to this site.

No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.


Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process that would indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated site**.



Site Reference: MJP10

Site Name: Potgate Quarry, North Stainley

Site Area: 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 06-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

ALLERTON PARK, NEAR KNARESBOROUGH

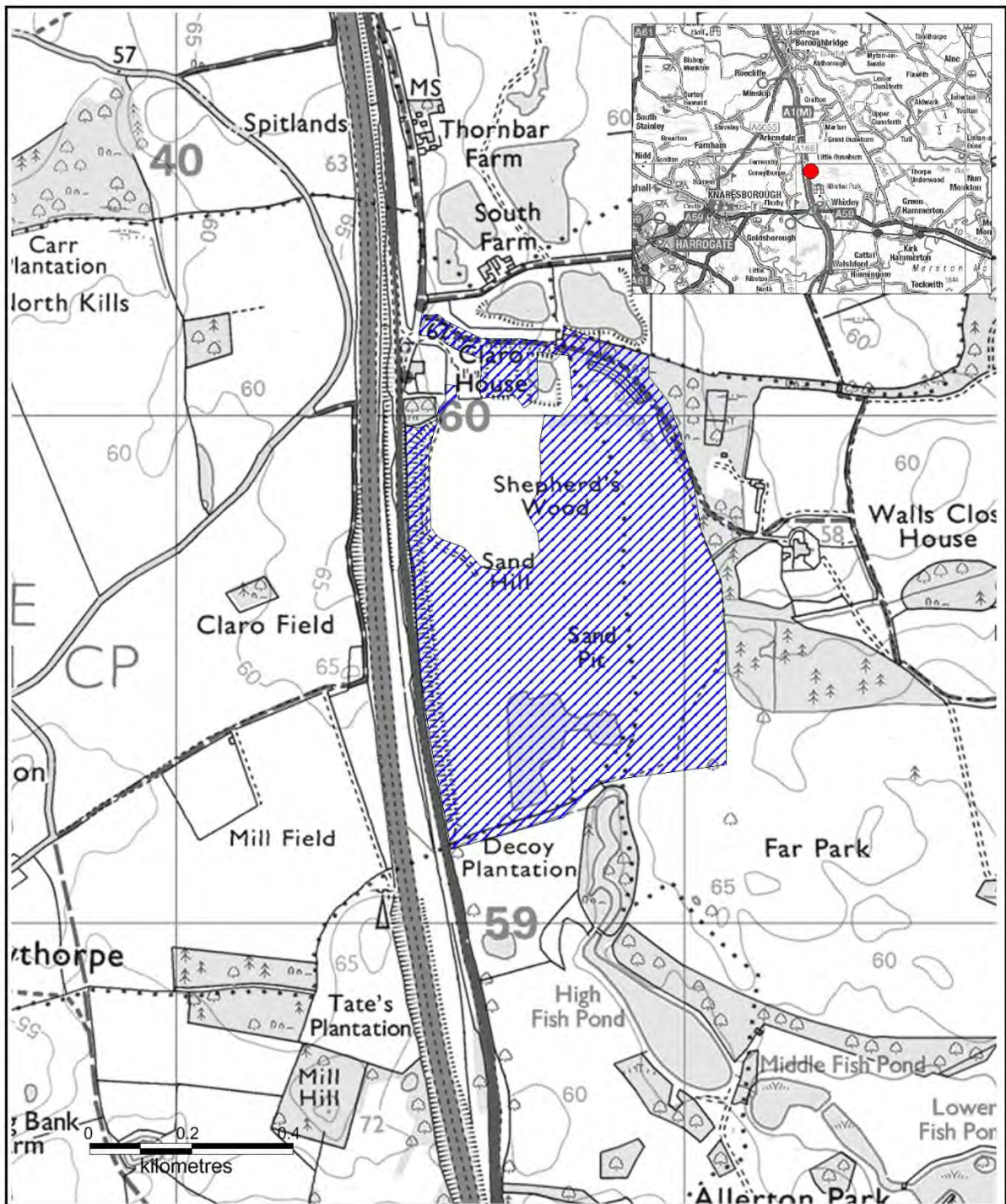
Site reference	WJP08
Nature of Submitted Proposal	
Retention of landfill and associated landfill gas utilisation plant and use of site for growth of energy/biomass crops beyond 2018. Proposed composting, transfer station and materials recycling facility, recycling (including of materials for secondary aggregates)	
Location of Land	Allerton Park Allerton Knaresborough HG5 0SB
(Grid Reference)	(440797 459673)
District	Harrogate
Waste Planning Authority	North Yorkshire County Council
Submitted by	FCC Environment
Landowner	Landowner supports the submission
Current Use	Landfill and associated landfill gas utilisation plant
Minerals Estimated Reserve (tonnes)	Not applicable
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	<ul style="list-style-type: none"> • Landfill - 100,000 • Composting - 12,000 • Transfer station - 50,000 • Materials recycling facility & secondary aggregates - 75,000
Recycled Materials Annual output (tonnes)	At least 89,000
Size of Site (hectares)	29.0
Estimated date of commencement	Continuation from 2018
Proposed Life of Site	Until 2033
Proposed Access	Existing at Allerton Park Landfill site onto the A168, approximately 3 kilometres north of junction 47 of the A1(M)
Light vehicles (two-way daily movements)	8 (based on details in application NY/2011/0328/ENV)

HGVs (two-way daily movements)	72 (based on details in application NY/2011/0328/ENV)
Possible site restoration and aftercare (if applicable)	No detailed design at present, but current approved scheme is agriculture and woodland
Other information (if applicable)	<p>Site currently has planning permission until 2018 for landfill</p> <p>There would be built infrastructure to support the extension to the landfill operations and the recycling operation</p> <p>The Allerton Waste Recovery Park facility adjacent to the site is currently under construction</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Allerton Park Lakes SINC, protected species, potential habitats • Impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: Listed Buildings including Allerton Park Mansion, Church of St Mary and the Temple of Victory, Coneythorpe Conservation Area and Allerton Park Registered Park and Garden • Landscape and visual intrusion issues, including: landfill site, local landscape features and impacts on users of right of way • Water issues, including: hydrology, flood risk (Zone 1) and surface water drainage • Traffic impacts, including: access and HGV use of local roads • Amenity issues, including: noise, dust, impacts on users of right of way 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on Allerton Park Lakes SINC and protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping of site to mitigate impact on heritage assets (Allerton Park Registered Park and Garden, Coneythorpe Conservation Area and Listed Buildings including Allerton Park Mansion, Church of St Mary and the Temple of Victory) and local landscape features and their respective settings, Allerton Waste Recovery facility and right of way • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate and taking account of the location in and adjacent to the existing landfill site • Suitable arrangements for public rights of way (diversion or retention, and associated mitigation, as appropriate) • Suitable arrangements for access to local roads including the A168, including an appropriate traffic management plan • Appropriate arrangements for control of and mitigation of effects such as noise and dust • An appropriate restoration scheme using opportunities for habitat creation 	
<p>Reasons for allocating site</p> <p>The WJP08 area already contributes to waste management capacity within the Plan area and the adjacent Allerton Waste Recovery Park, which is under construction, will add to the range of facilities in this locality, which represents a strategically significant location for the management of waste arising in the Plan area.</p> <p>Provision of support for the retention of existing uses and development of appropriate further</p>	

uses could further contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policy W01) and facilitate net self-sufficiency in capacity (Policy W02) and the meeting of capacity requirements for LACW and C& I waste (Policies W03 and W04). The continuation of the landfill would enable the reclamation of the former quarry void and would maintain increasingly scarce capacity for non-inert, non-hazardous waste. The site is also compatible with Policies W10 overall locational principles for waste capacity and W11 waste site identification principles.

Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated site**.



Site Reference: WJP08

Site Name: Allerton Park, near Knaresborough

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

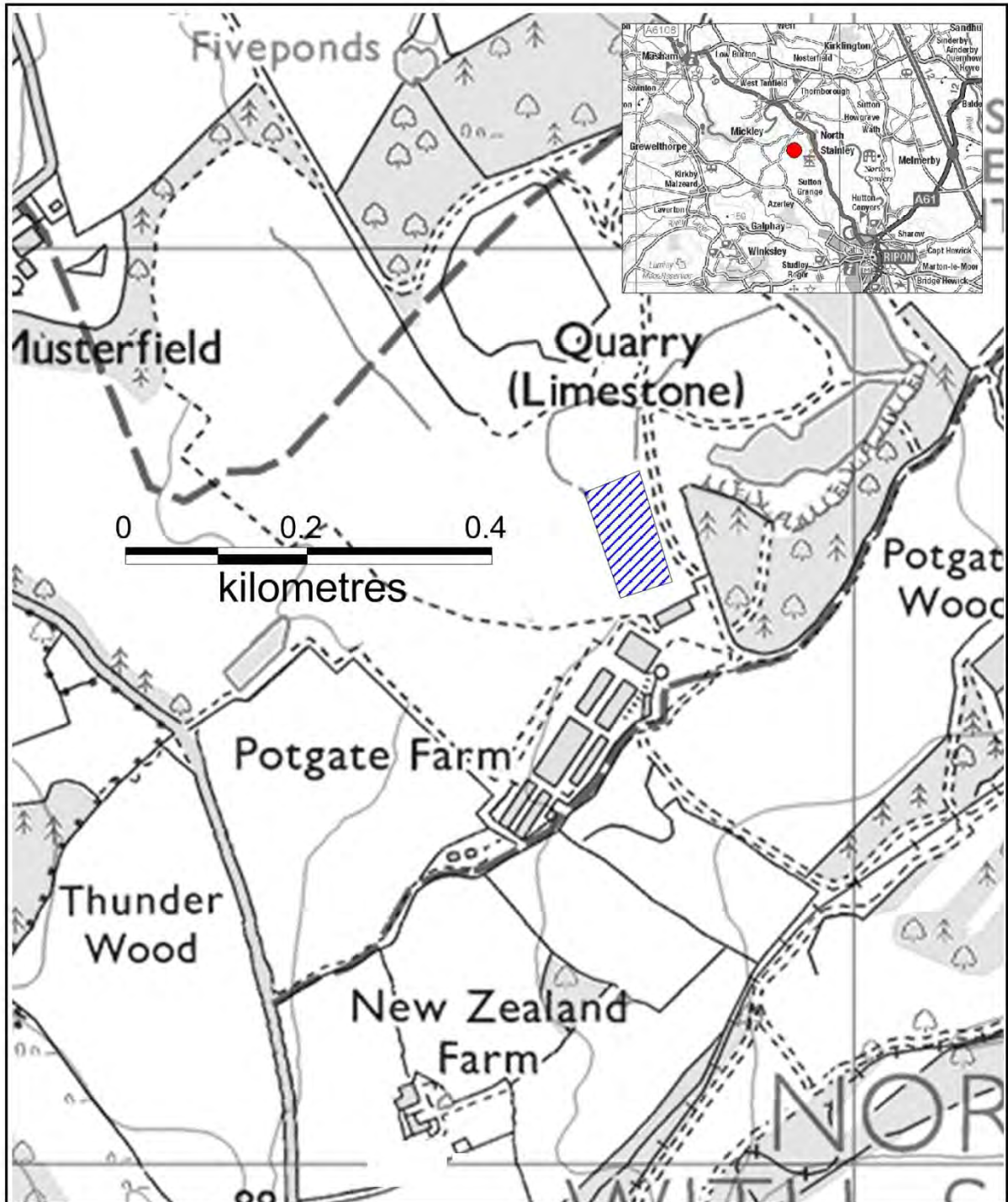
Site Submissions
Date: 09-2013
Compilation & Analysis: MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

POTGATE (FORMER PLANT SITE), NORTH STAINLEY - RECYCLING


Site reference WJP24	
Nature of Submitted Proposal Recycling of inert construction and demolition waste for secondary aggregates	
Location of Land	Former plant site Potgate Quarry North Stainley Ripon HG4 3JN
(Grid Reference)	427775 475637
District	Harrogate
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Lightwater Quarries Ltd
Landowner	Landowner supports submission
Current Use	Redundant crushing and screening plant.
Minerals Estimated Reserve (tonnes)	Not applicable
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	30,000
Recycled Materials Annual output (tonnes)	30,000
Size of Site (hectares)	0.75
Estimated date of commencement	2018
Proposed Life of Site	Tied to Potgate Quarry permission which is 1 June 2022 (if MJP10 is not developed)
Proposed Access	Existing Potgate Quarry access via Water Lane (bridleway) onto A6108 approximately 100m south of North Stainley village
Light vehicles (two-way daily movements)	None
HGVs (two-way daily movements)	5

Possible site restoration and aftercare (if applicable)	Incorporated into Potgate Quarry restoration scheme.
Other information (if applicable)	The facility would operate in conjunction with Potgate Quarry to extend the life of the Quarry.
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: protected species and potential habitats • Landscape and visual intrusion issues, including: impacts on local residents and users of rights of way • Water issues, including: hydrology, flood risk (Zone 1) and surface water drainage • Impacts on public rights of way, including along Water Lane • Traffic impacts including: access along Water Lane • Amenity issues, including: noise, dust 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species • Appropriate landscaping to mitigate impact on local landscape features, local residents and users of rights of way • Surface water runoff from this site should be managed using SuDS where appropriate and groundwater protected from pollution or harmful disturbance to flow • Suitable arrangements for public rights of way (diversion or retention, and associated mitigation, as appropriate) including along Water Lane • Appropriate arrangements for the assessment, control of and mitigation of effects such as noise and dust • An appropriate restoration scheme integrated with the existing Potgate quarry scheme and using opportunities for habitat creation. 	
<p>Reasons for allocating site</p> <p>This site is located within the existing Potgate Quarry operational area and is immediately adjacent to the active quarry.</p> <p>This site could contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policy W01), facilitate net self-sufficiency in the management of waste (Policy W02) and to meeting capacity requirements for CD & E waste (Policy W05). Subject to it being linked to the life of Potgate Quarry it would not conflict with Policy W11 waste site identification principles. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other strategic policies in the Plan.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an appropriate manner.</p> <p>Therefore this site is an allocated site.</p>	



Site Reference: WJP24

Site Name: Potgate Quarry, North Stainley

Site Area: 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

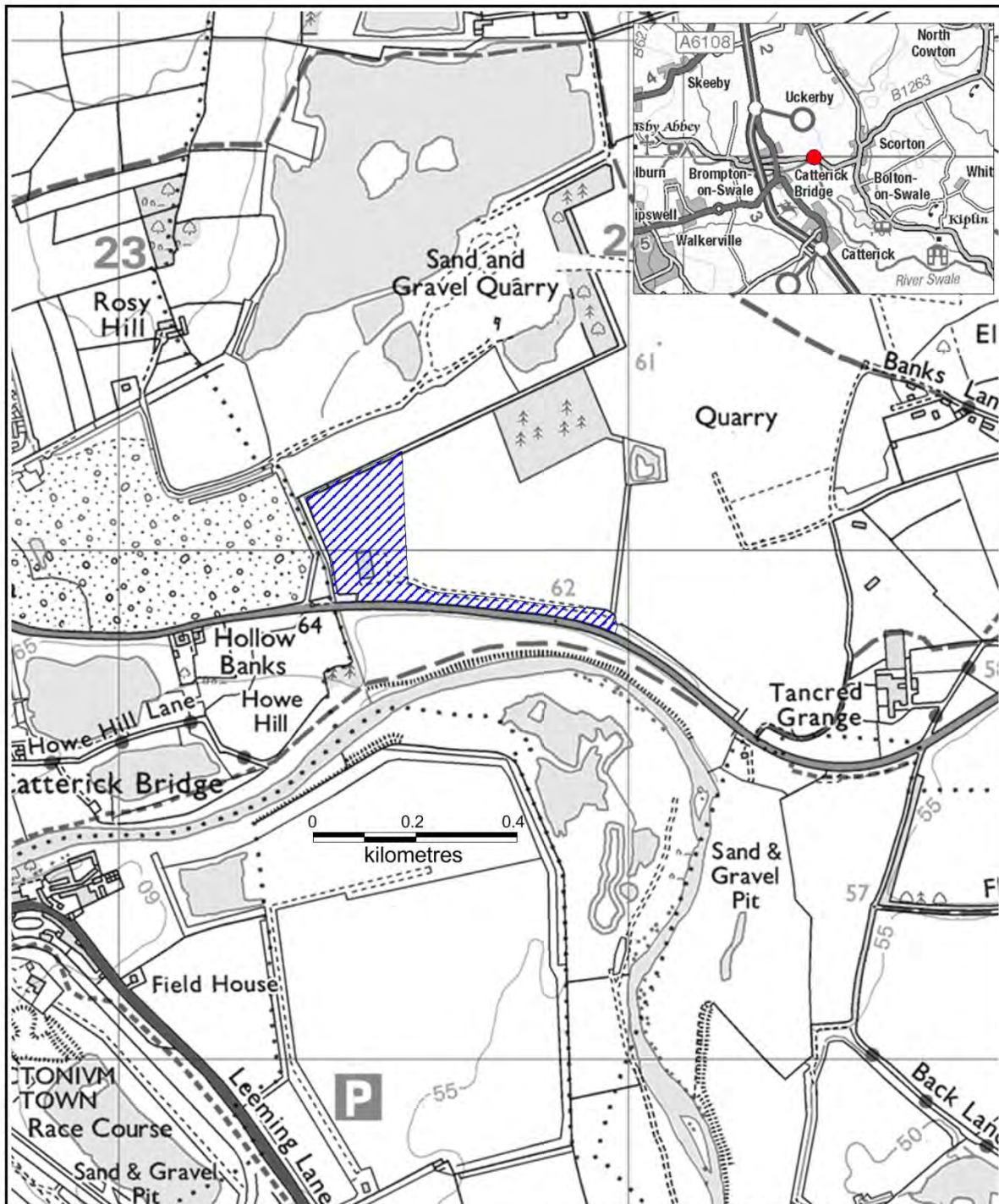
Site Submissions
Date : 06-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

TANCRED, NEAR SCORTON


Site reference	WJP18
Nature of Submitted Proposal	
Proposed retention of recycling (including treatment, bulking and transfer) and open windrow composting facilities beyond 2025	
Location of Land	Tancred Recycling Facility Brompton Road Scorton Richmond
(Grid Reference)	(423454 500004)
District	Richmondshire
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Yorwaste Ltd
Landowner	Landowner supports submission
Current Use	Waste transfer, recycling and open windrow composting
Minerals Estimated Reserve (tonnes)	None proposed
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	26,999 - Composting 100,999 - Municipal and commercial recycling- bulking and transfer (All above estimates for 2020)
Recycled Materials Annual output (tonnes)	127,998 (based on tonnage imports)
Size of Site (hectares)	1.98 – Recycling and composting facility
Estimated date of commencement	2025
Proposed Life of Site	2031-2035
Proposed Access	Existing access at Tancred facility onto B6271 approximately 1400m west of Scorton village
Light vehicles (two-way daily movements)	20 (estimate)
HGVs (two-way daily movements)	218 (estimate based on application MIN3995 details)
Possible site restoration and	No detailed design available, as currently under review, but

aftercare (if applicable)	current planning permissions require restoration to standard suitable for agriculture
Other information (if applicable)	Compost to be used in restoration to agriculture of the landfill site near Tancred Grange. Operation of the transfer station/ recycling facility and composting area is currently permitted until March 2025 with restoration to agriculture
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: protected species, potential for invasive species, potential habitats • Landscape and visual intrusion issues, including: local landscape features, landfill, cumulative impact with quarrying and its associated restoration in vicinity • Water issues, including: hydrology, flood risk (mostly in Zones 2 and 3) and surface water drainage • Traffic impacts, including access and HGV use of local roads such as the B6271 • Amenity issues, including: noise, dust, effects on users of rights of way 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species and including measures to address and control invasive species • Appropriate site design and landscaping of site to mitigate impact on local landscape features, and to address the cumulative effects of quarrying and its associated restoration in vicinity • A site specific flood risk assessment, including a more detailed assessment of the distribution of areas at greatest risk, and which will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS to reflect the site's location in a high flood risk area as appropriate • Improvements to access on to B6271 • Appropriate arrangements for control of and mitigation of the effects of bio-aerosols, noise and dust • An appropriate restoration scheme using opportunities for habitat creation in the context of the adjacent Scorton Quarry 	
<p>Reasons for allocating site</p> <p>This site could contribute to the retention of infrastructure which could help move waste up the waste hierarchy (Policy W01) and facilitate net self-sufficiency in the management of waste (Policy W02), meeting capacity requirements for LACW (Policy W03) and meeting capacity requirements for C & I waste (Policy W04). No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environment which indicate any significant conflict with other relevant policies in the Plan including Policy W10 meeting overall requirements for the provision of waste capacity and Policy W11 waste site identification principles.</p> <p>Although there are development requirements which have been identified through the Site Assessment process, in particular in relation to flood risk, which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: WJP18

Site Name: Tancred, near Scorton

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 09-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

SETTRINGTON QUARRY

Site reference	MJP08
Nature of Submitted Proposal	
Extraction of Jurassic limestone as proposed extension to existing quarry and importation of soils for use in restoration	
Location of Land	Settrington Quarry Settrington Malton North Yorkshire YO17 8NX
(Grid Reference)	(482790 469682)
District	Ryedale
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	David L Walker Limited (on behalf of Fenstone Limited)
Landowner	Landowner supports submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	1,700,000
Minerals Annual Output (tonnes)	80,000 – 120,000
Waste Annual Tonnage import	30,000 (soils for use in restoration)
Recycled Materials Annual output (tonnes)	None proposed
Size of Site (hectares)	5.6
Estimated date of commencement	2018
Proposed Life of Site	20-25 years
Proposed Access	There would be no direct access from MJP08 site to the public highway. The site would be worked direct from within the existing Settrington Quarry and stone would leave using the existing quarry access onto the C350 road (between Settrington and B1248 from Norton) approximately 75m east of Langton Lane (U8022 unclassified road).
Light vehicles (two-way daily movements)	24 (based on application MIN3070)

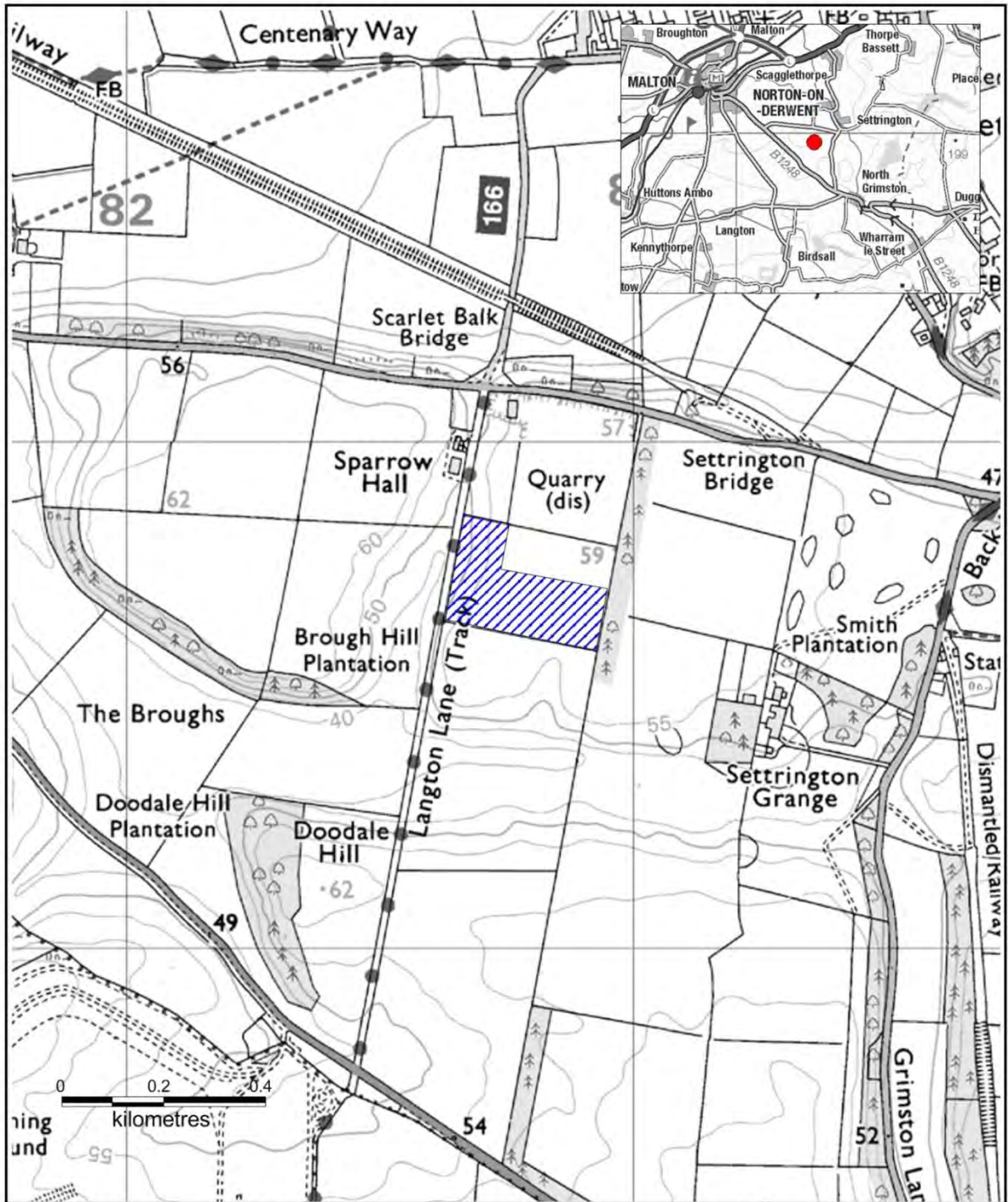
HGVs (two-way daily movements)	36 typical, with maximum of 44 (submitter information)
Possible site restoration and aftercare (if applicable)	No detailed design yet, but submitter proposes nature conservation and grazing with a continuation of the existing practice of battering the quarry sides using on-site material supplemented by imported subsoil and topsoil
Other information (if applicable)	Extraction would be a minimum of 100m from Langton Lane, consistent with the existing quarry operation. The submitter advises that unless for local delivery HGVs are routed via C350 to Settrington (Back Lane C349 & Chapel Road C349) to Forkers Lane/Bull Piece Lane (C349) to Scagglethorpe thence to the A64; or along Grimston Lane to B1248 southwards; or along the C350 to B1248 via Norton to A64 (Brambling Fields junction).
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: River Derwent SAC, protected species; potential habitats • Impact on best and most versatile agricultural land • Heritage asset issues, including: proximity to and impact on Town Green Scheduled Monument, other potential archaeological remains, Listed Buildings at Settrington Grange and in Settrington and the Settrington Conservation Area • Landscape and visual intrusion issues, including: other landscape features • Water issues, including: hydrology, flood risk (Zone 1) and surface water drainage • Impacts on 'other route with public access' (Langton Lane) and leisure trails (Yorkshire Wolds Way and Centenary Way) • Geodiversity issues • Traffic impact, including: access • Amenity issues, including: effects of blasting on neighbouring properties, noise, dust 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species and any potential hydrological impacts on the River Derwent SAC (if applicable) and protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate landscaping to mitigate impact on heritage assets (Town Green Scheduled Monument, other potential archaeological remains, Listed Buildings (including: Settrington Grange Farmhouse and farm buildings and buildings in Settrington and Settrington Conservation Area) and their settings and local landscape features • A site specific flood risk assessment, which to be satisfactory will need to include necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • Suitable arrangements for other rights of way such as Langton Lane including associated mitigation, as appropriate • Improvements to access regarding the surface and edges of the access and maintenance of the visibility splays as appropriate • Appropriate arrangements for control of and mitigation of the effects of blasting, noise and dust • An appropriate restoration scheme using opportunities for habitat creation and geodiversity 	

Reasons for allocating site

This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and could contribute to maintaining the landbank of crushed rock (Policy M06) and a local source of supply of Jurassic Limestone as evidence, including from the adjacent existing quarry, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other strategic policies in the Plan.


Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated site**.



Site Reference: MJP08

Site Name: Settrington Quarry

Site Area: 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

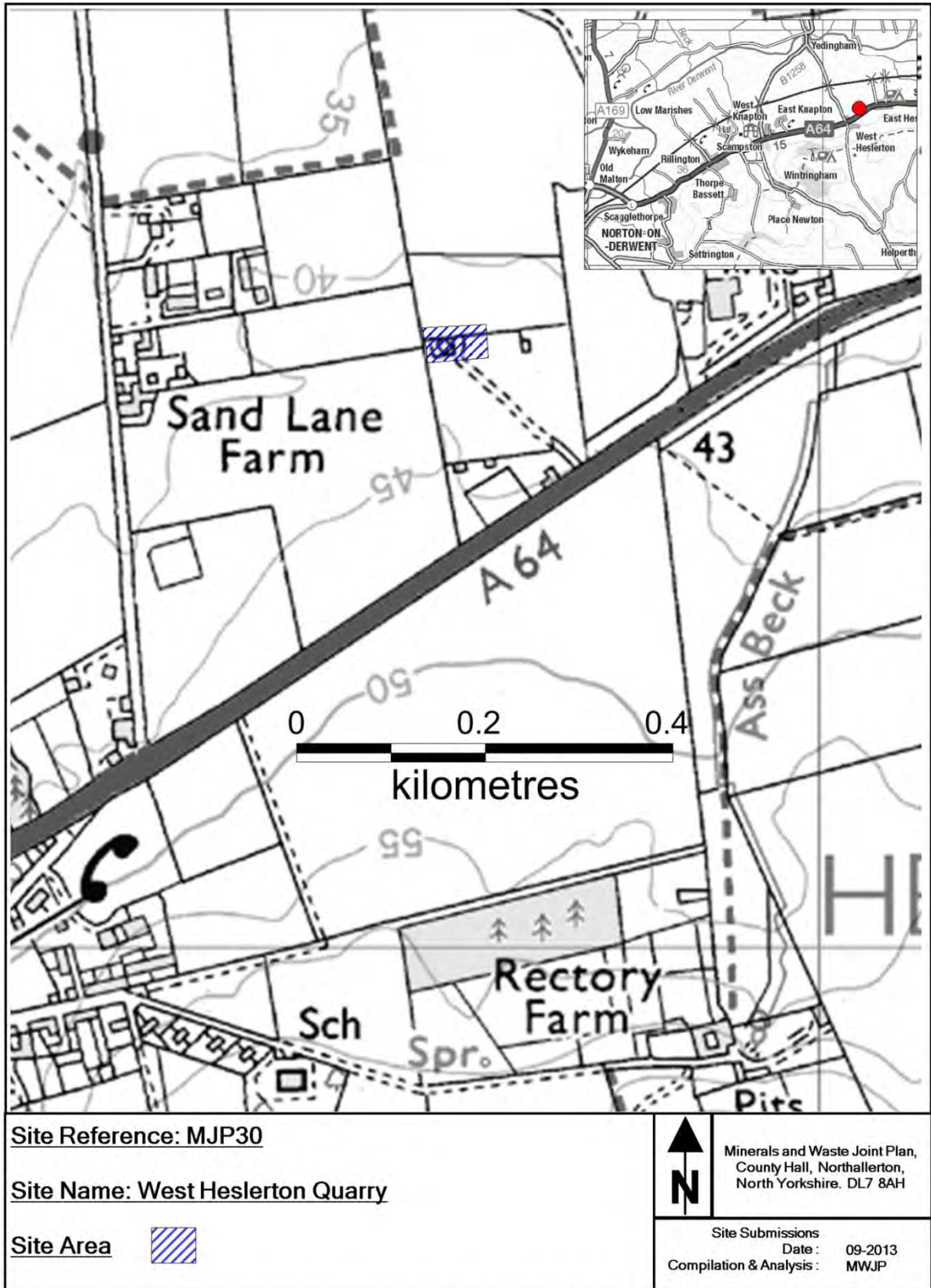
Site Submissions
Date : 09-2013
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

WEST HESLERTON QUARRY

Site reference	MJP30
Nature of Submitted Proposal	
Extraction of sand as proposed extension to existing quarry	
Location of Land	Sandsfield Scarborough Road West Heslerton YO17 8RH
(Grid Reference)	(491615 476633)
District	Ryedale
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Cromwell Wood Estate Company Ltd (on behalf of Cook & Son)
Landowner	Landowner supports submission
Current Use	Bungalow and associated land
Minerals Estimated Reserve (tonnes)	30,000 – 50,000
Minerals Annual Output (tonnes)	35,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	0.29
Estimated date of commencement	2019
Proposed Life of Site	1 year
Proposed Access	There would be no direct access to the MJP30 site; rather the mineral would be taken direct into the existing West Heslerton Quarry without transport on the public highway. Material would then leave via the existing Quarry access onto A64 approximately 490m east of West Heslerton village
Light vehicles (two-way daily movements)	10 (application details NY/2010/0097/73)
HGVs (two-way daily movements)	14 (application details NY/2010/0097/73)

Possible site restoration and aftercare (if applicable)	Low level agriculture, similar to the scheme for adjacent existing quarry with batters on sides to tie in with existing restored areas
Other information (if applicable)	Planning permission to replace the bungalow may be sought in the future
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: trees in the vicinity of the bungalow, protected species • Heritage asset issues, including proximity to and impact on: archaeological remains • Landscaping issues, including: local landscape features including sunken character of existing quarry landform and trees • Water issues, including: flood risk (Zone 1) and surface water drainage • Traffic impact, including access • Amenity issues, including: noise, dust 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species • Appropriate site design and landscaping to mitigate impact on: heritage assets (archaeological remains) and landform of the area, including the undertaking of an appropriate archaeological evaluation • A site specific flood risk assessment, which to be satisfactory will need to identify groundwater flood risk at the site within the assessment and include a flood evacuation plan and any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • Appropriate site design to ensure protection of the aquifer • Maintenance of appropriate standard of access onto the A64 • Appropriate arrangements for the assessment, control of and mitigation of effects such as noise and dust • An appropriate restoration scheme using opportunities for habitat creation 	
<p>Reasons for allocating site</p> <p>This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of sand and gravel (Policies M02, M03 and M04) and could contribute to meeting requirements for the supply of sand over the Plan period (Policy M08) as evidence, including from the adjacent existing quarry, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

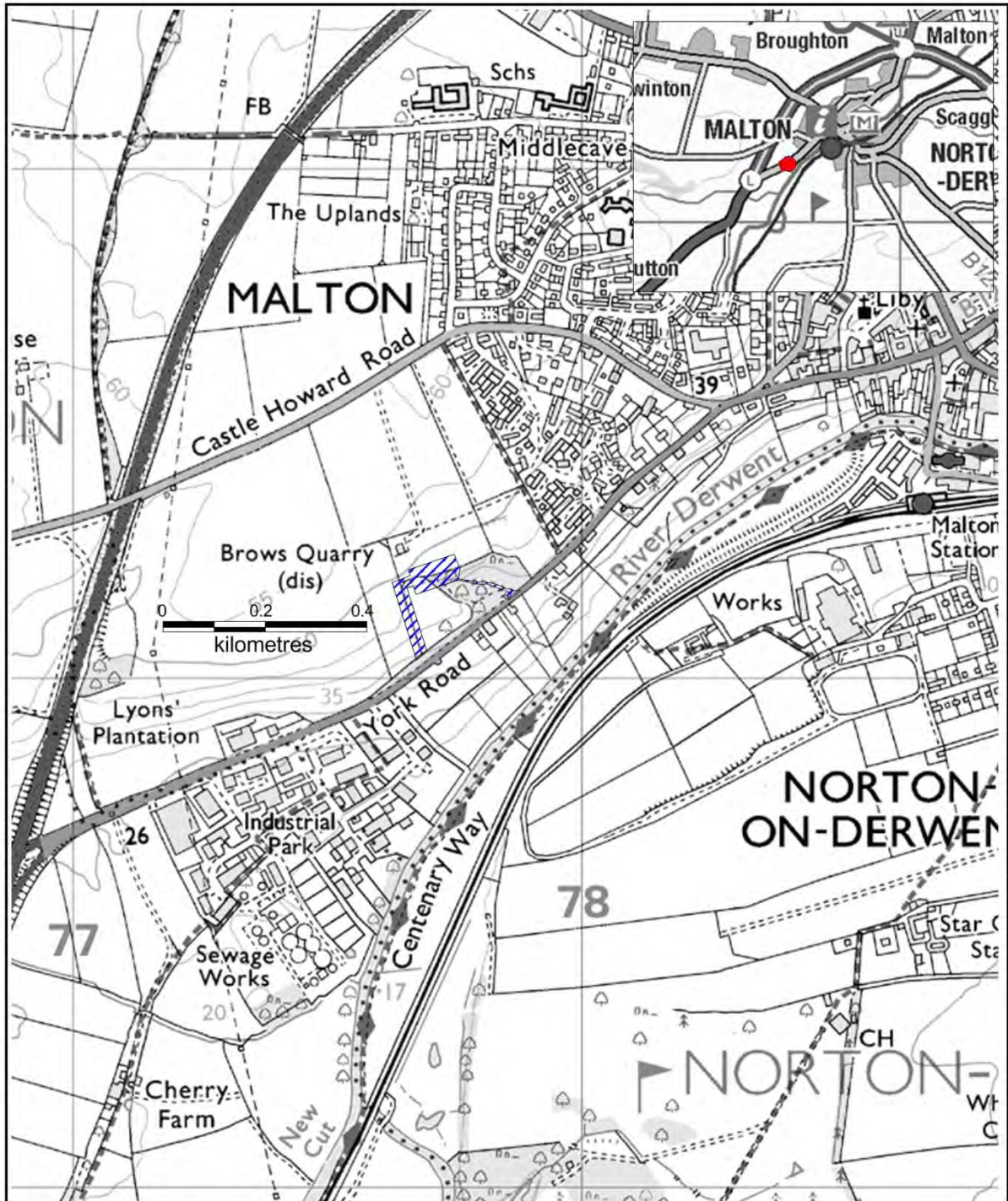
BROWS QUARRY, MALTON

Site reference	MJP63
Nature of Submitted Proposal	
Extraction of building stone from part of a former quarry and a proposed extension to the quarry	
Location of Land	Brows Quarry York Road Malton
(Grid Reference)	(477700 471100)
District	Ryedale
Mineral Planning Authority	North Yorkshire County Council
Submitted by	The Fitzwilliam (Malton) Estate
Landowner	Landowner supports submission
Current Use	Part disused quarry containing woodland and part agriculture
Minerals Estimated Reserve (tonnes)	37,500
Minerals Annual Output (tonnes)	Approximately 750
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	0.48
Estimated date of commencement	2017
Proposed Life of Site	25 years
Proposed Access	Main site access would be onto B1248 approximately 220m south-west of Rockingham Close, Malton. However, there would be a temporary access approximately 280 metres to the west of the proposed main site entrance to enable the delivery of the excavator and the formation of the main site entrance from within the site
Light vehicles (two-way daily movements)	4 (submitter information)
HGVs (two-way daily movements)	None applicable, as stone to be removed in vehicles of up to 7 tonnes weight only

Possible site restoration and aftercare (if applicable)	Shallow sloping valley from north-west corner to join existing quarry floor which would be used for agriculture (pasture)
Other information (if applicable)	<p>Planning permission for the extraction of building stone at Brows Quarry (NY/2007/0293/FUL) was granted in 2009, but the permission was not implemented within the specified timescale so has lapsed.</p> <p>No drilling or blasting proposed. About 50% of the stone quarried will be unsuitable for use as building stone due to quality so the operation would involve the extraction of about 1500 tonnes per year to achieve the output, but the surplus material would remain on site in order to form the sloping sides of the restored site</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: River Derwent SAC, trees, woodland, protected species and potential habitats • Potential impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: archaeological remains • Landscape and visual intrusion issues, including impact on: local landscape features • Water issues, including: hydrology, aquifer, flood risk (Zone 1) and surface water drainage • Geodiversity issues • Traffic impact, including: access and HGV use of local roads • Amenity issues, including: noise, dust 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species and any potential hydrological impacts on the River Derwent SAC • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: heritage assets (archaeological remains), local landscape features and their respective settings • Management of surface water runoff from the site using SuDS where appropriate and including measures to protect groundwater • Suitable arrangements for access onto the B1248 and local roads • Appropriate arrangements for control of and mitigation of effects such as noise, dust and fuel spillages • An appropriate restoration scheme using opportunities for habitat creation and geodiversity 	
<p>Reasons for allocating site</p> <p>This site could contribute to supply of building stone over the Plan period (Policy M15) as evidence, including from the former quarry at the site, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and</p>	

operated in an acceptable manner and the site has recently been the subject of a planning permission for building stone extraction.

Therefore the site is an **allocated site**.



Site Reference: MJP63

Site Name: Brows Quarry, Malton

Site Area



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 05-2015
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2015.

SEAMER CARR, EASTFIELD, SCARBOROUGH

Site reference	WJP15
Nature of Submitted Proposal	
Retention of existing recycling (including treatment, bulking and transfer), open windrow composting, and energy from waste (biomass) facilities beyond end of current planning permissions which are currently limited to 2020 and new inert waste screening facility	
Location of Land	Seamer Carr Dunslow Road Eastfield Scarborough YO12 4QA
(Grid Reference)	(503420 483260)
District	Scarborough
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Yorwaste Ltd
Landowner	Landowner supports submission
Current Use	Landfill (under restoration), Recycling (including treatment, bulking and transfer), Open windrow composting and Energy from Waste (Biomass and Landfill Gas Utilization)
Minerals Estimated Reserve (tonnes)	None proposed
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	<ul style="list-style-type: none"> • 25,000 Composting • 47,000 Kerbside Recycling - bulking and transfer in existing MRF • 75,000 C&I Recycling and Municipal Residual waste in 'new' MRF (as at 2020)
Recycled Materials Annual output (tonnes)	147,000 (estimate based on imports)
Size of Site (hectares)	107.8
Estimated date of commencement	From 2020
Proposed Life of Site	15 – 20 years
Proposed Access	Existing Seamer Carr access via Dunslow Road (U825 unclassified road) onto Cayton Approach and Seamer Carr Road to A64

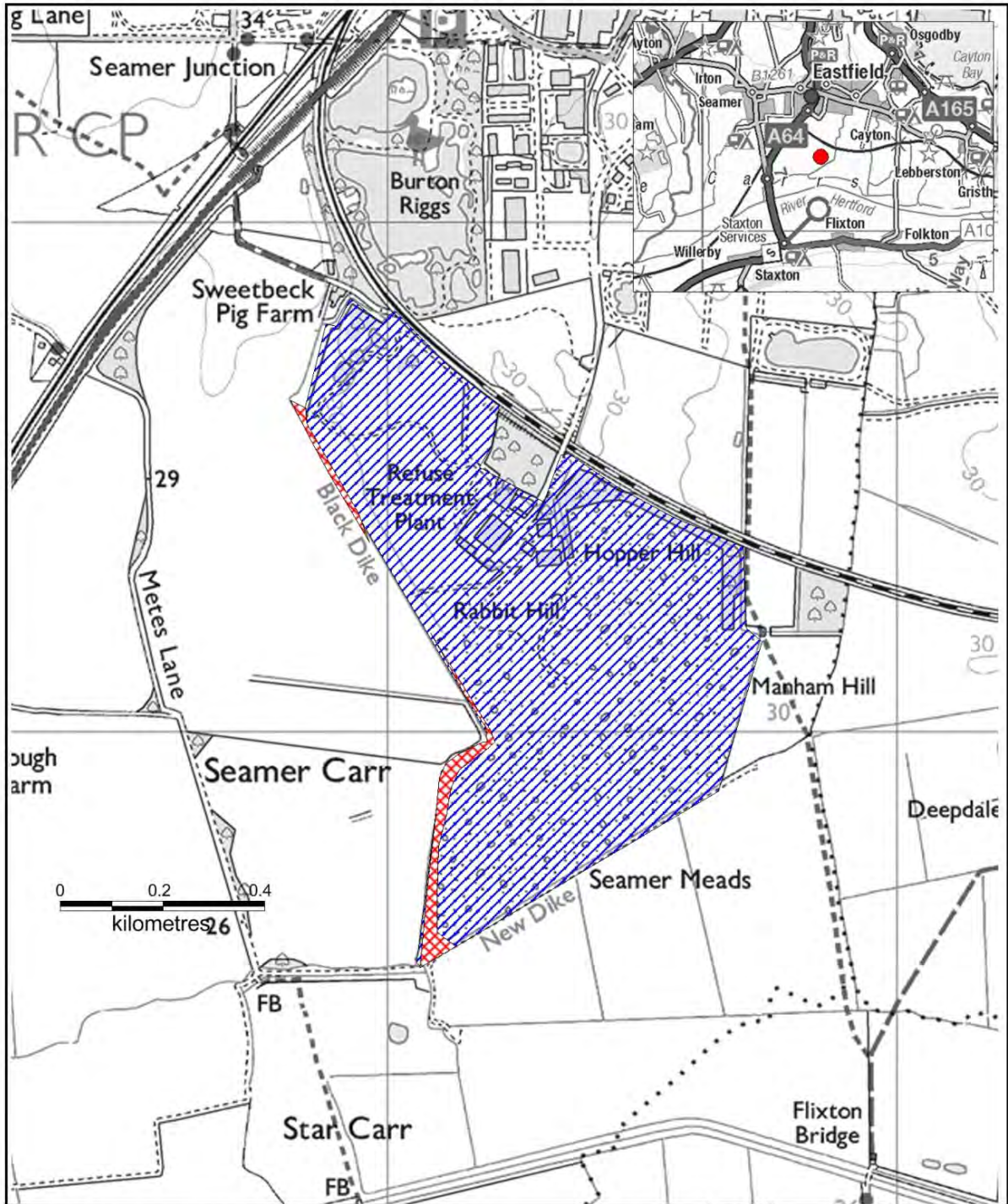
Light vehicles (two-way daily movements)	32 (application details MIN3314 and NY/2007/0294/FUL)
HGVs (two-way daily movements)	124 – 164 (application details MIN3314 and NY/2007/0294/FUL)
Possible site restoration and aftercare (if applicable)	No detailed design yet available as restoration plan is under review but current approved scheme includes woodland, shrubs and grassland
Other information (if applicable)	Compost to be used in restoration of landfill site, which is being restored to woodland, shrubs and grassland with original recycling building to be retained for continued use beyond the current planning permission end-date of 2020. Other recycling building not time limited. Energy from Waste (GEM plant currently time limited to 2020). Landfill gas utilisation plant to be removed when no longer required for that function
Key Sensitivities identified by Site Assessment	
<ul style="list-style-type: none"> • Ecological issues, including impacts on: drains linked to the River Hertford SINC, protected species, potential habitats • Potential impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: Starr Carr Scheduled monument • Landscape and visual intrusion issues, including: landfill site, screening, local landscape features and effects on users of A64 and rights of way • Water issues, including: hydrology, aquifer, flood risk (mostly Zone 1 but small areas of Zones 2 and 3) and surface water drainage • Traffic impacts, including: access, HGV use of local roads and A64 • Amenity issues, including: noise, dust, odour, bio-aerosols, effects on users of rights of way 	
Development requirements identified through Site Assessment and Consultation process	
<ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on drains linked to the River Hertford SINC and protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: Starr Carr Scheduled monument and its setting, local landscape features and users of A64 and rights of way • A site specific flood risk assessment, which to be satisfactory will need to include necessary mitigation, such as compensatory storage, attenuation and SuDS as appropriate and the avoidance of the SFRA identified flood risk area (as shown in the accompanying plan) • A site specific hydrological risk assessment and the implementation of mitigation to reduce risks to groundwater quality and groundwater resources to an acceptable level • Appropriate site design to ensure protection of the aquifer, with particular consideration of the SPZ1 constraint at the site • Suitable arrangements for access and local roads including the Seamer Carr Road and the A64 • Appropriate arrangements for control of and mitigation of the effects of noise, dust, odour, bio-aerosols • An appropriate restoration scheme using opportunities for habitat creation 	

Reasons for allocating site

This site could contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policy W01) and facilitate net self-sufficiency in the management of waste (Policy W02), meeting capacity requirements for LACW (Policy W03) and meeting capacity requirements for C & I waste (Policy W04). No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environment which indicate any significant conflict with other relevant policies in the Plan including W10 meeting overall requirements for the provision of waste capacity and Policy W11 waste site identification principles.

Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated site**.



Site Reference: WJP15

Site Name: Seamer Carr, Eastfield, Scarborough

Site Area



Flood Risk Exclusion Area



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 09-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

LAND TO NORTH OF HEMINGBROUGH

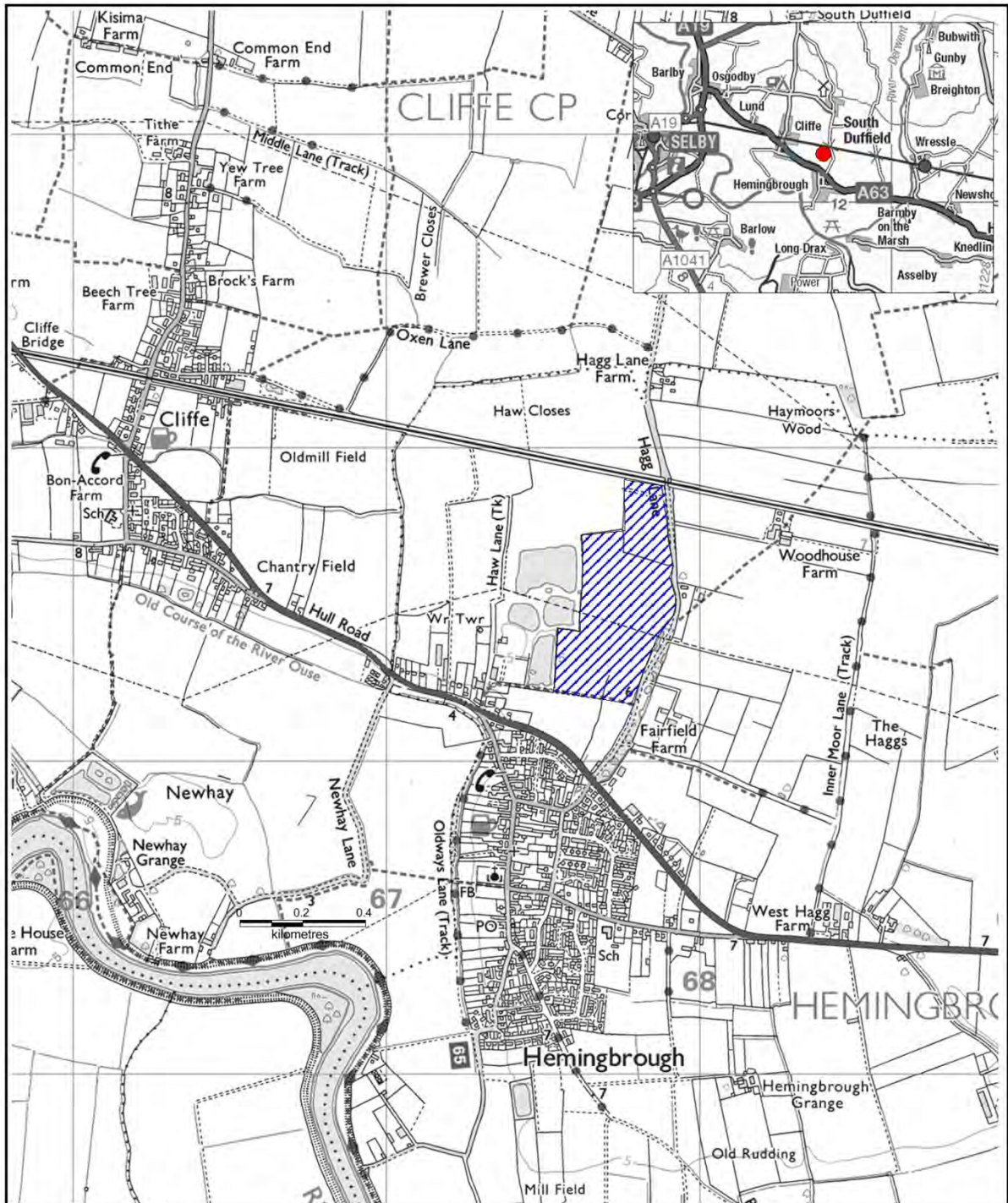
Site reference MJP45	
Nature of Submitted Proposal Extraction of clay as proposed extension to existing quarry	
Location of Land	Land adjacent to former Hemingbrough brickworks Hull Road Hemingbrough
(Grid Reference)	(467732 431543)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	MJCA on behalf of Plasmor Ltd
Landowner	Landowner supports submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	500,000
Minerals Annual Output (tonnes)	150,000 – 200,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	14.31
Estimated date of commencement	2026-2035 (based on annual output of 100,000-200,000 as per NY/2015/0058/ENV)
Proposed Life of Site	2.5-3.5 years
Proposed Access	Access to be onto A63 to west of Garth House, Hull Road (A63) approximately midway along the southern boundary of the west extension which would be used by HGVs once constructed. Once this new access is constructed the existing Northfield Road access would be used by site staff and visitors only to get to the site offices.
Light vehicles (two-way daily movements)	16 (application details NY/2015/0058/ENV)
HGVs (two-way daily movements)	100 (application details NY/2015/0058/ENV)

Possible site restoration and aftercare (if applicable)	A series of ponds with marginal planting, areas of wildflower meadow, neutral and acidic grassland and species rich hedgerow
Other information (if applicable)	<p>Planning application NY/2015/0058/ENV was granted in March 2016 (Planning Permission C8/2015/0280/CPO), so the site area has been reduced to reflect that decision.</p> <p>The company preference is to extract reserves at MJP55 Escrick. However, if the clay within the MJP55 allocation is not available then the MJP45 reserve would be expected to commence within the plan period.</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including regarding the River Derwent SAC, Hagg Lane Green SINC, trees, hedgerows, protected species, birdstrike restrictions regarding restoration, potential habitats • Impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: archaeological remains and Hemingbrough Conservation Area • Landscape and visual intrusion issues, including impacts on: local landscape features and users of local roads and railway • Water issues, including: hydrology, flood risk (Zone 1) and surface water drainage • Impact on public right of way along the south edge of the site and the Trans Pennine Trail leisure route • Traffic impact including: access and HGV use of local roads • Amenity issues, including: noise, dust • Potential for recreation/tourism on restoration 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on the nearby Hagg Lane Green SINC site, protected species and any potential hydrological impacts on the River Derwent SAC • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: heritage assets (archaeological remains and Hemingbrough Conservation Area) and local landscape features and their respective settings and users of local roads, public right of way along the south edge of the site and the Trans Pennine Trail leisure route and railway • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation, surface water drainage and SUDs as appropriate • Suitable arrangements for access on to the A63 and local roads, including an appropriate traffic management plan • Appropriate arrangements for control of and mitigation of the effects of noise and dust • An appropriate restoration scheme using opportunities for habitat creation, recreation and tourism but which is also appropriate to location within a birdstrike safeguarding zone 	
<p>Reasons for allocating site</p> <p>This site could contribute to meeting requirements for the supply of brick clay over the Plan period (Policy M13) as evidence, including from the adjacent existing quarry and recent decision on an extension to the quarry NY/2015/0058/ENV, indicates that there is a suitable resource in this location.</p>	

No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other strategic policies in the Plan.

Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated site**.



Site Reference: MJP45

Site Name: Land to north of Hemingbrough

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 06-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

LAND ADJACENT TO FORMER ESCRICK BRICKWORKS

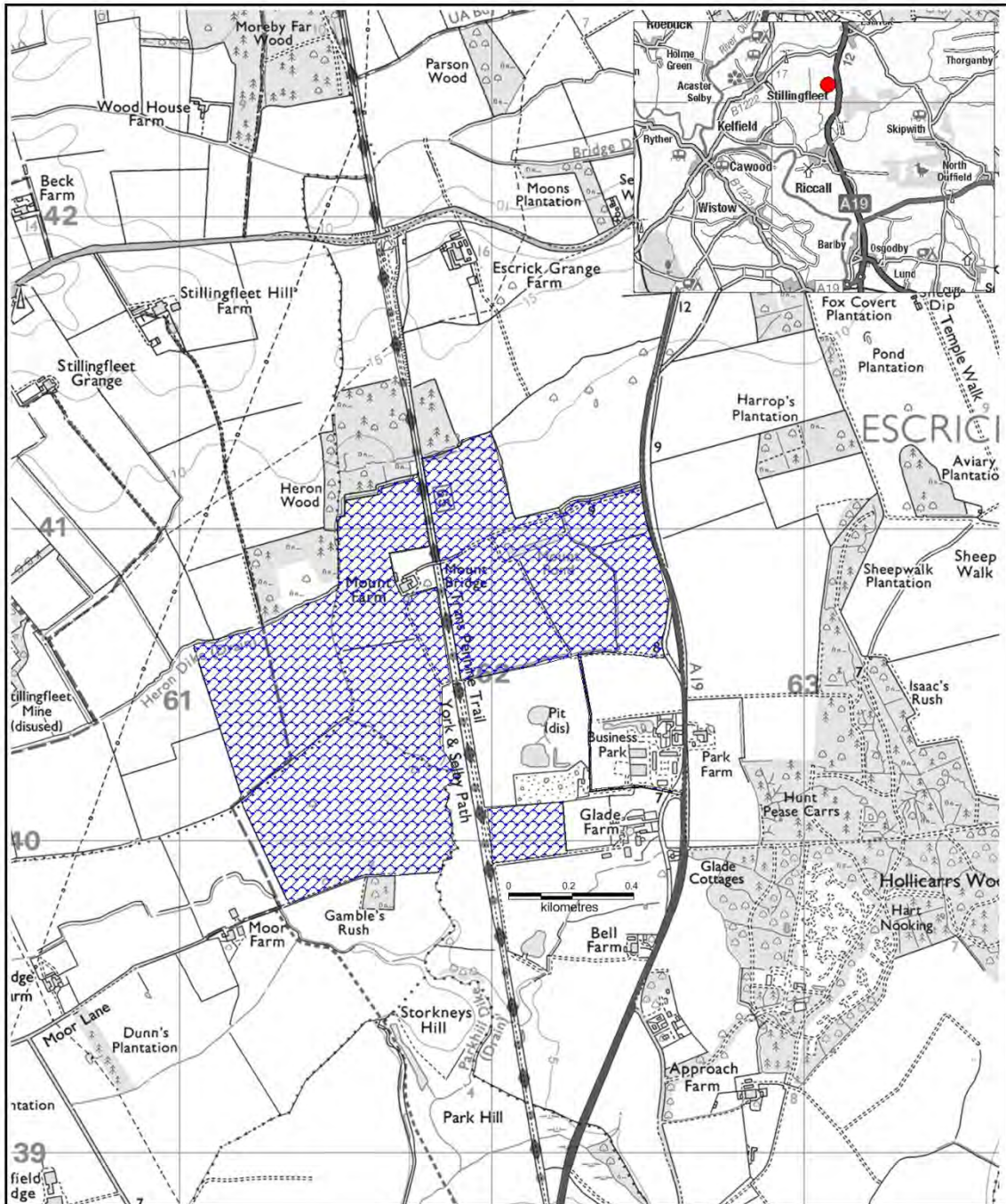
Site reference	MJP55
Nature of Submitted Proposal	
Extraction of clay as extensions to a former quarry (Preferred area)	
Location of Land	Land adjacent to former Escrick Brickworks Escrick YO19 6ED
(Grid Reference)	(461919 440761)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	MJCA on behalf of Plasmor Ltd
Landowner	Landowner supports submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	7,350,000 based on submitter information. Note: the estimated reserve which could acceptably be developed at this site is likely to be significantly less as a result of the range of constraints which apply.
Minerals Annual Output (tonnes)	200,000
Waste Annual Tonnage import	See WJP06
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	112
Estimated date of commencement	Anticipated to be approximately 2023
Proposed Life of Site	Life of site would be dependent on definition of any acceptable working area
Proposed Access	Existing access via the former Escrick Brickworks and U722 unclassified road by Escrick Business Park onto the A19
Light vehicles (two-way daily movements)	10 (submitter information)
HGVs (two-way daily movements)	100 (submitter information)

Possible site restoration and aftercare (if applicable)	No detailed design available yet, but would be back to agriculture at or near original ground levels
Other information (if applicable)	<p>WJP06 proposes landfill of the MJP55 site</p> <p>MJP55 is proposed to enable continued supply of clay to the existing Heck block manufacturing facility operated by the submitter, once the reserves at Hemingbrough Quarry permitted via Planning Permission C8/2015/0280/CPO have been extracted</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Skipwith Common SAC site and SSSI, Heron Wood SINC and ancient woodland, trees, protected species, potential habitats • Impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: archaeological remains, Listed buildings (Escrick Park and Coach House), Escrick Conservation Area and unregistered designed landscape at Escrick Park • Landscape and visual intrusion issues, including: local landscape features, impacts on users of the Trans Pennine Trail leisure route • Water issues, including: hydrology, aquifer, flood risk (Zones 1 and 2) and surface water drainage and pond • Traffic impact, including: access across the Trans Pennine Trail to the site entrance and on the A19 • Amenity issues, including: noise, dust, residential properties and businesses, the Trans Pennine Trail leisure route, quality of life 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on Heron Wood SINC and ancient woodland and protected species and any potential hydrological impacts on the Skipwith Common SAC site and SSSI • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: heritage assets (including Escrick Park and Coach House, Escrick Conservation Area and the Escrick Park unregistered designed landscape) and local landscape features and their respective settings and the Trans Pennine Trail leisure route • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • Appropriate site design for the protection of the aquifer and pond at Mount Farm • Appropriate arrangements for the crossing of the Trans Pennine Trail and maintenance of the access to the A19 • Appropriate arrangements for control of and mitigation of effects such as noise and dust on local residences, businesses and the Trans Pennine Trail • An appropriate restoration scheme using opportunities for habitat creation 	
<p>Reasons for allocating area</p> <p>This area could contribute to meeting longer term requirements for the supply of brick clay for existing block manufacturing capacity in the Plan area in the event that sufficient supplies cannot be obtained from the existing Hemingbrough site during the second half of the Plan period (Policy M13). Evidence, including from the adjacent former quarry, indicates that there is a suitable resource in this location.</p>	

The area is large and contains resources well in excess of those likely to be required to meet the current policy requirements. The area is also subject to significant constraints regarding ecological issues, heritage assets and the Trans Pennine Trail.

However, it is considered that subject to appropriate siting, design and mitigation there is likely to be potential to develop, within the overall area put forward, an appropriately scaled site to meet any additional requirements in the later part of Plan period. There are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application and no overriding constraints have been identified at this stage through the site assessment process to indicate that a site could not be developed and operated in an acceptable manner.

Therefore the area is identified as a **Preferred Area** within which an appropriately scaled site could be developed if required.



Reference: MJP55

Name: Land adjacent to former Escrick brickworks

Preferred Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

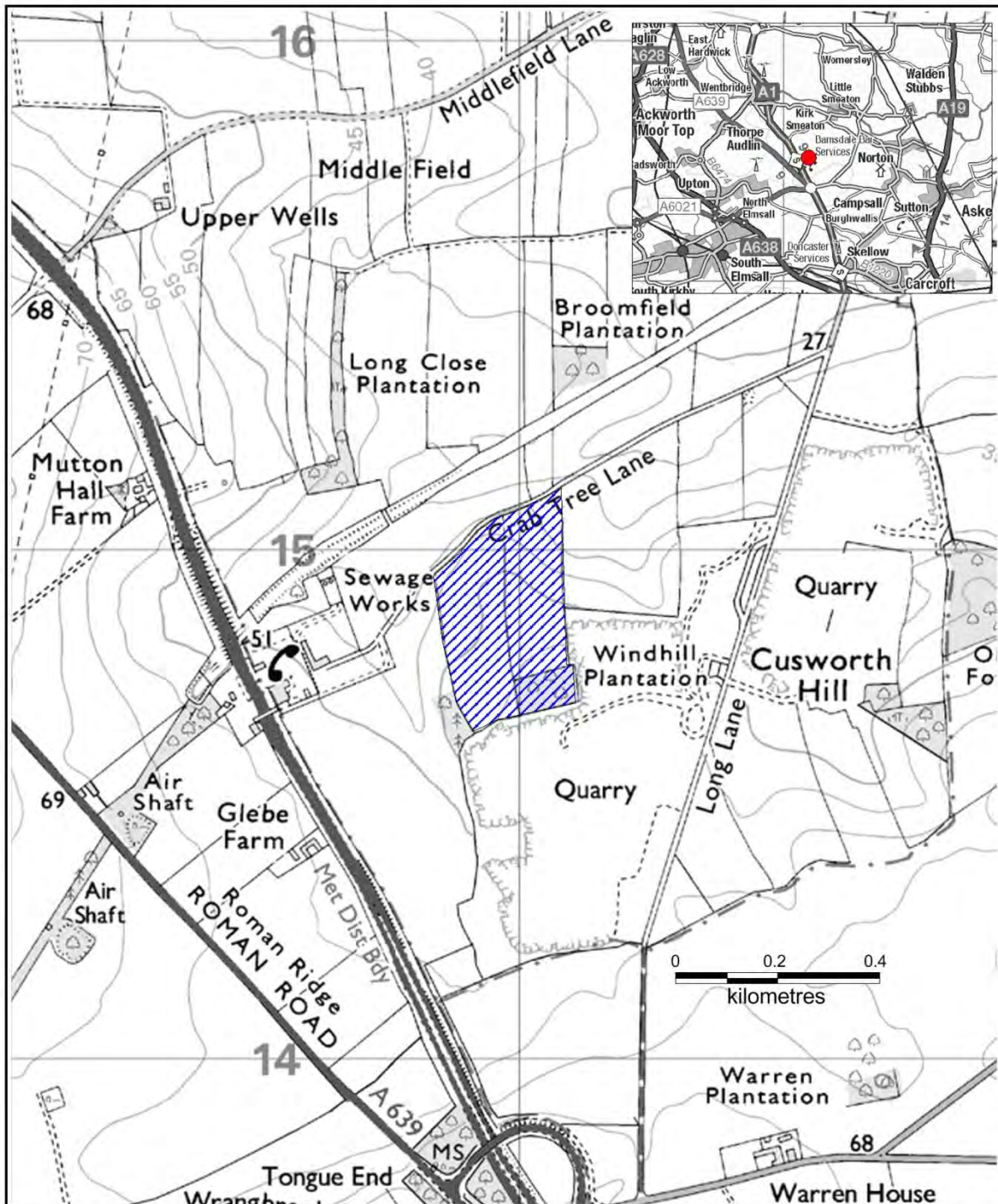
Site Submissions
Date : 09-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

BARNSDALE BAR QUARRY, NEAR KIRK SMEATON

Site reference	MJP28
Nature of Submitted Proposal	
Extraction of Magnesian limestone as proposed extensions to existing quarry	
Location of Land	Barnsdale Bar Quarry Long Lane Kirk Smeaton WF8 3JX
(Grid Reference)	(450974 414846) North-west
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	RPS (on behalf of WRG) – now FCC Environment
Landowner	Landowner of part of north-west area supports submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	1,960,000 (north-west)
Minerals Annual Output (tonnes)	175,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	9.3 (north-west)
Estimated date of commencement	2020
Proposed Life of Site	6 - 8 years (north-west)
Proposed Access	No direct access to the public highway from the proposed extraction area, rather access would be from within the existing Barnsdale Bar Quarry and material would then leave using the existing access along Long Lane onto Woodfield Road (approximately 115m east of Barnsdale Bar junction of A1 with A639/A6201)
Light vehicles (two-way daily movements)	18 (Application details NY/2014/0393/ENV)
HGVs (two-way daily movements)	56 (Application details NY/2014/0393/ENV)
Possible site restoration and aftercare (if applicable)	No detailed design yet for north-west area
Other information (if applicable)	A planning application (NY/2014/0393/ENV) to extract from the MJP28 north area as an extension to the existing quarry was granted planning permission in June 2016. No

	planning application has yet been submitted for the MJP28 north-west area
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: woodland, protected species, potential habitats • Impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: the Scheduled Monument (multivallate enclosure west of Norton Mills) and archaeological remains • Landscaping issues, including impacts on: a designated Locally Important Landscape Area, local landscape features and cumulative impact of quarrying • Impact on Green Belt • Water issues, including: hydrology, aquifer, flood risk (Zone 1) and surface water drainage • Traffic impact, including access • Amenity issues, including: noise, dust, air quality, impacts on users of the A1, rights of way and other unclassified tracks such as Long Lane 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including impacts on protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: heritage assets (archaeological remains and Scheduled Monument - multivallate enclosure west of Norton Mills), Green Belt and their respective settings and local landscape features, • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • An appropriate site design to ensure protection of the aquifer with groundwater monitoring • Suitable arrangements for public rights of way and unclassified track such as parts of Long Lane and associated mitigation, as appropriate • Maintenance of appropriate standard of access • Appropriate arrangements for control of and mitigation of the effects of noise and dust • An appropriate restoration scheme using opportunities for habitat creation and to a use compatible with its location in the Green Belt and a Locally Important Landscape Area 	
<p>Reasons for allocating site</p> <p>This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of crushed road (Policies M05 and M06) and could contribute to meeting requirements for the supply of Magnesian limestone over the Plan period (Policy M09) as evidence, including from the recently granted planning application NY/2014/0393/ENV and adjacent existing quarry, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: MJ28

Site Name: Barnsdale Bar Quarry, near Kirk Smeaton

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 09-2013
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

WENT EDGE QUARRY, NEAR KIRK SMEATON

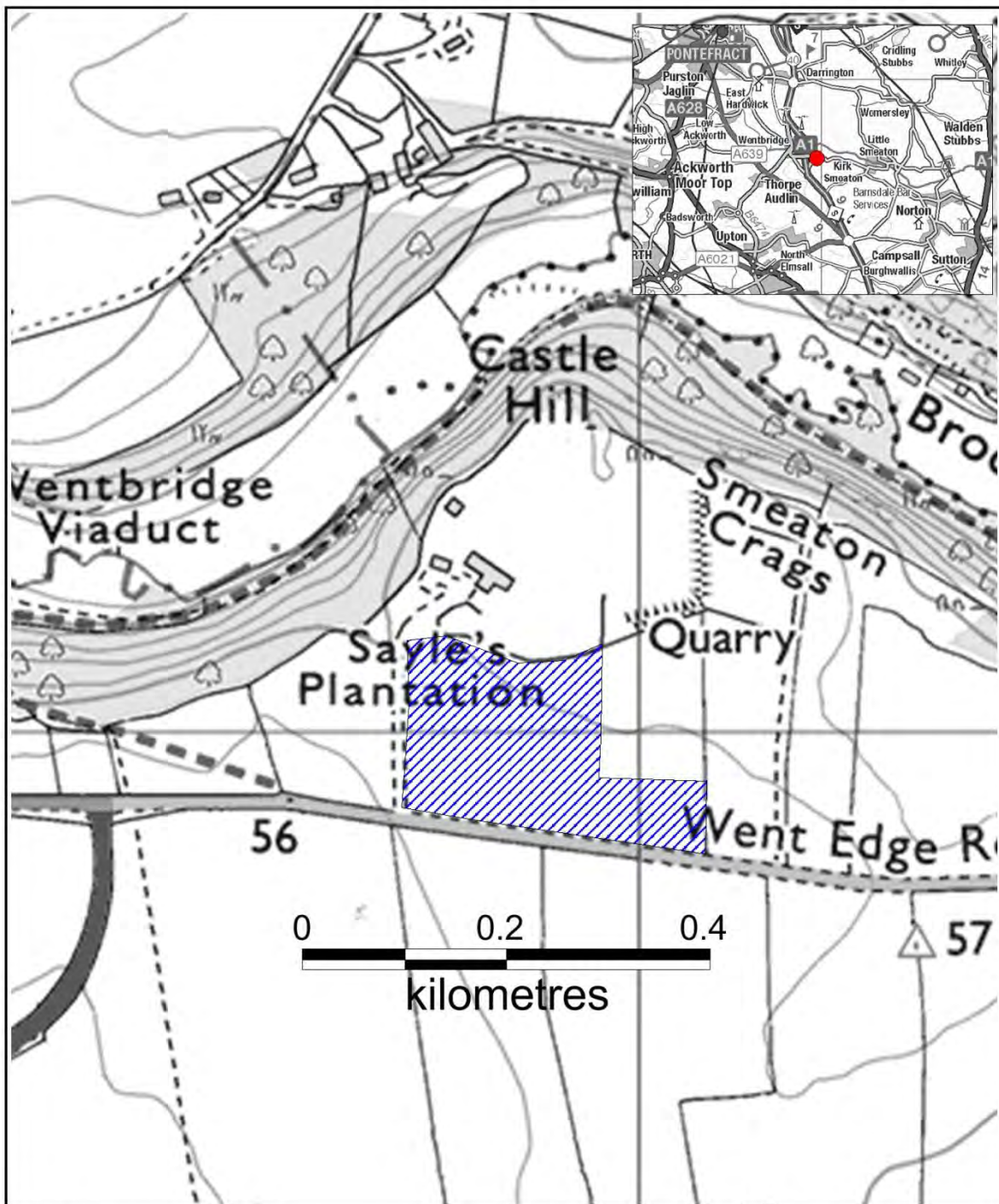
Site reference	MJP29
Nature of Submitted Proposal	
Extraction of Magnesian limestone as proposed extension to existing quarry	
Location of Land	Went Edge Quarry Went Edge Road Kirk Smeaton WF8 3JS
(Grid Reference)	(449955 416992)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Cromwell Mining Consultants now known as Cromwell Wood Estate Company Ltd (on behalf of Meakin Properties)
Landowner	Landowner supports submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	1,999,000
Minerals Annual Output (tonnes)	600,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	3.9
Estimated date of commencement	2017
Proposed Life of Site	7 years
Proposed Access	No direct access to MJP29 site, rather it would be accessed from within the existing Went Edge Quarry and material would leave the quarry via the existing access onto Went Edge Road (C344), approximately 290m east of A1(M) south-bound junction at Wentbridge
Light vehicles (two-way daily movements)	6 (submitter information)
HGVs (two-way daily movements)	100 (based on past output)

Possible site restoration and aftercare (if applicable)	Low level restoration with potential for proposal to relocate existing Went Edge industrial estate into the quarry void, subject to obtaining planning permission, with remainder of quarry floor to be restored to limestone grassland (pasture or hay) with an open mosaic limestone grassland on the quarry sides formed by natural regeneration with small pockets of trees and shrubs planted
Other information (if applicable)	Existing restoration scheme for quarry is to limestone grassland with blocks of woodland and scrub. Planning application (NY/2014/0113/ENV) to extract 1,610,000 tonnes of limestone from the 1.7 hectares to the north-east of the MJP29 area as an extension to the existing quarry was granted in September 2015.
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Brockadale SSSI and SINC, trees, potential habitats • Impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: archaeological remains, Wentbridge Conservation Area and Wentbridge Viaduct Listed Building • Landscape and visual intrusion issues including impacts on: a Locally Important Landscape Area, local landscape features and users of the A1 • Impact on Green Belt • Water issues, including: hydrology, aquifer, flood risk (Zone 1) and surface water drainage • Traffic impact, including access onto Went Edge Road and to A1 • Amenity issues, including: noise, dust, air quality, impacts on users of rights of way 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including impacts on the Brockadale SSSI and SINC site • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: heritage assets (archaeological remains, Wentbridge Conservation Area and Wentbridge Viaduct Listed Building) and their respective settings, and on the purposes of Green belt designation, a Locally Important Landscape Area and local landscape features and users of the A1 • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • An appropriate site design to ensure protection of the aquifer • A traffic assessment and improvements to access to ensure it complies with standards for connection to the public highway • Appropriate arrangements for control of and mitigation of the effects of noise and dust • An appropriate restoration scheme using opportunities for habitat creation and to a use compatible with its location in the Green Belt and a Locally Important Landscape Area 	
<p>Reasons for allocating site</p> <p>This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of crushed road (Policies M05 and M06) and could contribute to meeting requirements for the supply of Magnesian limestone over the Plan period (Policy M09) as evidence, including from the planning application NY/2014/0113/ENV which was granted and adjacent existing quarry, indicates that there is a suitable resource in this</p>	

location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.


Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated site**.



Site Reference: MJP29

Site Name: Went Edge Quarry, near Kirk Smeaton

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 07-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

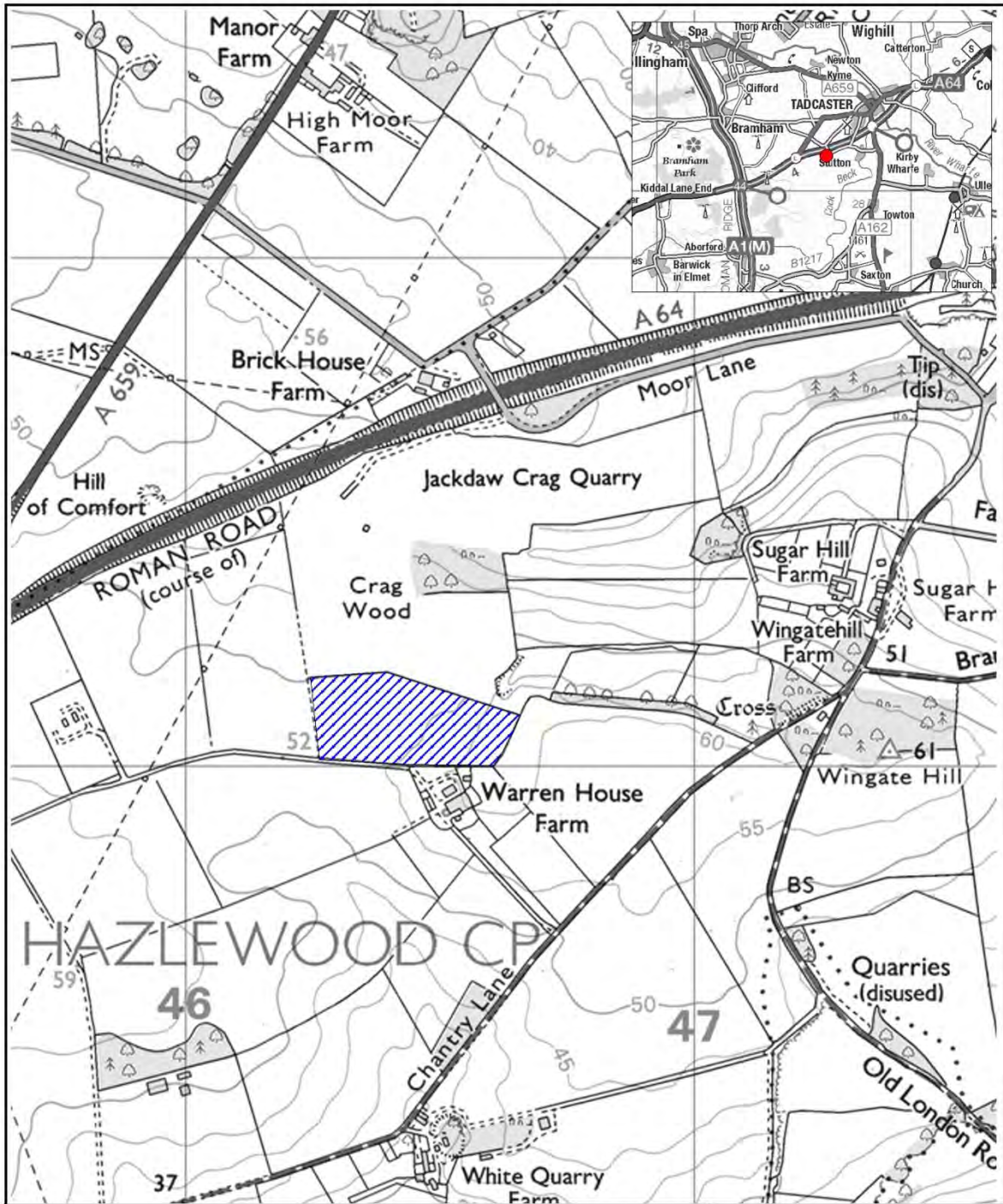
JACKDAW CRAG, STUTTON

Site reference MJP23	
Nature of Submitted Proposal Extraction of Magnesian limestone as proposed extension to existing quarry	
Location of Land	Jackdaw Crag Quarry Moor Lane Stutton Tadcaster LS24 9BE
(Grid Reference)	(446326 441400) south area
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	FCC Environment
Landowner	Landowner supports submission.
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	3,000,000 (submitter information)
Minerals Annual Output (tonnes)	250,000 – 300,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	6.0 (south area)
Estimated date of commencement	2016-2017
Proposed Life of Site	10 years
Proposed Access	Existing Jackdaw Crag quarry access onto Moor Lane (C305), approximately 35m south of the bridge over A64 which leads to the A659 and the A64. No direct access to proposed area from the public highway.
Light vehicles (two-way daily movements)	6 (Application details NY/2009/0523/ENV)
HGVs (two-way daily movements)	90-334 (Application details NY/2009/0523/ENV)
Possible site restoration and aftercare (if applicable)	No detailed design yet, but would be low level restoration to agriculture similar to the existing quarry approved scheme

Other information (if applicable)	A planning application for the area (NY/2009/0523/ENV) is currently awaiting determination
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Stutton Ings SSSI, Crag Wood SINC (including its potential isolation), protected species, cumulative effects, potential habitats • Impacts on gas pipeline and gas compound • Impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: archaeological remains, Towton Registered Battlefield and Listed Buildings including Hazlewood Castle & Church of St Leonard • Landscape and visual intrusion issues, including: local landscape features, cumulative effects of quarrying • Impact on Green Belt • Water issues, including: hydrology, aquifer and potential impact on brewery, flood risk (Zone 1) and surface water drainage • Traffic impact, including: access and HGV use of local roads including the A64 • Impacts on public rights of way (actual and claimed) • Amenity issues, including: noise, dust, blasting, cleanliness of road, quality of life, cumulative impact 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including impacts on Stutton Ings SSSI and protected species • Suitable arrangements for retention or diversion of gas pipeline (as appropriate) and safeguarding of the gas compound • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: heritage assets (archaeological remains, Listed Buildings including Hazlewood Castle & Church of St Leonard and Towton Registered Battlefield) and their respective settings, and on the purposes of Green belt designation, local landscape features and on rights of way • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • An appropriate site design to ensure protection of the aquifer as appropriate • Suitable arrangements for access and local roads including the A64 and a traffic management plan • Appropriate arrangements for control of and mitigation of the effects of blasting, noise and dust, mud/dirt on the road • An appropriate restoration scheme using opportunities for habitat creation including linkages for Crag Wood and to be to a use compatible with its location in the Green Belt 	
<p>Reasons for allocating site</p> <p>This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of crushed road (Policies M05 and M06) and could contribute to meeting requirements for the supply of Magnesian limestone over the Plan period (Policy M09) as evidence, including from the current planning application NY/2009/0523/ENV and adjacent existing quarry, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate, for the Jackdaw Crag (south area) any significant conflict with other relevant policies in the Plan.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any</p>	


subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated Site**.



Site Reference: MJP23

Site Name: Jackdaw Crag South, Stutton

Site Area: 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

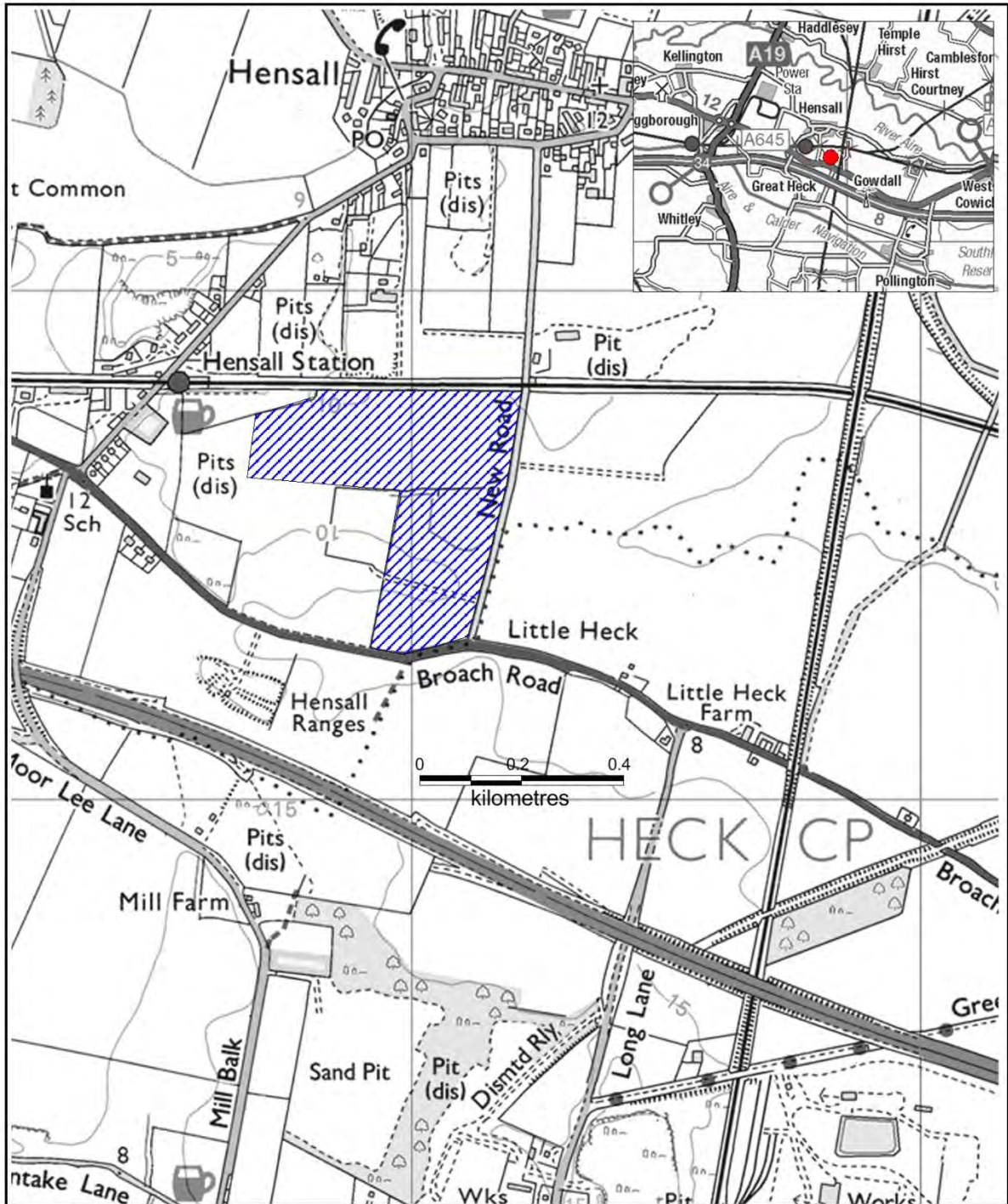
Site Submissions
Date : 07-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

HENSALL QUARRY

Site reference	MJP22
Nature of Submitted Proposal	
Extraction of sand as proposed extension to existing quarry	
Location of Land	Hensall Quarry Heck Lane Hensall DN14 0QE
(Grid Reference)	(458951 422547)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	FCC Environment and Hensall Parish Council
Landowner	Landowners support submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	1,545,000
Minerals Annual Output (tonnes)	80,000 – 100,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	14.41
Estimated date of commencement	2016-17
Proposed Life of Site	24 years
Proposed Access	Existing Hensall Quarry access onto unclassified New Road (U1077), approximately 75m north of A645 and then south to the junction with the A645
Light vehicles (two-way daily movements)	2-7 (application details NY/2016/0118/73)
HGVs (two-way daily movements)	38-40 (application details NY/2016/0118/ENV)
Possible site restoration and aftercare (if applicable)	Low level agriculture, similar to the scheme for adjacent existing quarry

Other information (if applicable)	Proposed 30m stand-off from railway
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: protected species, potential habitats • Impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: Listed Buildings (The Red House and the Church of St Paul) and archaeological remains • Landscape and visual intrusion issues, including: sunken landform and cumulative effects on local landscape features and landscape character • Water issues, including: hydrology, flood risk (Zone 3) and surface water drainage • Impact on users of right of way • Proximity to railway • Traffic impact, including: access • Amenity issues, including: noise, dust 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including impacts on protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: heritage assets (Listed Buildings – The Red House and the Church of St Paul) and archaeological remains), local landscape features and their respective settings, users of right of way to south • A site specific flood risk assessment, which to be satisfactory will need to identify groundwater flood risk at the site within the assessment and include a flood evacuation plan and any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • A transport assessment and suitable arrangements for access and standoff from the railway • Appropriate arrangements for control of and mitigation of the effects of noise, dust • An appropriate restoration scheme using opportunities for habitat creation and taking account of the distinctive landscape character of the area 	
<p>Reasons for allocating site</p> <p>This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of sand and gravel (Policy M02, M03 and M04) and could contribute to meeting requirements for the supply of sand over the Plan period (Policy M08) as evidence, including from the adjacent existing quarry, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: **MJP22**

Site Name: **Hensall Quarry**

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

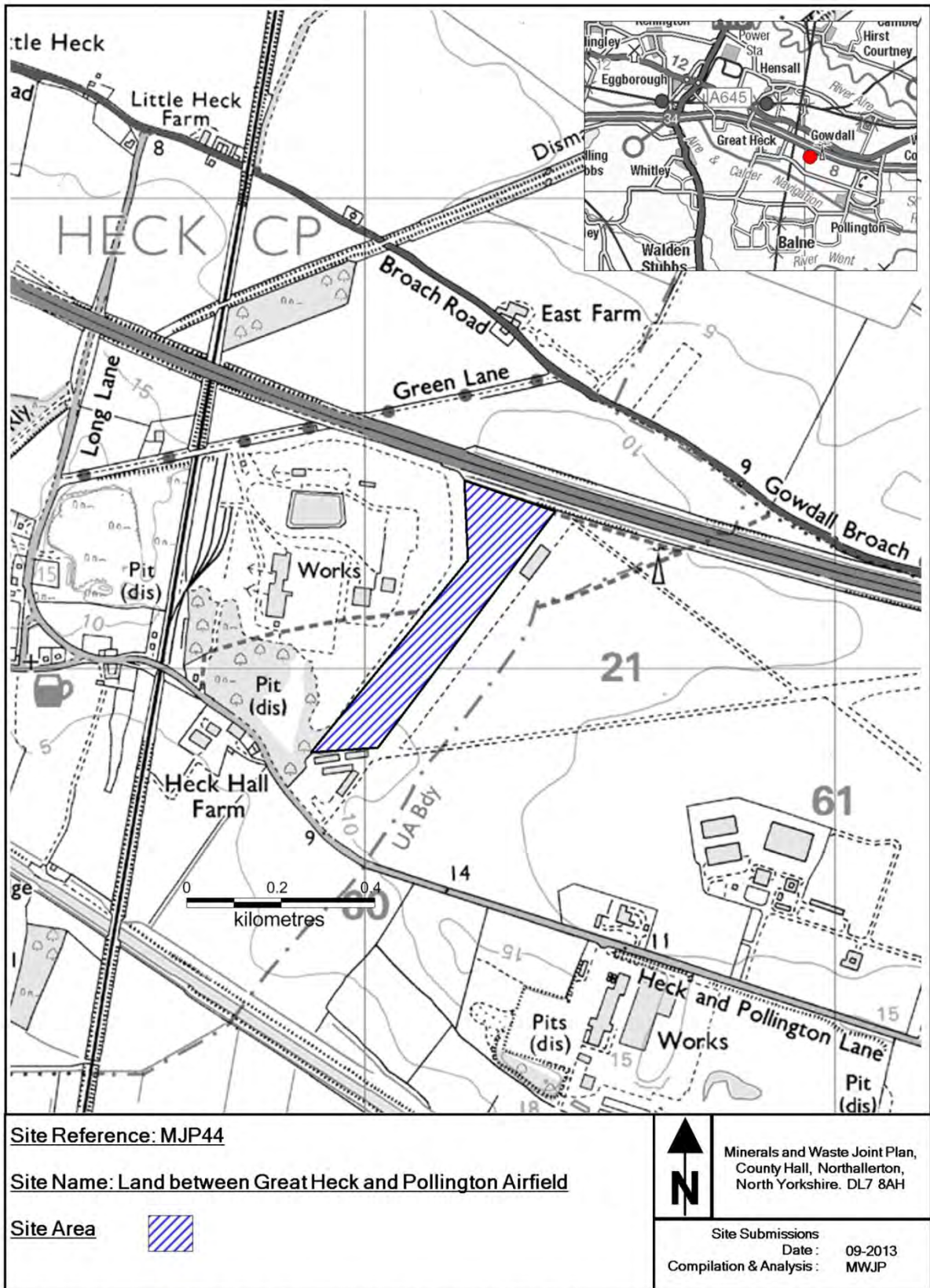
Site Submissions
Date : 09-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

LAND BETWEEN PLASMOR BLOCK MAKING PLANT, GREAT HECK AND POLLINGTON AIRFIELD

Site reference MJP44	
Nature of Submitted Proposal Extraction of sand from proposed new extraction site adjacent to former quarry	
Location of Land (Grid Reference)	Land between Plasmor Heck Block making Plant and Pollington Airfield Pollington Lane Heck (460142 421077)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	MJCA on behalf of Plasmor Ltd
Landowner	Landowner supports submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	900,000
Minerals Annual Output (tonnes)	40,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	8.16
Estimated date of commencement	By 2020
Proposed Life of Site	22 years
Proposed Access	Access will be direct from the adjacent Plasmor block making plant to the west with sand transported by dump truck or conveyor direct to the plant for use in manufacture of blocks. Manufactured blocks already leave the block making plant by road and rail.
Light vehicles (two-way daily movements)	Nil, as no access to public highway
HGVs (two-way daily movements)	Nil, as no access to public highway and delivery of mineral from the site would substitute for 30-40 HGV movements per day on the public highway which currently delivers sand to the block-making plant from off-site

Possible site restoration and aftercare (if applicable)	Possibly low level agriculture, but no detailed design available yet
Other information (if applicable)	Manufactured blocks leave the block making plant by road and rail
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: the Sand Quarry SINC at Great Heck, protected species • Potential impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: Pollington Hall Listed building and archaeological remains • Landscape and visual intrusion issues, including impacts on: local landscape features and cumulative effects with other quarrying • Water issues, including: hydrology, aquifer, flood risk (Zone 1) and surface water drainage • Impact on public right of way • Amenity issues, including: noise, dust 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including impacts on the Sand Quarry SINC at Great Heck and protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: heritage assets (Pollington Hall Listed building and archaeological remains) and local landscape character and features and their respective settings • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • An appropriate site design to ensure protection of the aquifer • Appropriate arrangements to mitigate impact on public right of way and its users • Appropriate arrangements for control of and mitigation of the effects of noise and dust • An appropriate restoration scheme using opportunities for habitat creation and taking account of the distinctive landscape character of the area 	
<p>Reasons for allocating site</p> <p>This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of sand and gravel (Policies M02, M03 and M04) and could contribute to meeting requirements for the supply of sand over the Plan period (Policy M08) as evidence, including from the adjacent former quarry, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	

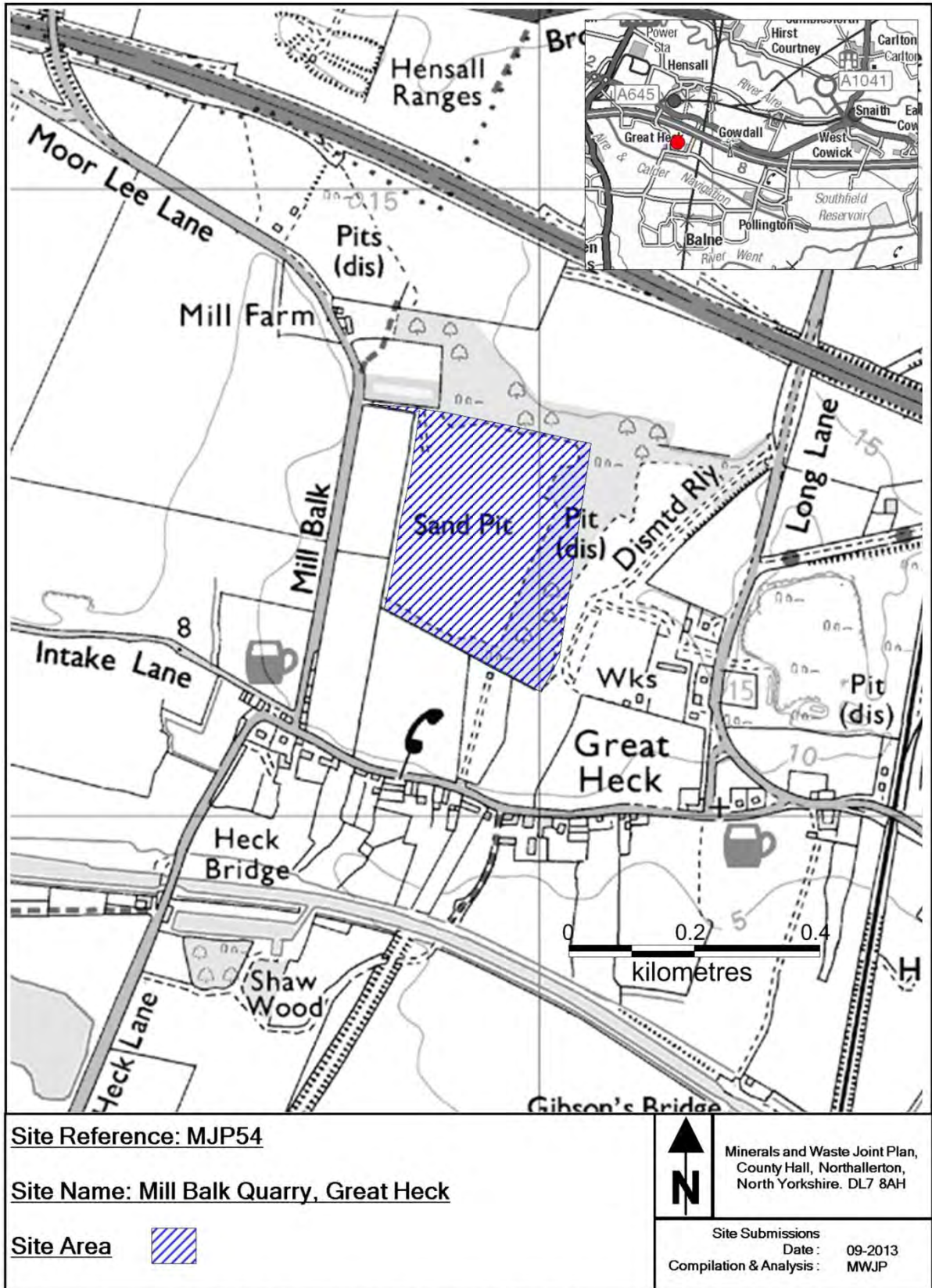


This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

MILL BALK QUARRY, GREAT HECK

Site reference	MJP54
Nature of Submitted Proposal	
Extraction of sand from existing quarry by deepening of part of the site	
Location of Land	Mill Balk Quarry Mill Balk Great Heck
(Grid Reference)	(458872 421430)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	MJCA on behalf of Plasmor Ltd
Landowner	Landowner supports submission
Current Use	Mothballed sand quarry (since 2008)
Minerals Estimated Reserve (tonnes)	70,000 (without current planning permission)
Minerals Annual Output (tonnes)	50,000
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	10.3
Estimated date of commencement	Unknown at present, but would be prior to 2030
Proposed Life of Site	Restoration would be prior to end of 2030
Proposed Access	Existing access at Mill Balk Quarry onto Mill Balk (C339) leading north to A645 at Hensall
Light vehicles (two-way daily movements)	10 (submitter information)
HGVs (two-way daily movements)	30-50 (submitter information)
Possible site restoration and aftercare (if applicable)	The current approved restoration scheme is to short rotation coppice in the base of the quarry with grassed perimeter slopes, but future restoration details would be established once the preferred method of extraction is determined

<p>Other information (if applicable)</p>	<p>The existing planning permission is valid until 2042 and there are 220,000 tonnes of already consented reserves remaining at the site which would be worked when the site is re-opened</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: protected species, existing and potential habitats • Potential impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on archaeological remains • Landscape and visual intrusion issues, including: local landscape features and cumulative impact with other quarries • Water issues, including: hydrology, aquifer, groundwater source protection zones and abstraction points, flood risk (Zone 1) and surface water drainage • Traffic impact, including: access and HGV use of local roads (including past Hensall Community Primary School and the Church of St Paul) • Amenity issues, including: noise, dust 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including impacts on protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: heritage assets (archaeological remains) and local landscape features • An appropriate quantitative hydrogeological risk assessment and a site specific flood risk assessment, which to be satisfactory will need to identify the groundwater flood risk and include any necessary mitigation such as compensatory storage, attenuation and SuDS where appropriate • An appropriate site design to ensure protection of the aquifer and abstraction points • Suitable arrangements for access and along Mill Balk road to the A645, including appropriate traffic management in the vicinity of the Hensall Community Primary School and Church of St Paul to mitigate potential conflicts with the users of the school and church • Appropriate arrangements for control of and mitigation of the effects of noise and dust • An appropriate restoration scheme using opportunities for habitat creation including to compensate for any loss of existing habitats 	
<p>Reasons for allocating site</p> <p>This site is consistent with the broad geographical approach to the supply of aggregates (Policy M01) and the provision of sand and gravel (Policies M02, M03 and M04) and could contribute to meeting requirements for the supply of sand over the Plan period (Policy M08) as evidence, including from the existing quarry, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity and historic environment which indicate any significant conflict with other relevant policies in the Plan.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	

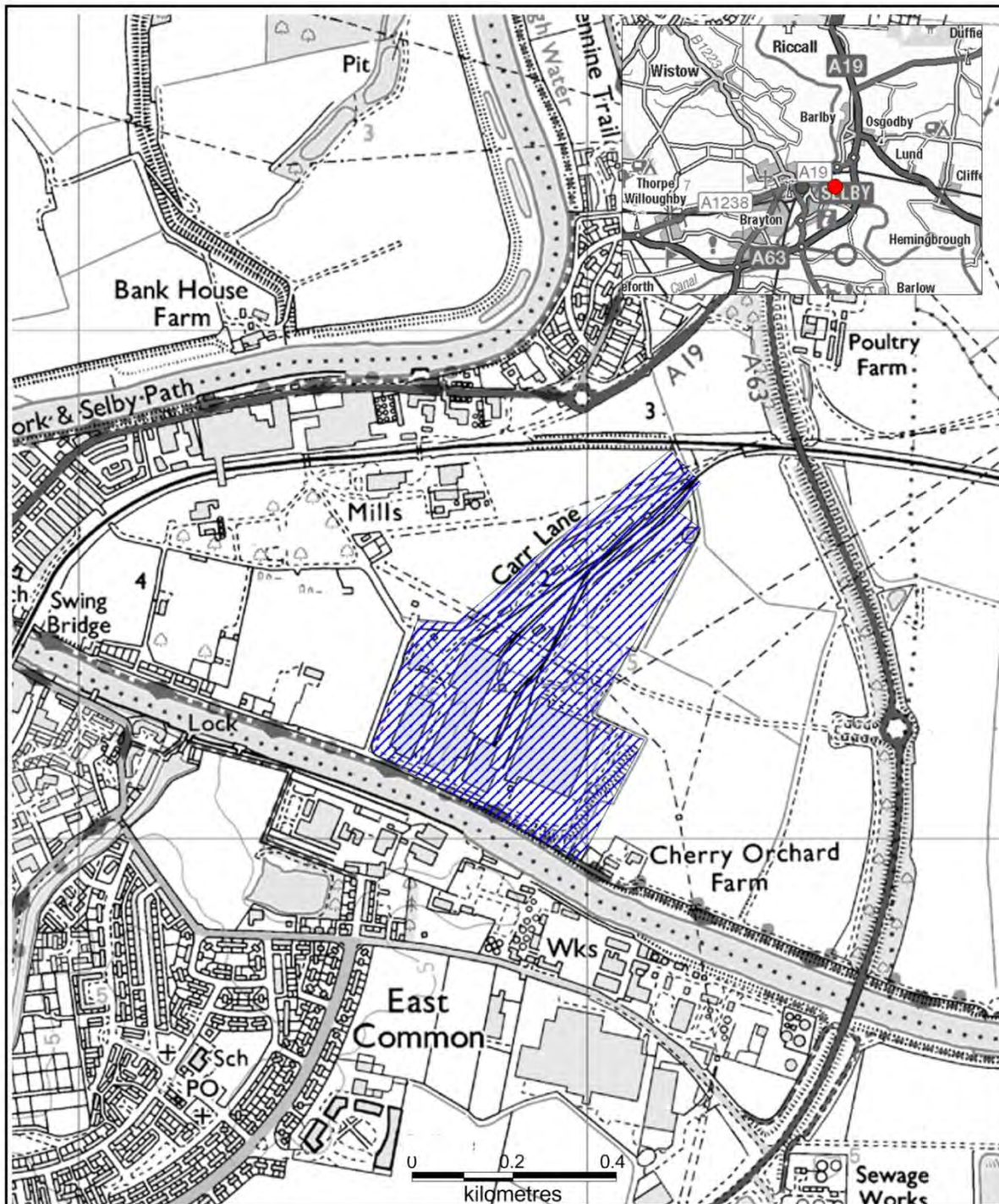


This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

BARLBY ROAD, SELBY


Site reference	MJP09
Nature of Submitted Proposal	
Retention of rail import and handling facility for aggregates	
Location of Land	Barlby Road Selby YO8 5DZ
(Grid Reference)	(462923 432372)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	The Potter Group Ltd
Landowner	Landowner supports submission
Current Use	Rail and road freight distribution facility, including rail import and handling facility for aggregates
Minerals Estimated Reserve (tonnes)	Not applicable
Minerals Annual Output (tonnes)	None by rail. Approximately 170,000 by road via existing CEMEX operation
Waste Annual Tonnage import	None proposed
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	25
Estimated date of commencement	Site is already operational
Proposed Life of Site	30 years
Proposed Access	Existing unnamed road via feed-mill level crossing route to A19 at Barlby. No date yet for an access to be constructed from the junction approximately 470m north of the river Ouse bridge on the A63 Selby Bypass.
Light vehicles (two-way daily movements)	25 (submitter information)
HGVs (two-way daily movements)	120 (submitter information)
Possible site restoration and aftercare (if applicable)	None proposed

<p>Other information (if applicable)</p>	<p>The current lifespan of facility is tied by planning condition to the life of adjacent asphalt plant, but there is no specified end-date for the asphalt plant and further planning permission would only be required in the event of the asphalt plant closing.</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Traffic impact, including: access to the public highway and the existing crossing of the railway • Amenity issues, including: noise, dust taking into account the Olympia Park Development Site, if developed • Heritage asset issues, including: proximity to and impact on Listed Buildings (Selby Lock, Lock House and Bridge) • Landscape and visual intrusion issues as viewed from the Selby A63 bypass and the Trans Pennine Trail • Water issues, including: flood risk (Zone 3) 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <p>In the event only of a further planning permission being required:</p> <ul style="list-style-type: none"> • Suitable arrangements for route to public highway, including taking account of the Olympia Park Strategic Development Site as allocated in the Selby Core Strategy (2013) and the potential to link to the A63 bypass to the east of the site • Appropriate arrangements for control of and mitigation of the effects of noise and dust • Appropriate landscaping to mitigate impact on users of local roads and recreation facilities including (Trans Pennine Trail and the Selby bypass) and on the heritage assets in the vicinity (Listed Buildings) and their settings • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as attenuation and SuDS as appropriate and include an emergency plan for the site in case of defence overtopping by tidal or river flooding 	
<p>Reasons for allocating site</p> <p>The continued availability of the rail linked aggregates importation and handling facility at this site could contribute to maintaining supply of aggregate as well as the sustainable transport and supply of mineral (Policy I01) and there is no submitted alternative rail linked facility. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>The current lifespan of facility is tied by planning condition to the life of adjacent asphalt plant, but there is no specified end-date for the asphalt plant. Thus it is only if the asphalt plant use ceases that the further grant of permission would be needed to secure the continued aggregate import/handling use and the allocation is being made to safeguard against that circumstance.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: MJP09

Site Name: Barlby Road, Selby

Site Area: 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

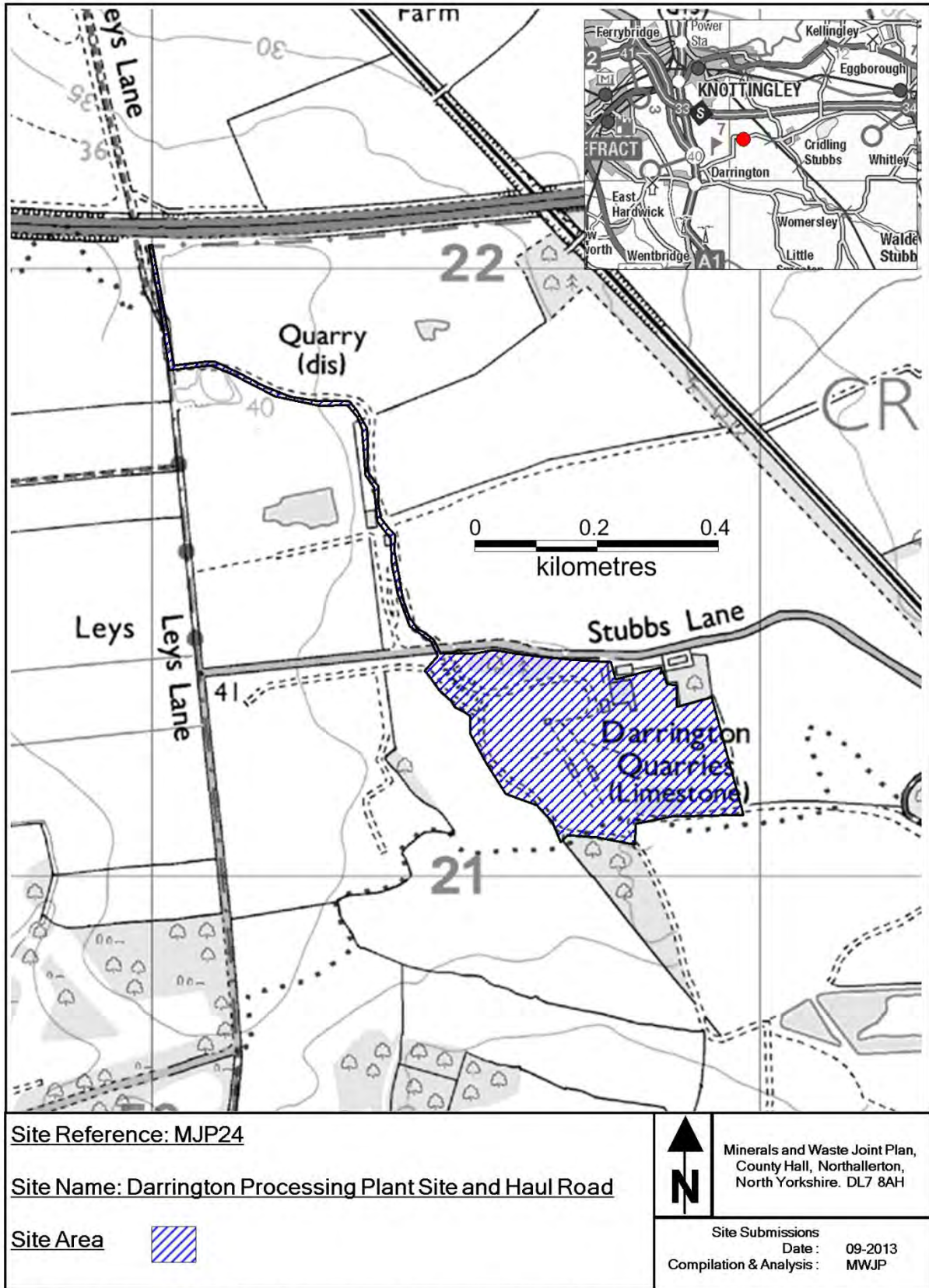
Site Submissions
Date : 09-2013
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

DARRINGTON PROCESSING PLANT SITE AND HAUL ROAD

Site reference	MJP24
Nature of Submitted Proposal	
Retention of processing plant site and haul road for processing of Magnesian limestone extracted from the part of Darrington Quarry located in the Wakefield Council area	
Location of Land	Darrington Quarry Stubbs Lane Cridling Stubbs Knottingley WF11 0AH
(Grid Reference)	(450759 421212)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	FCC Environment
Landowner	Landowner supports submission
Current Use	Quarry plant site and associated haul road
Minerals Estimated Reserve (tonnes)	(located in Wakefield Council area – 10,000,000 as at 2011)
Minerals Annual Output (tonnes)	450,000 – 500,000 extracted from the land in the Wakefield Council area
Waste Annual Tonnage import	See MJP27 for recycling proposal
Recycled Materials Annual output (tonnes)	See MJP27 for recycling proposal
Size of Site (hectares)	10.4 (plant site)
Estimated date of commencement	Site is already operational
Proposed Life of Site	2028
Proposed Access	Existing Darrington Quarry plant site access onto Stubbs Lane (C335), with the mineral to be brought from the Wakefield quarry site to the north of the M62 via the existing haul road and tunnel under Stubbs Lane
Light vehicles (two-way daily movements)	100 (Application details 08/01696/FUL)
HGVs (two-way daily movements)	146 (Application details 08/01696/FUL)

Possible site restoration and aftercare (if applicable)	No details proposed yet
Other information (if applicable)	<p>An application to retain the plant and haul road at Darrington Quarry (NY/2012/0020/73) is currently awaiting determination. Extraction in Wakefield area currently permitted until 2028.</p> <p>Plant site area is the same location as MJP27 site</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: woodland, protected species, potential habitats • Heritage asset issues, including proximity to and impact on: unregistered designed parkland at Cridling Park • Landscape issues, including: local landscape features such as the locally important landscape area recognised in the Selby Core Strategy • Impact on Green Belt • Water issues, including: hydrology, aquifer, groundwater source protection zones and abstraction, flood risk (Zone 1) and surface water drainage • Traffic impact, including: access • Amenity issues, including: noise, dust, impacts on users of rights of way to south of M62 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including impacts on protected species • Appropriate site design and landscaping to mitigate impact on: heritage assets (unregistered designed parkland and their respective settings, and on the purposes of Green belt designation and on local landscape features • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as attenuation and SuDS as appropriate • An appropriate site design to ensure protection of the aquifer and abstraction points • Suitable arrangements for public rights of way on Leys Lane (diversion or retention, and associated mitigation, as appropriate) • Maintenance of an appropriate standard of access onto Stubbs Lane • Appropriate arrangements for control of and mitigation of the effects of noise and dust • Appropriate restoration scheme using opportunities for habitat creation and to be to a use compatible with its location in the Green Belt 	
<p>Reasons for allocating site</p> <p>This site could contribute to maintaining supply of aggregate through the continued provision of minerals processing infrastructure (Policy M09) in order to serve reserves remaining within the adjacent Wakefield area. Minerals extraction at the existing quarry in Wakefield is permitted until 2028.</p> <p>No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other strategic policies in the Plan.</p> <p>Although located in the Green Belt this is an established site and there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals, including restoration to a use compatible with the Green Belt. No overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	

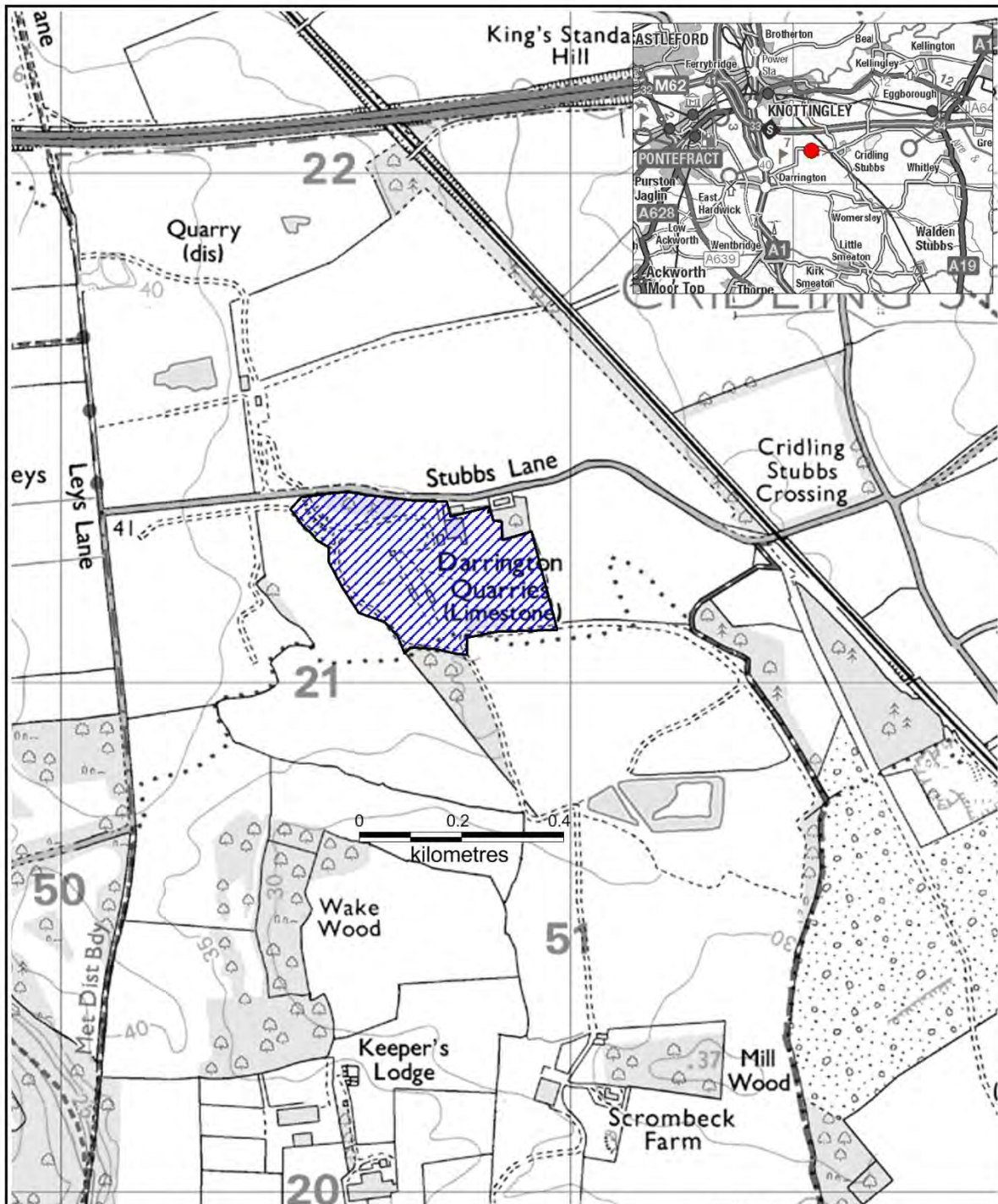


This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

DARRINGTON QUARRY – RECYCLING


Site reference	MJP27
Nature of Submitted Proposal	
Inert waste recycling facility	
Location of Land	Darrington Quarry Stubbs Lane Cridling Stubbs Knottingley WF11 0AH
(Grid Reference)	(450759 421212)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	RPS (on behalf of WRG) – now FCC Environment
Landowner	Landowner supports submission
Current Use	Quarry processing plant site
Minerals Estimated Reserve (tonnes)	Not applicable
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	100,000 (estimate)
Recycled Materials Annual output (tonnes)	100,000 (aggregate and soils)
Size of Site (hectares)	10.4
Estimated date of commencement	Unknown at present
Proposed Life of Site	2028
Proposed Access	Existing Darrington Quarry plant site access onto Stubbs Lane (C335)
Light vehicles (two-way daily movements)	No additional vehicles (to those of MJP24)
HGVs (two-way daily movements)	No additional vehicles (to those of MJP24)
Possible site restoration and aftercare (if applicable)	No detailed design yet

Other information (if applicable)	Proposed within same site as MJP24
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: woodland, protected species, potential habitats • Heritage asset issues, including proximity to and impact on: unregistered designed parkland at Cridling Park • Landscape issues, including impact on local landscape features • Impact on Green Belt • Water issues, including: hydrology, aquifer, flood risk (Zone 1) and surface water drainage • Traffic impact, including: access • Amenity issues, including: noise, dust 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including impacts on protected species • Appropriate site design and landscaping to mitigate impact on: heritage assets (unregistered designed parkland such as Cridling Park) and their respective settings, and on the purposes of Green belt designation and local landscape features, • An appropriate quantitative hydrogeological risk assessment and site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SUDs as appropriate • An appropriate site design to ensure protection of the aquifer • Maintenance of appropriate standard of access onto Stubbs Lane • Appropriate arrangements for control of and mitigation of the effects of noise and dust • An appropriate restoration scheme using opportunities for habitat creation and to a use compatible with its location in the Green Belt and a Locally Important Landscape Area 	
<p>Reasons for allocating site</p> <p>This site could contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policies W01, W02 and W05) and would be consistent with the overall locational principles of Policy W10 and the site identification principles of Policy W11.</p> <p>No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other strategic policies in the Plan, subject to it being linked to the life of the processing plant MJP24 and reclamation being to a use compatible with the Green Belt.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site which would only be brought forward in association with MJP24.</p>	



Site Reference: MJP27

Site Name: Darrington Quarry- Recycling

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

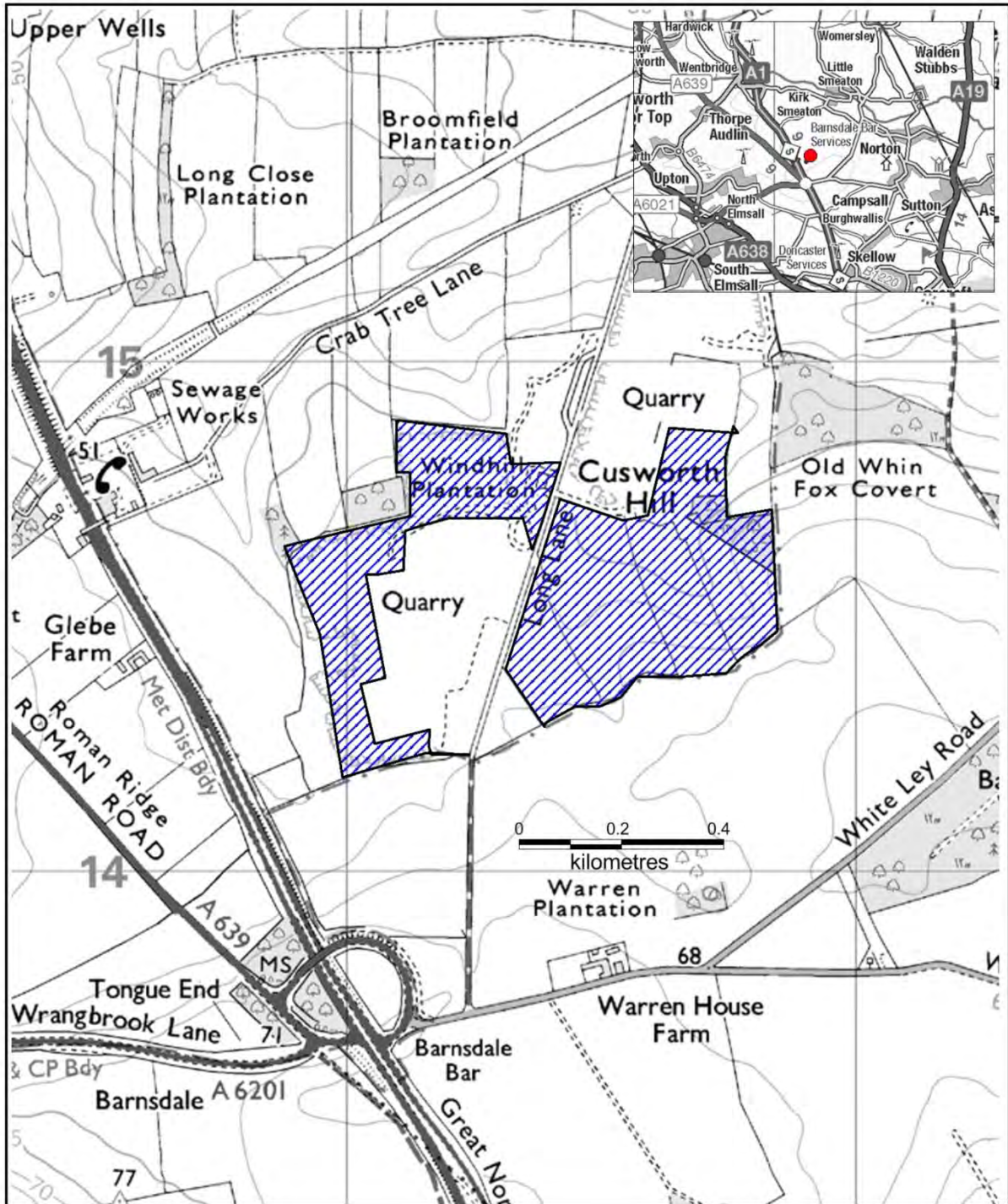
Site Submissions
Date : 06-2015
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2015.

BARNSDALE BAR, NEAR KIRK SMEATON – RECYCLING

Site reference	MJP26
Nature of Submitted Proposal	
Recycling of inert waste to produce secondary aggregate	
Location of Land	Barnsdale Bar Quarry Long Lane Kirk Smeaton
(Grid Reference)	(451409 414654)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	FCC Environment
Landowner	Landowner supports submission
Current Use	Quarry, former landfill site and inert aggregate recycling facility
Minerals Estimated Reserve (tonnes)	Not applicable
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	100,000
Recycled Materials Annual output (tonnes)	100,000 (aggregate and soils)
Size of Site (hectares)	45.6
Estimated date of commencement	Approximately 2017-20
Proposed Life of Site	Throughout the plan period
Proposed Access	Existing Barnsdale Bar Quarry access along Long Lane onto Woodfield Road (approximately 115m east of Barnsdale Bar junction of A1 with A639/A6201)
Light vehicles (two-way daily movements)	No additional vehicles (to those of MJP28)
HGVs (two-way daily movements)	No additional vehicles (to those of MJP28)
Possible site restoration and aftercare (if applicable)	No detailed design yet

<p>Other information (if applicable)</p>	<p>Operator seeking flexibility to locate the recycling facility within the site in order that it is close to areas undergoing restoration at the time, as current recycling area is limited to only one part of the site</p> <p>Site lies adjacent to the county boundary with the administrative area of Doncaster Council</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: woodland, protected species, potential habitats • Impact on best and most versatile agricultural land • Landscaping issues, including impact on: designated Locally Important Landscape Area, local landscape features and cumulative effects of quarrying • Impact on Green Belt • Water issues, including: hydrology, aquifer, flood risk (Zone 1) and surface water drainage • Traffic impact, including access • Amenity issues, including: noise, dust, impacts on users of rights of way and other unclassified tracks such as Long Lane 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including impacts on protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: the purposes of Green Belt designation and on local landscape features • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SUDs as appropriate • An appropriate site design to ensure protection of the aquifer • Suitable arrangements for public rights of way and other unclassified tracks such as Long Lane and associated mitigation, as appropriate • Maintenance of appropriate standard of access along Long Lane to Woodfield Road • Appropriate arrangements for control of and mitigation of the effects of noise and dust • An appropriate restoration scheme using opportunities for habitat creation and to a use compatible with its location in the Green Belt and a Locally Important Landscape Area 	
<p>Reasons for allocating site</p> <p>This site could contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policies W01, W02 and W05) and would be consistent with the overall locational principles of Policy W10, and the site identification principles of Policy W11. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan subject to it being linked to the life of Barnsdale Bar Quarry and reclamation being to a use compatible with the Green Belt.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: **MJP26**

Site Name: **Barnsdale Bar, near Kirk Smeaton- Recycling**

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

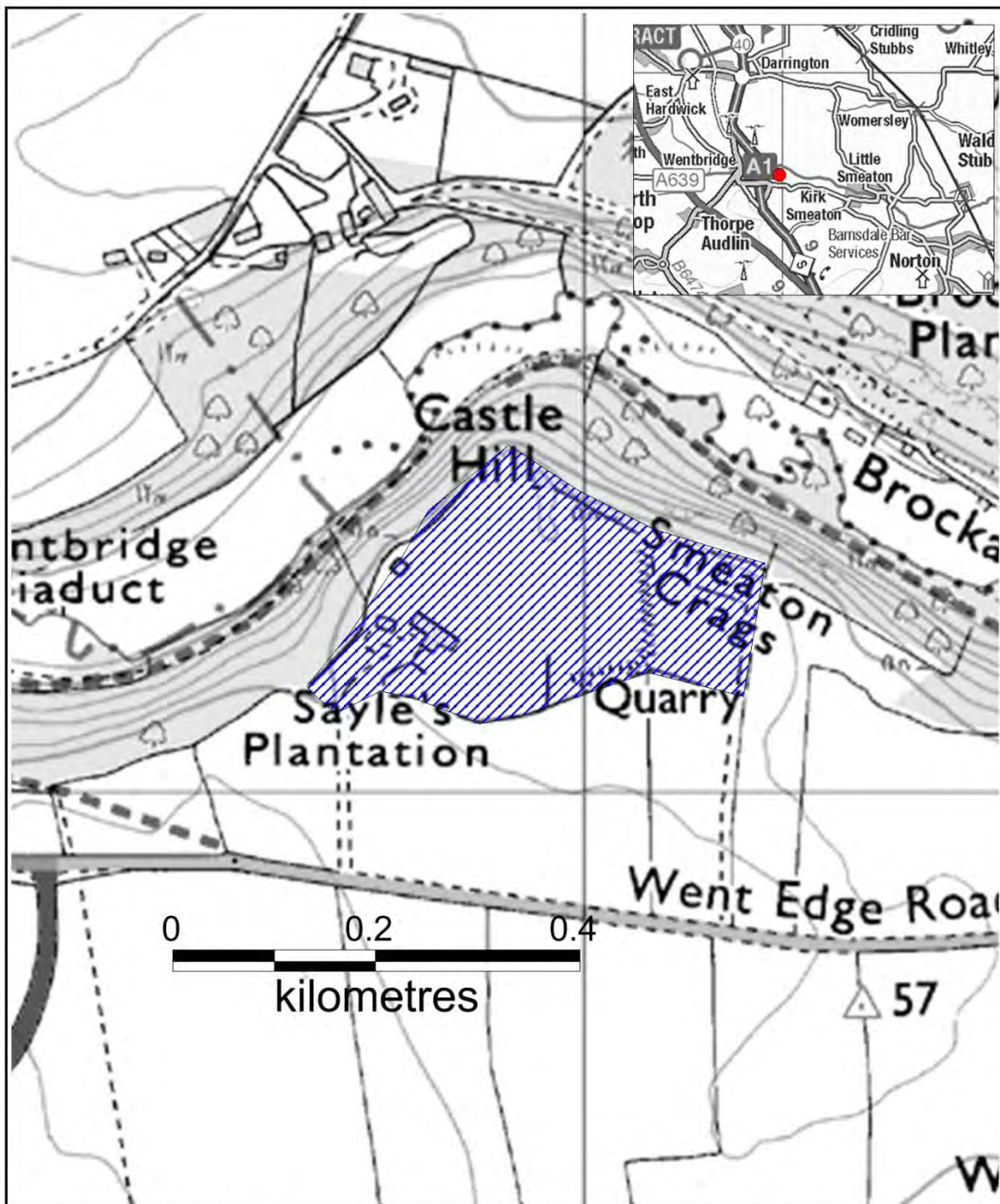
Site Submissions
Date : 09-2013
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

WENT EDGE QUARRY, NEAR KIRK SMEATON - RECYCLING

Site reference	WJP10
Nature of Submitted Proposal	
Recycling of construction and demolition waste for secondary aggregate	
Location of Land	Went Edge Quarry Went Edge Road Kirk Smeaton WF8 3JS
(Grid Reference)	(449948 417206)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Cromwell Wood Estate Company Ltd (on behalf of Meakin Properties)
Landowner	Landowner supports submission
Current Use	Part of existing quarry and industrial estate
Minerals Estimated Reserve (tonnes)	Not applicable to WJP10
Minerals Annual Output (tonnes)	Not applicable to WJP10
Waste Annual Tonnage import	150,000
Recycled Materials Annual output (tonnes)	60,000
Size of Site (hectares)	7.24
Estimated date of commencement	Unknown at present
Proposed Life of Site	2032 (as MJP29)
Proposed Access	Existing Went Edge Quarry access onto Went Edge Road (C344), approximately 290m east of A1(M) south-bound junction at Wentbridge
Light vehicles (two-way daily movements)	6 (submitter information)
HGVs (two-way daily movements)	108 (submitter confirmed estimate)
Possible site restoration and aftercare (if applicable)	Restoration as part of the overall restoration of the quarry with quarry floor to be restored to limestone grassland (pasture or hay) with an open mosaic limestone grassland on the quarry sides formed by natural regeneration with small pockets of trees and shrubs planted

<p>Other information (if applicable)</p>	<p>Part of the WJP10 site has planning permission for the extraction of Magnesian limestone.</p> <p>Existing restoration scheme for quarry is to limestone grassland with blocks of woodland and scrub</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Brockadale SSSI, protected species, potential for invasive species, potential habitats • Impact on best and most versatile agricultural land arising from previous and current quarry development in terms of long-term future of stored soils • Landscape and visual intrusion issues, including impacts on local landscape features • Impacts on Green Belt • Water issues, including: hydrology, aquifer, flood risk (Zone 1) and surface water drainage • Traffic impact, including access and HGV use of local roads including the A1 • Amenity issues, including: noise, dust, cumulative impact on air quality, effects on users of public rights of way 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including impacts on the Brockadale SSSI and protected species including measures to address and control of invasive species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: the purposes of Green Belt designation and on local landscape features and their settings • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation, surface water drainage and SUDs as appropriate • An appropriate site design to ensure protection of the aquifer • Suitable arrangements for access onto Went Edge Road and on local roads including to the A1 (north-bound as well as south-bound) • Appropriate arrangements for control of and mitigation of the effects of noise and dust, and impacts on air quality • An appropriate restoration scheme using opportunities for habitat creation and to a use compatible with its location in the Green Belt 	
<p>Reasons for allocating site</p> <p>This site could contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policies W01 and W11 waste site identification principles and W02 strategic role of Plan area in the management of waste) and would contribute to meeting capacity requirements for CD & E waste (Policy W05).</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: WJP10

Site Name: Went Edge Quarry, near Kirk Smeaton-
Recycling

Site Area



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

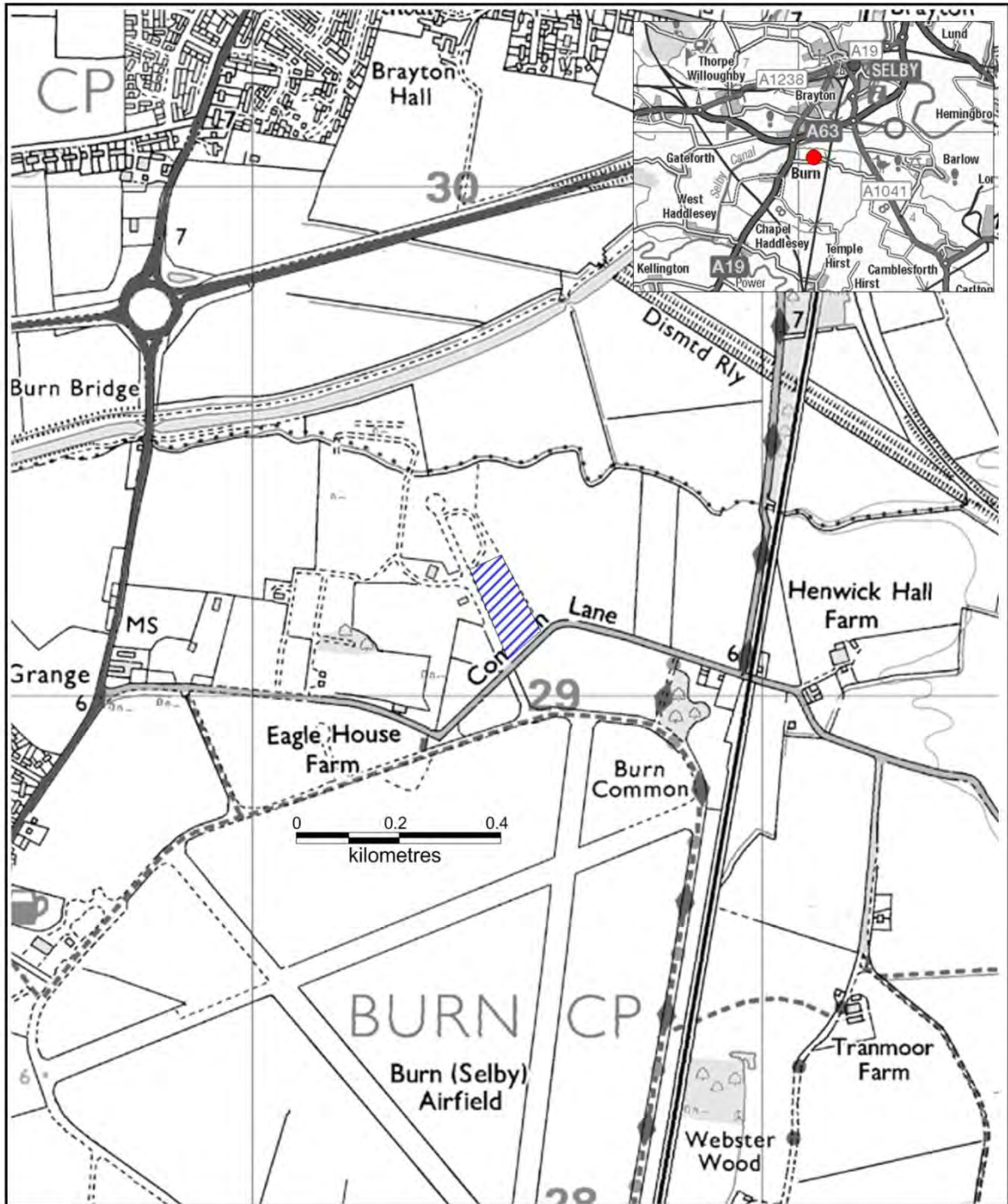
Site Submissions
Date : 09-2013
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

COMMON LANE, BURN


Site reference WJP16	
Nature of Submitted Proposal Bulking and transfer of municipal and commercial waste	
Location of Land	Selby Waste Transfer Facility Common Lane Burn Selby YO8 8LB
(Grid Reference)	(460350 429206)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Yorwaste Ltd
Landowner	Landowner supports submission
Current Use	Former airfield
Minerals Estimated Reserve (tonnes)	None proposed
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	65,000
Recycled Materials Annual output (tonnes)	65,000 (estimate based on imports)
Size of Site (hectares)	1.42
Estimated date of commencement	Within next 5 years
Proposed Life of Site	15 – 20 years
Proposed Access	Existing access onto Common Lane, Burn (C330) approximately 805m east of A19
Light vehicles (two-way daily movements)	12 (screening request NY/2013/0051/SCR)
HGVs (two-way daily movements)	64 (screening request NY/2013/0051/SCR)
Possible site restoration and aftercare (if applicable)	None specified

Other information (if applicable)	Adjacent to an existing waste recycling operation
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: protected species, potential for invasive species • Landscape and visual intrusion issues, including: proximity to the Trans Pennine Trail leisure trail • Water issues, including: hydrology, aquifer, flood risk (Zone 2), the canal and surface water drainage • Traffic impacts, including: access and HGV use of local roads (such as Common Lane) • Amenity issues, including: noise, dust, cumulative impact with existing development 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species and including measures to address and control invasive species • Appropriate site design and landscaping to mitigate impact on: users of the Trans Pennine Trail leisure trail and local landscape character • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • An appropriate site design to ensure protection of the aquifer and surface water bodies including the Selby Canal • Improvements to the access onto Common Lane • Appropriate arrangements for control of and mitigation of the effects of noise and dust 	
<p>Reasons for allocating site</p> <p>This site could contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policy W01) and facilitate net self-sufficiency in capacity for management of waste (Policies W03 and W04), and it would not conflict with Policy W10 overall locational principles for waste capacity and Policy W11 waste site identification principles.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: **WJP16**

Site Name: **Common Lane, Burn**

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date: 12-2013
Compilation & Analysis: MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

LAND ADJACENT TO FORMER ESCRICK BRICKWORKS

Site reference	WJP06
Nature of Submitted Proposal	
Importation of inert waste for use in restoration of proposed clay extraction within preferred area (MJP55)	
Location of Land	Land adjacent to former Escrick Brickworks Escrick YO19 6ED
(Grid Reference)	(461919 440761)
District	Selby
Waste Planning Authority	North Yorkshire County Council
Submitted by	MJCA on behalf of Plasmor Ltd
Landowner	Landowner supports submission
Current Use	Agriculture
Minerals Estimated Reserve (tonnes)	See MJP55
Minerals Annual Output (tonnes)	See MJP55
Waste Annual Tonnage import	200,000
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	112
Estimated date of commencement	Approximately 2025
Proposed Life of Site	31.5 years
Proposed Access	Existing access via the former Escrick Brickworks and U722 unclassified road by Escrick Business Park onto the A19
Light vehicles (two-way daily movements)	10 (submitter information)
HGVs (two-way daily movements)	100 (submitter information)
Possible site restoration and aftercare (if applicable)	No detailed design available yet, but would be back to agriculture at or near original ground levels
Other information (if applicable)	This site would only be developed if minerals extraction within MJP55 preferred area occurs

Key Sensitivities identified by Site Assessment

- Ecological issues, including impacts on: Skipwith Common SAC / SSSI, Heron Wood SINC / ancient woodland, trees, protected species, potential habitats
- Impact on best and most versatile agricultural land
- Heritage asset issues, including proximity to and impact on: archaeological remains, Escrick Conservation Area, Listed Buildings including Escrick Park and Coach House and unregistered designed landscape at Escrick Park
- Landscape and visual intrusion issues, including: local landscape features, impacts on users of the Trans Pennine Trail leisure route
- Water issues, including: hydrology, aquifer, flood risk (Zones 1 and 2) and surface water drainage
- Traffic impact, including: access across the Trans Pennine Trail to the site entrance and on the A19
- Amenity issues, including: noise, dust, effects on the Trans Pennine Trail leisure route, residences and businesses, quality of life

Development requirements identified through Site Assessment and Consultation processes

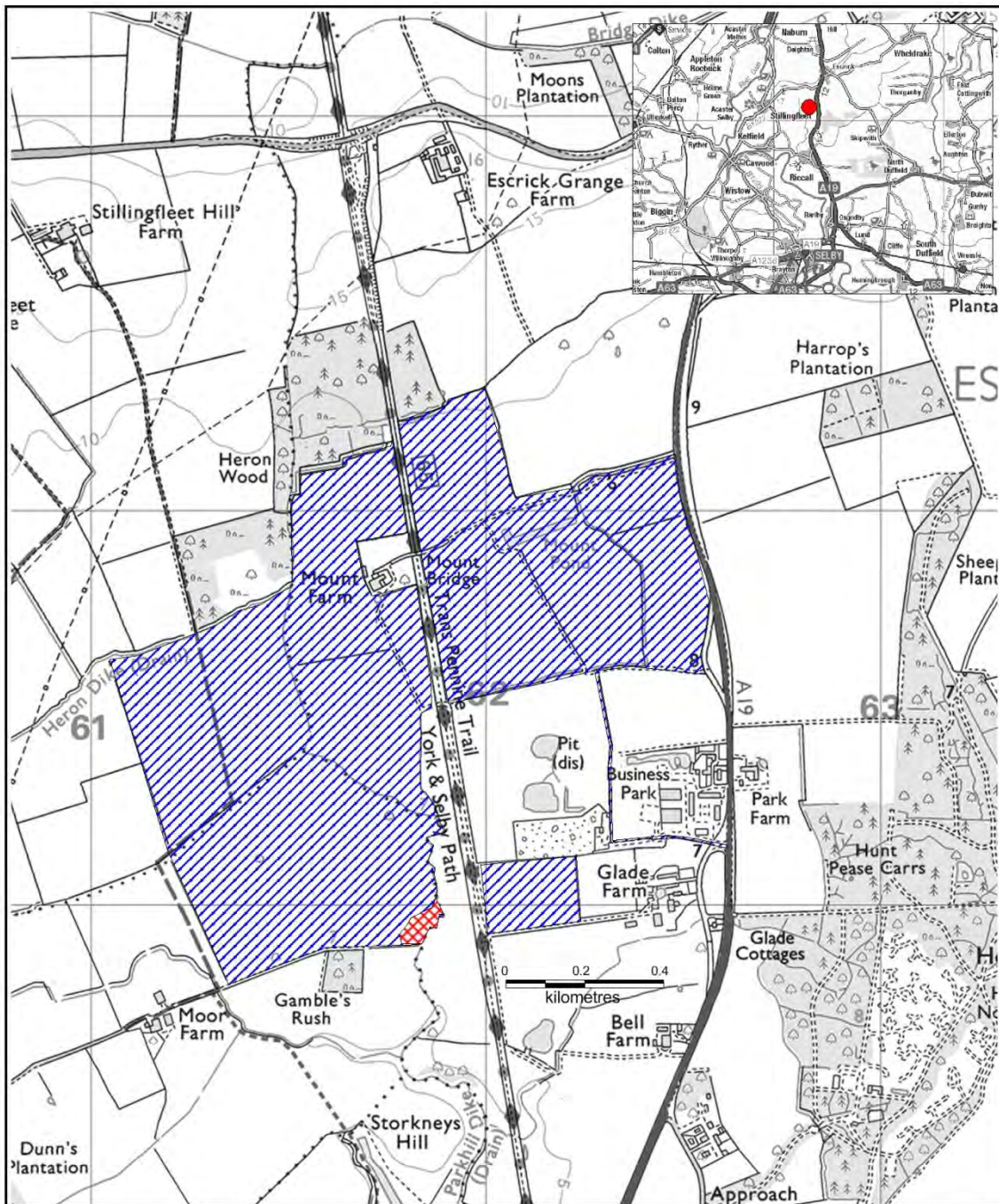
- Mitigation of ecological issues, in particular with regard to avoiding impacts on the Heron Wood SINC/ancient woodland, and protected species and any potential hydrological impacts on the Skipwith Common SAC / SSSI
- Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources
- Appropriate site design and landscaping to mitigate impact on: heritage assets (archaeological remains, Escrick Conservation Area, Listed Buildings including Escrick Park and Coach House and unregistered designed landscape at Escrick Park) and local landscape features and their respective settings and the Trans Pennine Trail leisure route
- A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation, surface water drainage and SUDs as appropriate. Landfill should not take place within the flood risk exclusion area identified on the accompanying Plan.
- An appropriate site design to ensure protection of the aquifer and surface water bodies
- Appropriate arrangements for the crossing of the Trans Pennine Trail and maintenance of the access to the A19
- Appropriate arrangements for control of and mitigation of the effects of air pollution, lighting, noise and dust including on local residences and businesses
- An appropriate restoration scheme using opportunities for habitat creation

Reasons for allocating area

The area may have some potential for inert landfill in order to achieve the reclamation of the site to agriculture in association with any future working of clay as part of preferred area MJP55 and in order to meet any longer term needs for landfill of inert waste and in these circumstances could be consistent with Policies W01, W02 and W11 and it would also contribute to meeting capacity requirements for C, D & E waste (Policy W05).

The area is also subject to significant constraints regarding ecological issues, heritage assets and the Trans Pennine Trail. However, it is considered that these are likely to be capable of mitigation. There are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application and no overriding constraints have been identified through the site assessment process to indicate that the area could not be developed and operated in an acceptable manner.

Therefore the area is identified as a **Preferred Area** which would only be taken forward in conjunction with the development of MJP55.



Reference: WJP06

Name: Land adjacent to former Escrick Brickworks

Preferred Area



Flood Risk Exclusion Area



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

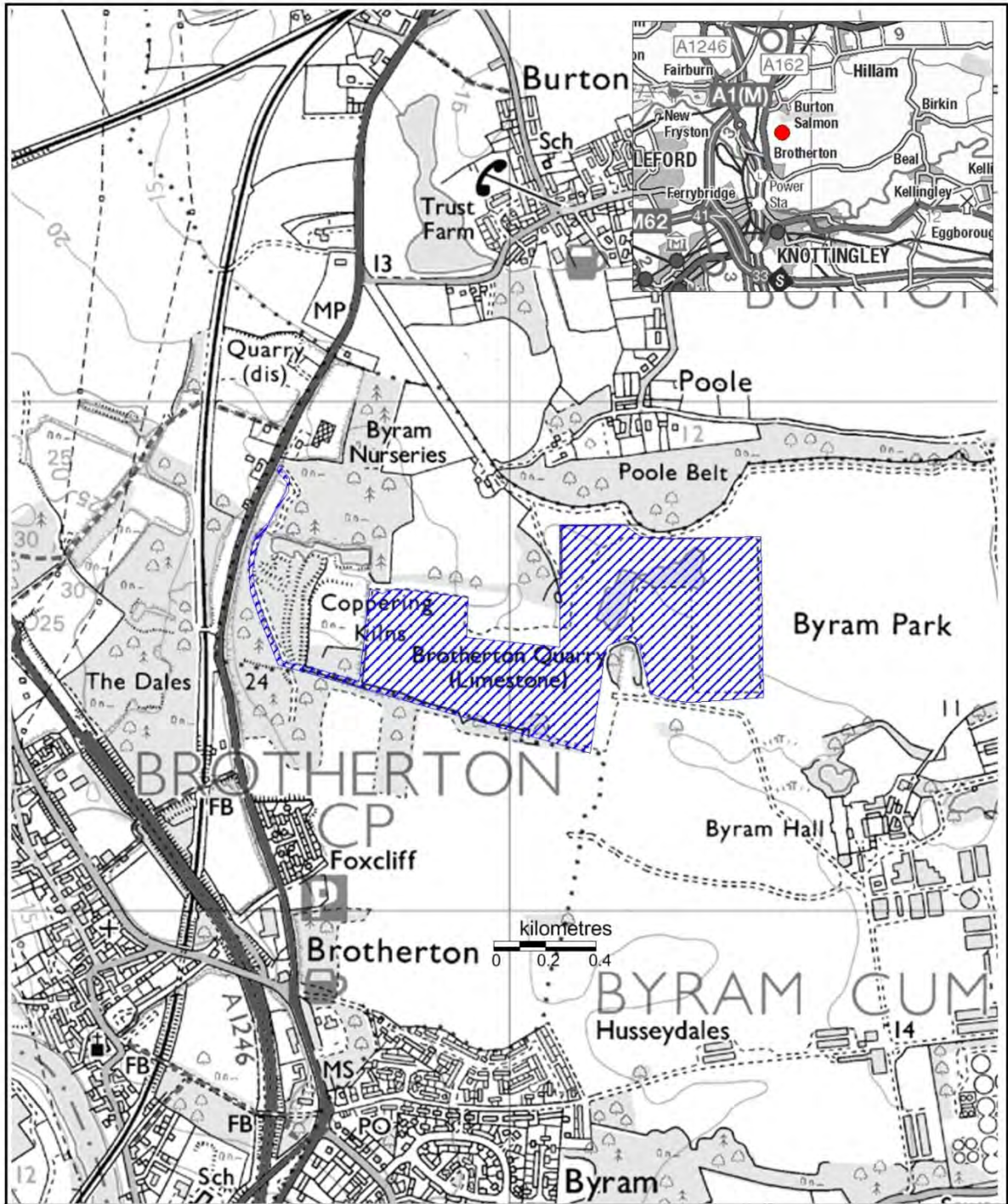
Site Submissions
Date : 09-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

BROTHERTON QUARRY, BURTON SALMON


Site reference WJP21	
Nature of Submitted Proposal Import of inert waste for restoration purposes	
Location of Land	Brotherton Quarry Tadcaster Road Burton Salmon WF11 9EF
(Grid Reference)	(449093 426488)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	FCC Environment
Landowner	Landowner supports the submission
Current Use	Quarry
Minerals Estimated Reserve (tonnes)	None proposed
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	250,000
Recycled Materials Annual output (tonnes)	None proposed
Size of Site (hectares)	20.5
Estimated date of commencement	To follow on from completion of restoration of area permitted under NY/2013/0324/73
Proposed Life of Site	Until 2020
Proposed Access	Existing Brotherton Quarry access onto A162 (approximately 50m south of Byram Nurseries), between Burton Salmon and Brotherton
Light vehicles (two-way daily movements)	12 (submitter information)
HGVs (two-way daily movements)	56-112 (submitter information)
Possible site restoration and aftercare (if applicable)	Agriculture and woodland

<p>Other information (if applicable)</p>	<p>Application NY/2013/0324/73, to extend the period of time for extraction and restoration of the eastern part of the site (which involves importing soils for restoration purposes) until 31 December 2020, was granted in October 2014.</p> <p>WJP21 would extend the area of proposed material import to include the western part of the quarry with a potential need for about 400,000 tonnes of inert material to restore the site.</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Byram Park SINC, protected species, potential for invasive species, potential habitats • Impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on: Listed Buildings at Byram Hall and the undesignated designed landscape at Byram Park and their respective settings and the potential sourcing of stone for the future repair of York Minster • Landscape and visual intrusion issues, including and impact of past quarrying • Impacts on Green Belt • Water issues, including: hydrology, flood risk (Zone 1) and surface water drainage • Traffic impacts, including access onto A162 • Amenity issues, including: noise, dust, pollution, public health 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on Byram Park SINC and protected species including measures to address and control of invasive species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on: Listed Buildings undesignated designed landscape, Green Belt, and their respective settings and local landscape features • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SUDs as appropriate • Suitable arrangements for access onto A162 and local roads • Appropriate arrangements for the prevention, control of and mitigation of the effects of pollution, noise and dust • An appropriate restoration scheme using opportunities for habitat creation and to be to a use compatible with its location in the Green Belt 	
<p>Reasons for allocating site</p> <p>Importation of material for restoration of the eastern part of the site has been granted planning permission. The importation of further material would enable the completion of reclamation of the quarry, which has previously been the subject of permission for landfill. The development would not conflict with Policies W01, W02 and W11 and would provide additional capacity for the landfill of inert CD & E waste (Policy W05).</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: WJP21

Site Name: Brotherton Quarry, Burton Salmon

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

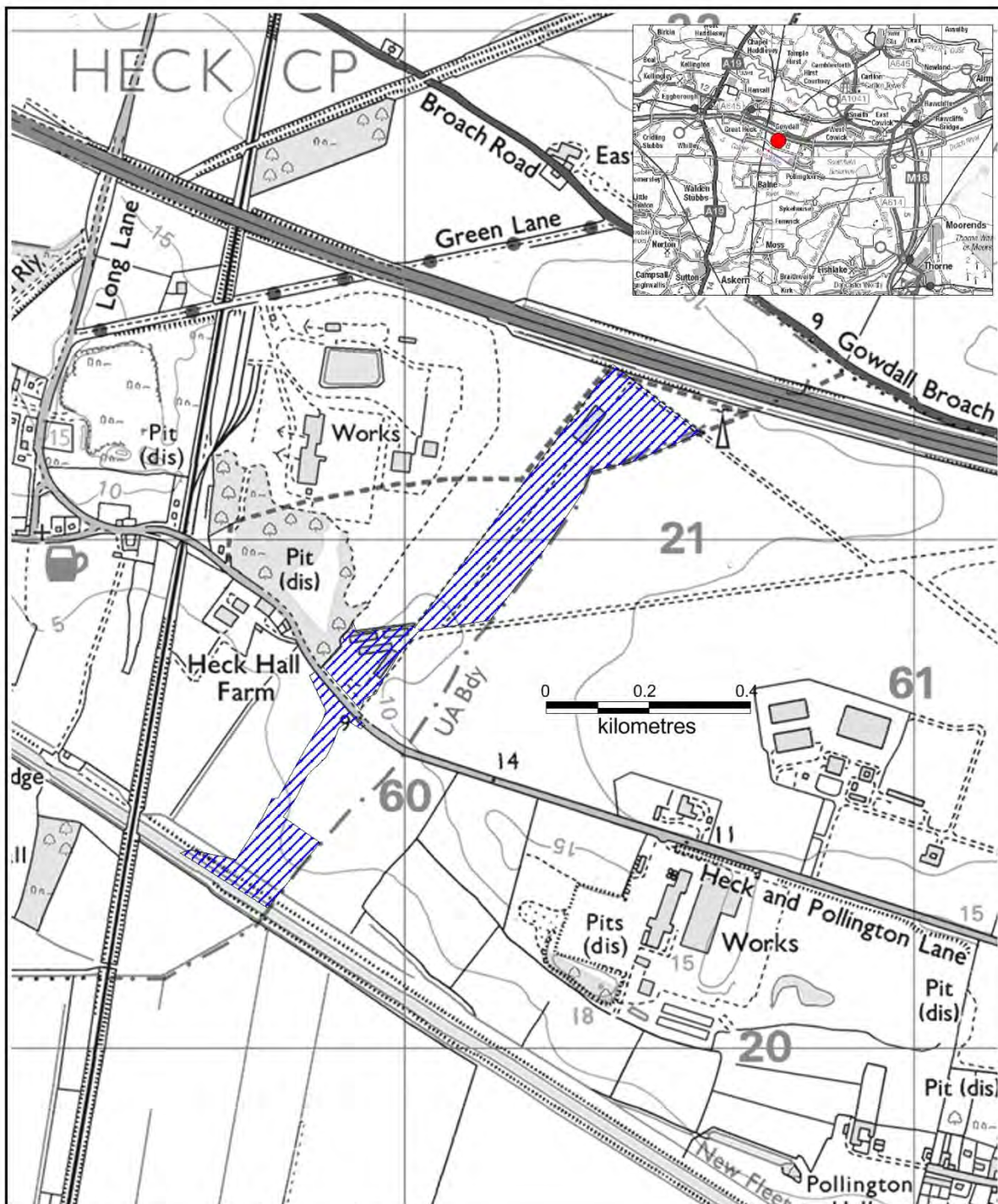
Site Submissions
Date: 06-2014
Compilation & Analysis: MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2014.

LAND ON FORMER POLLINGTON AIRFIELD


Site reference	WJP22
Nature of Submitted Proposal	
<ul style="list-style-type: none"> • Import of waste wood for wood pellet production • Additional infrastructure associated with wood processing such as site access, waste wood fuel processing building, chip dryer and storage areas 	
Location of Land	Former Pollington Airfield Heck and Pollington Lane Heck DN14 0BZ
(Grid Reference)	(460237 421044)
District	Selby
Mineral and Waste Planning Authorities	North Yorkshire County Council
Submitted by	Stobart Biomass Products Limited
Landowner	Landowner supports submission
Current Use	Processing plant to create waste wood biomass fuel and processing plant to create waste wood pellets
Minerals Estimated Reserve (tonnes)	None proposed
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	160,000 – for wood processing (pellet production) and
Recycled Materials Annual output (tonnes)	160,000 (based on proposed wood imports)
Size of Site (hectares)	12.83
Estimated date of commencement	By 2017
Proposed Life of Site	2040
Proposed Access	Existing at site onto Heck and Pollington Lane (C340) approximately 490m east of East Coast mainline railway
Light vehicles (two-way daily movements)	38 (based on scale up of application details NY/2009/0113/FUL)
HGVs (two-way daily movements)	118 (based on scale up of application details NY/2009/0113/FUL)
Possible site restoration and	Not specified at this time

aftercare (if applicable)	
Other information (if applicable)	Planning permission (12.04.09.04/32C) has been granted to construct the biomass energy plant in the East Riding of Yorkshire Council area, but it has yet to be built. The permission area includes the WJP22 site and some land adjacent to the north-eastern boundary.
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Sand Quarry (Great Heck) SINC and protected species, potential habitats • Potential impact on best and most versatile agricultural land • Heritage asset issues, including proximity to and impact on archaeological remains • Landscape and visual intrusion issues, including: local landscape features • Water issues, including: hydrology, aquifer, flood risk (mostly Zone 1, small areas of 2 and 3) and surface water drainage • Traffic impact, including access and HGV use of local roads, and the potential for movement of material by water using the site wharf on the Knottingley and Goole Canal (Aire and Calder Navigation) • Amenity issues, including: noise, dust, impact on users of right of way 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on Sand Quarry (Great Heck) SINC and protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Appropriate site design and landscaping to mitigate impact on archaeological remains and local landscape features • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • An appropriate site design to ensure protection of the aquifer • Maintenance of appropriate access to local roads including Heck and Pollington Lane and the potential for movement of the feedstock by water using the potential site wharf on the Knottingley and Goole Canal (Aire and Calder Navigation) • Appropriate arrangements for control of and mitigation of the effects of noise and dust, and impact on users of right of way 	
<p>Reasons for allocating site</p> <p>The site is based on an existing operation with an adjacent consent for the construction of a biomass energy plant.</p> <p>The allocation of this site could contribute to the further provision of a range of infrastructure which could help move waste up the waste hierarchy (Policy W01) and it would not conflict with other strategic policies in the Plan, including Policy W02 facilitating net self-sufficiency in the management of waste and would be consistent with the overall locational principles for waste capacity (Policy W10) and Policy W11 waste site identification principles.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore that part of the site within the Plan area is an allocated site.</p>	



Site Reference: WJP22

Site Name: Land on former Pollington airfield

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

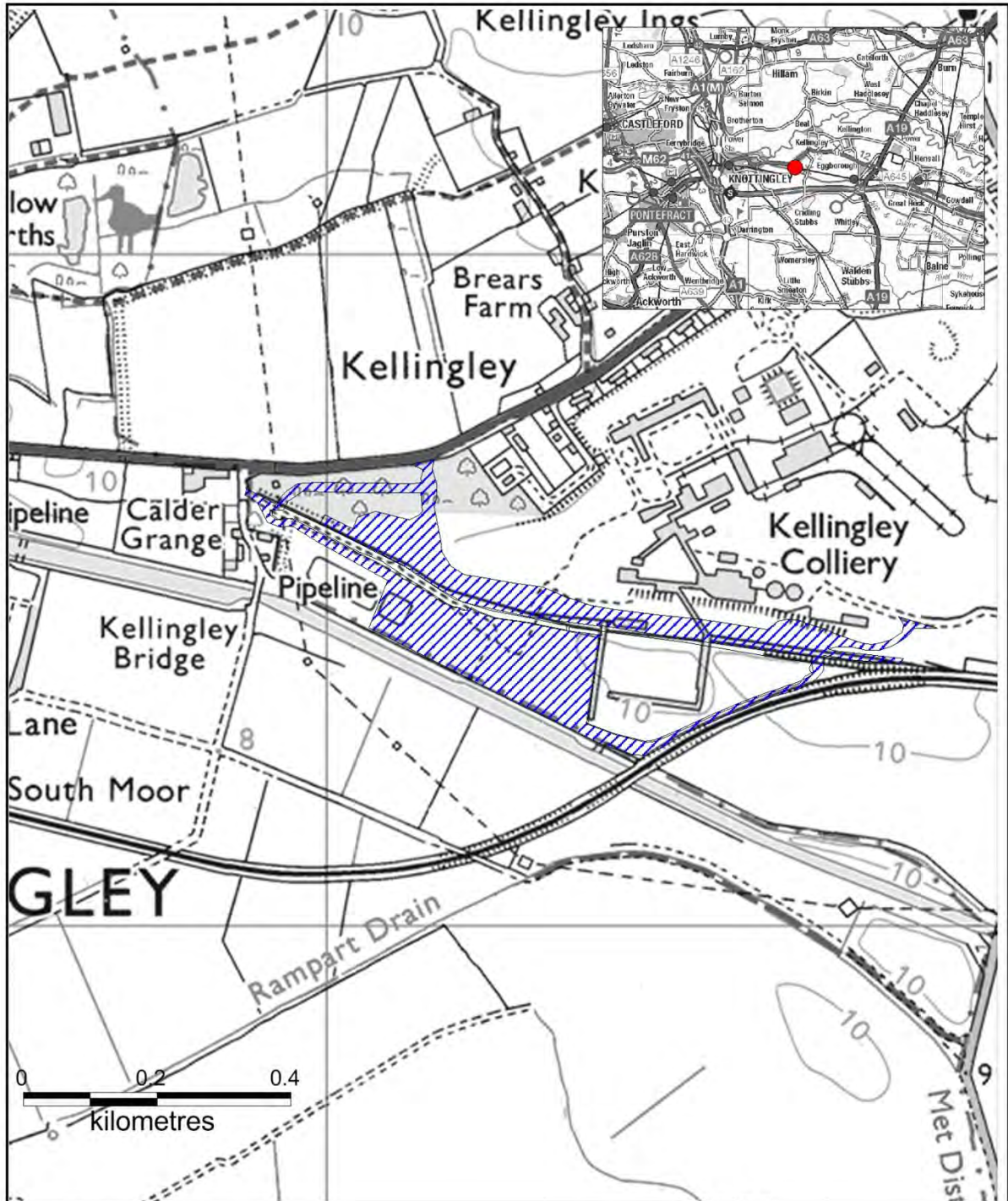
Site Submissions
Date : 10-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

SOUTHMOOR ENERGY CENTRE, FORMER KELLINGLEY COLLIERY

Site reference	WJP03
Nature of Submitted Proposal	
Energy from Waste facility	
Location of Land	Southmoor Energy Centre Former Kellingley Colliery Weeland Road Beal WF11 8DT
(Grid Reference)	(452496 423758)
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Peel Environmental Limited (on behalf of Harworth Estates Ltd)
Landowner	Landowner supports submission
Current Use	Former coal mine
Minerals Estimated Reserve (tonnes)	Not applicable
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	280,000
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	12.9
Estimated date of commencement	By February 2020 (based on requirement for implementation specified in decision notice for planning application NY/2013/0128/ENV)
Proposed Life of Site	Permanent
Proposed Access	New access onto A645 Weeland Road in accordance with decision notice for planning application NY/2013/0128/ENV
Light vehicles (two-way daily movements)	32 (application details NY/2013/0128/ENV)
HGVs (two-way daily movements)	132 (application details NY/2013/0128/ENV)

Possible site restoration and aftercare (if applicable)	None specified but planning permission requires the submission of a scheme for restoration and landscaping 6 months prior to the decommissioning of the Energy Centre
Other information (if applicable)	<p>Planning application (NY/2013/0128/ENV) for this development was granted planning permission (reference C8/2013/0677/CPO) in February 2015</p> <p>No extra capacity is proposed as part of this submission in addition to that already permitted</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: protected species • Heritage asset issues, including proximity to and impact on: Listed buildings including Kellington Windmill • Landscape and visual intrusion issues, including impact on the Kellingley area • Water issues, including: hydrology, flood risk (Zone 2) and surface water drainage • Impact on overhead power line • Traffic impact, including: access and the A645 and the potential for movement of the feedstock by water using the site wharf on the Knottingley and Goole Canal (Aire and Calder Navigation) • Amenity issues, including: noise, dust and other emissions 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues including impacts on protected species • Appropriate site design and landscaping to mitigate impact on heritage assets such as Kellington Windmill (if applicable) and the Kellingley area • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • Suitable arrangements for access and local roads, including a construction traffic management plan and the potential for movement of the feedstock by water using the site wharf on the Knottingley and Goole Canal (Aire and Calder Navigation) • Appropriate arrangements for control of and mitigation of the effects of noise, dust, other emissions 	
<p>Reasons for allocating site</p> <p>This site could contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policy W01) and contribute to net self-sufficiency in capacity for the management of waste (Policy W02) and provide flexibility in capacity for management of C & I waste in line with Policy W04, overall locational principles for waste capacity (Policy W10) and Policy W11 waste site identification principles. Although the site has the benefit of planning permission for the development of a waste to energy recovery facility this has not been implemented. The scale of capacity that could be provided at the site is such that it is of strategic importance and the site is therefore allocated to help retain this potential for the future.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: WJP03

Site Name: Southmoor Energy Centre, Kellingley Colliery

Site Area



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

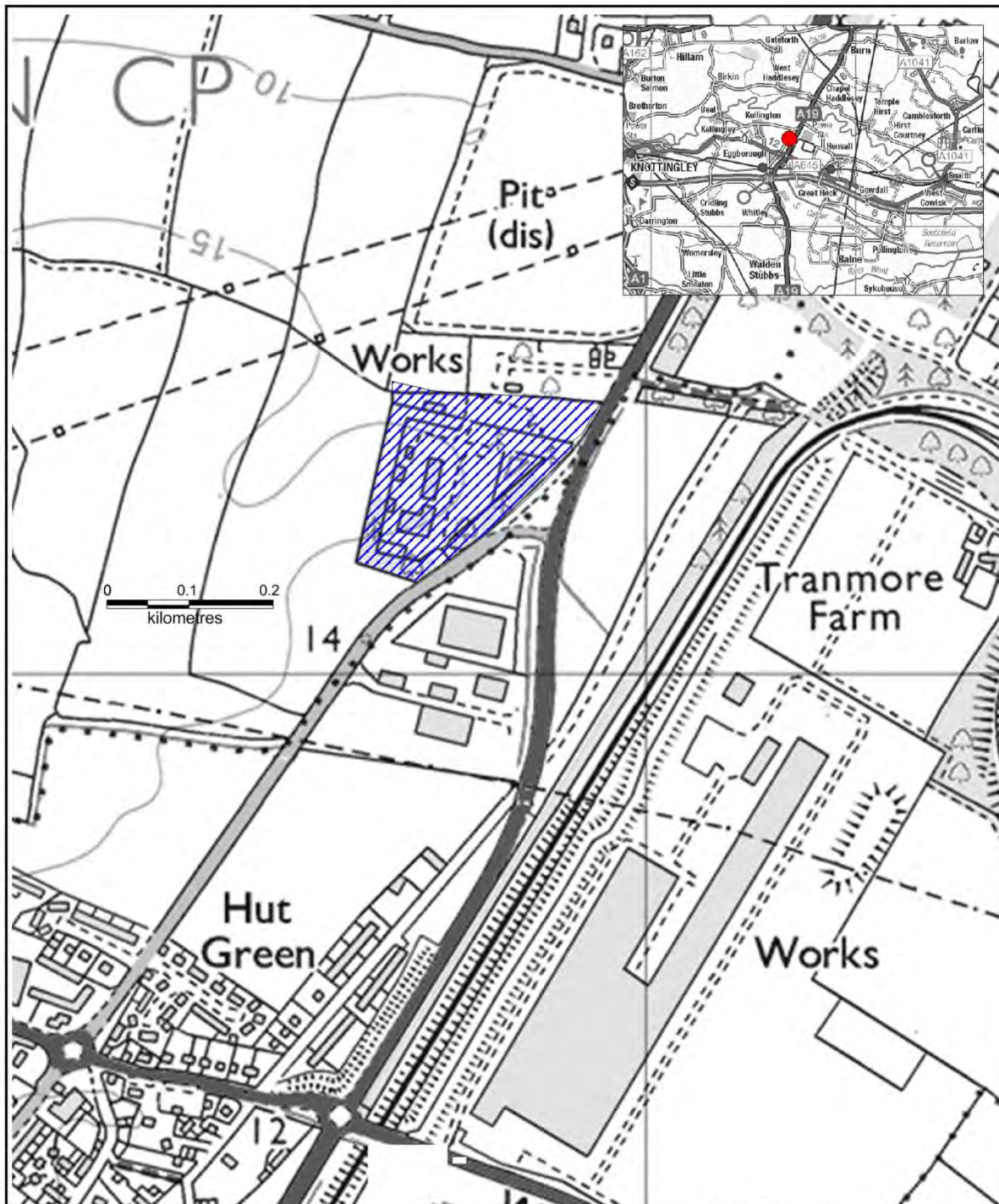
Site Submissions
Date : 06-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

FORMER ARBRE POWER STATION, EGGBOROUGH


Site reference	WJP25
Nature of Submitted Proposal	
Energy Recovery facility with Advanced Thermal Treatment	
Location of Land	Former ARBRE Power Station Selby Road Eggborough Goole North Yorkshire DN14 0BS
(Grid Reference)	456785 424198
District	Selby
Mineral and Waste Planning Authority	North Yorkshire County Council
Submitted by	Yorkshire Recycling & Renewable Energy Limited
Landowner	Landowner supports submission
Current Use	Redundant former Arable Biomass Renewable Energy (ARBRE) facility
Minerals Estimated Reserve (tonnes)	Not applicable
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	Up to 200,000 of Refuse Derived Fuel
Recycled Materials Annual output (tonnes)	Up to 25,000 (non-hazardous ash)
Size of Site (hectares)	4.2
Estimated date of commencement	2018
Proposed Life of Site	Initial 25 years, extendable to 40 years
Proposed Access	Existing access onto Selby Road (C410) approximately 125m off A19.
Light vehicles (two-way daily movements)	84 (Application details NY/2014/0292/ENV)
HGVs (two-way daily movements)	88 (Application details NY/2014/0292/ENV)

Possible site restoration and aftercare (if applicable)	None proposed
Other information (if applicable)	Planning application (NY/2014/0292/ENV) for this development was granted planning permission (C8/53/125F/PA) in May 2015. A subsequent planning application (NY/2016/0052/ENV) to vary some of the terms of the original permission was granted planning permission (C8/2016/0347/CPO) in May 2016
Key Sensitivities identified by Site Assessment <ul style="list-style-type: none"> • Ecological issues, including impacts on protected species • Landscape and visual intrusion issues, including: proposed stack, impact on the surrounding area • Water issues, including: flood risk (Zone 1) • Traffic impact, including: access and the A19 • Amenity issues, including: noise, air quality 	
Development requirements identified through Site Assessment and Consultation processes <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species • Appropriate site design and landscaping to mitigate impact on the surrounding area • A site specific flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation and SuDS as appropriate • Suitable arrangements for access and local roads such as the A19 • Appropriate arrangements for the assessment, control of and mitigation of effects on amenity such as noise and air pollution 	
Reasons for allocating site <p>This site could contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policy W01) and contribute to net self-sufficiency in capacity for the management of waste (Policy W02) and provide flexibility in capacity for management of C & I waste in line with Policy W04, overall locational principles for waste capacity (Policy W10) and Policy W11 waste site identification principles. Although the site has the benefit of planning permission for the development of a waste to energy recovery facility this has not been implemented. The scale of capacity that could be provided at the site is such that it is of strategic importance and the site is therefore allocated to help retain this potential for the future.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process that would indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: WJP25

Site Name: ARBRE Power Station, Eggborough

Site Area: 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

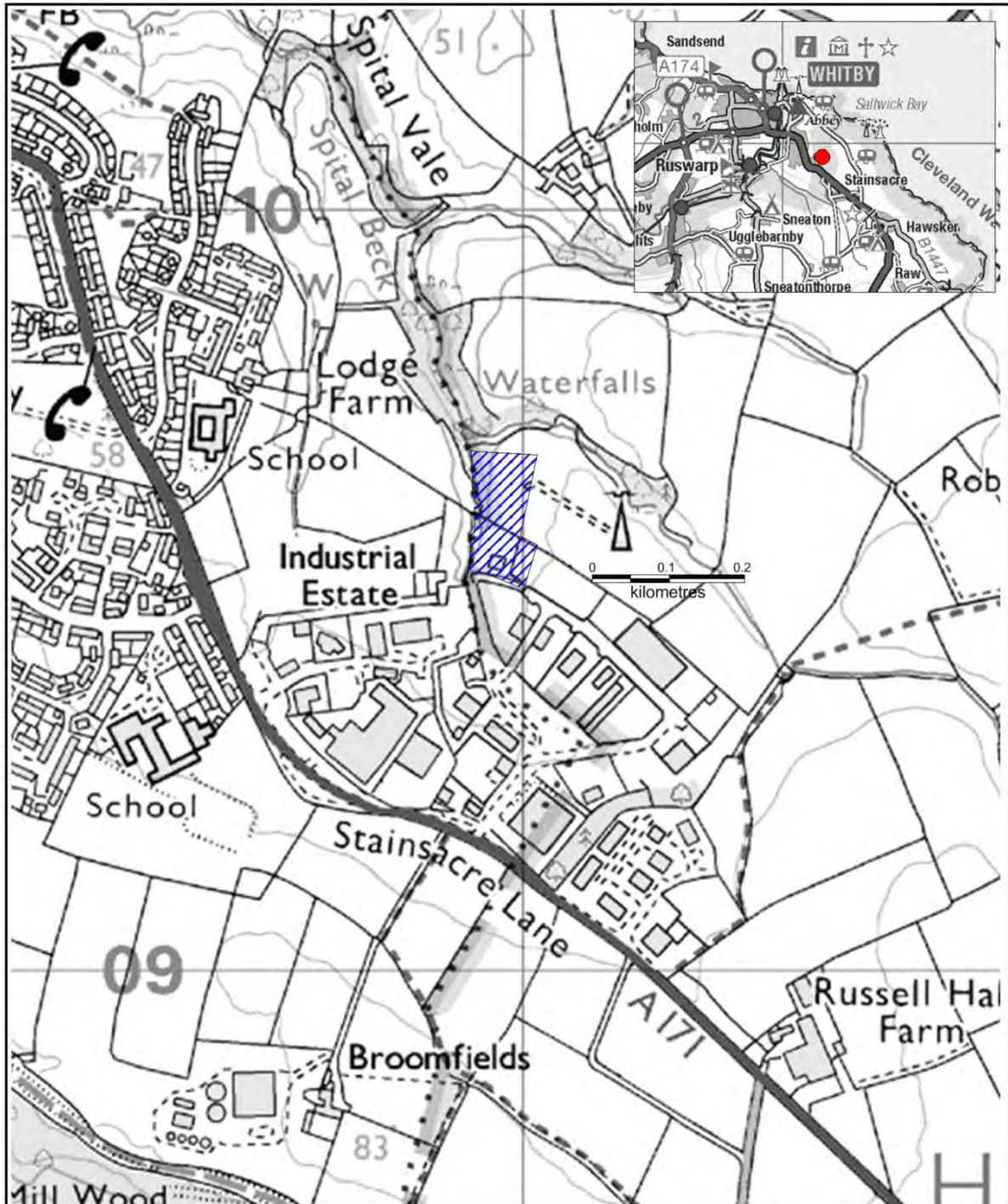
Site Submissions
Date : 06-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

FAIRFIELD ROAD, WHITBY


Site reference	WJP19
Nature of Submitted Proposal	
Proposed extension to area and changes to existing facility for recycling and transfer of municipal and commercial waste	
Location of Land	Whitby Waste Treatment and Transfer Facility (Fairfield Transfer Station) Fairfield Way Fairfield Business Park Whitby YO22 4PU
(Grid Reference)	(490978 509580)
District	Scarborough
Mineral Planning Authority	North York Moors National Park Authority
Submitted by	Yorwaste Ltd
Landowner	Landowner supports submission
Current Use	Partly existing recycling and transfer of municipal and commercial waste facility and partly grassland
Minerals Estimated Reserve (tonnes)	None proposed
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	51,700
Recycled Materials Annual output (tonnes)	51,700 (estimate based on imports)
Size of Site (hectares)	1.25
Estimated date of commencement	Unknown at present
Proposed Life of Site	Unknown at present
Proposed Access	Existing onto Fairfield Way (unclassified U98) to A171
Light vehicles (two-way daily movements)	60 (source: application details NYM/2010/0497/FL)
HGVs (two-way daily movements)	38 (source: application details NYM/2010/0497/FL)

Possible site restoration and aftercare (if applicable)	No detailed design available
Other information (if applicable)	
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: protected species, potential for invasive species • Heritage asset issues, including proximity to and impact on: Moated site at Low Laithes Farm Scheduled Monument and Lodge Farmhouse, Robin Hood and Little John Stones Listed Buildings, Abbey House Registered Park and Garden and their respective settings • Landscape and visual intrusion issues, including: North York Moors National Park • Water issues, including: hydrology, site greater than 1ha in flood risk (Zone 1) and surface water drainage • Traffic impacts, including: access and HGV use of local roads • Amenity issues, including: noise, dust 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts to habitats and protected species • Appropriate measures to address and control invasive species • Appropriate site design and landscaping to mitigate impact on: the North York Moors National Park, the Moated site at Low Laithes Farm Scheduled Monument, Lodge Farmhouse, Robin Hood and Little John Stones Listed Buildings, Abbey House Registered Park and Garden and their respective settings, and local landscape features • A site specific flood risk assessment, which to be satisfactory will need to include management of surface water runoff using SuDS where appropriate • Suitable arrangements for access onto the A171 and local roads • Appropriate arrangements for control of and mitigation of the effects of noise, dust and odour 	
<p>Reasons for allocating site</p> <p>Although located in the National Park this is an extension to an established site (also within the Park) and is within a proposed extension to the business park identified in local planning policy.</p> <p>This site could contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policy W01) and facilitate net self-sufficiency in the management of waste (Policy W02). It would also provide flexibility in capacity for management of C & I waste in line with Policy W04 and would be consistent with the overall locational principles for waste capacity (Policy W10) and Policy W11 waste site identification principles.</p> <p>Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.</p> <p>Therefore the site is an allocated site.</p>	



Site Reference: WJP19

Site Name: Fairfield Road, Whitby

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 07-2014
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2014.

FIELD TO NORTH OF DUTTONS FARM, UPPER POPPLETON

Site reference	MJP52
Nature of Submitted Proposal	
Extraction of clay as a proposed extension to former quarry	
Location of Land	Field SE5356 9513 to north of Duttons Farm Newlands Lane Upper Poppleton
(Grid Reference)	(453967 454090)
District	City of York
Mineral and Waste Planning Authority	City of York Council
Submitted by	Stephenson & Son (on behalf of Mr W R Smith)
Landowner	Landowner supports submission
Current Use	Agriculture and a lake in the former clay working
Minerals Estimated Reserve (tonnes)	200,000
Minerals Annual Output (tonnes)	40,000
Waste Annual Tonnage import	See WJP05
Recycled Materials Annual output (tonnes)	None proposed
Size of Site (hectares)	6.28
Estimated date of commencement	2017
Proposed Life of Site	5 – 10 years
Proposed Access	Existing access via Kettlewell Lane onto Newlands Lane then onto A59
Light vehicles (two-way daily movements)	2 – 4 (estimate)
HGVs (two-way daily movements)	10 – 14 (estimate)
Possible site restoration and aftercare (if applicable)	Restoration to forestry and agriculture following completion of landfilling with inert waste (see WJP05)
Other information (if applicable)	There is no existing approved restoration plan for the site

Key Sensitivities identified by Site Assessment

- Ecological issues, including impacts on: existing lake, protected species and potential habitats
- Potential impact on best and most versatile agricultural land
- Heritage asset issues, including proximity to and impact on: Upper Poppleton Conservation Area, City of York and archaeological remains
- Landscape and visual intrusion issues, including impacts on: York and local landscape features and neighbouring residences
- Issues arising from the location within the general extent of York's Green Belt and that the emerging York Local Plan will continue to designate this land as Green Belt
- Water issues, including: hydrology, flood risk (mostly Zone 1, small area of Zones 2 and 3), surface water drainage, potential impact of landfilling (as proposed via WJP05)
- Traffic impact, including: access from site along Kettlewell Lane to Newlands Lane and HGV use of local roads (including the A59)
- Amenity issues, including: noise, dust, potential for mud on road

Development requirements identified through Site Assessment and Consultation processes

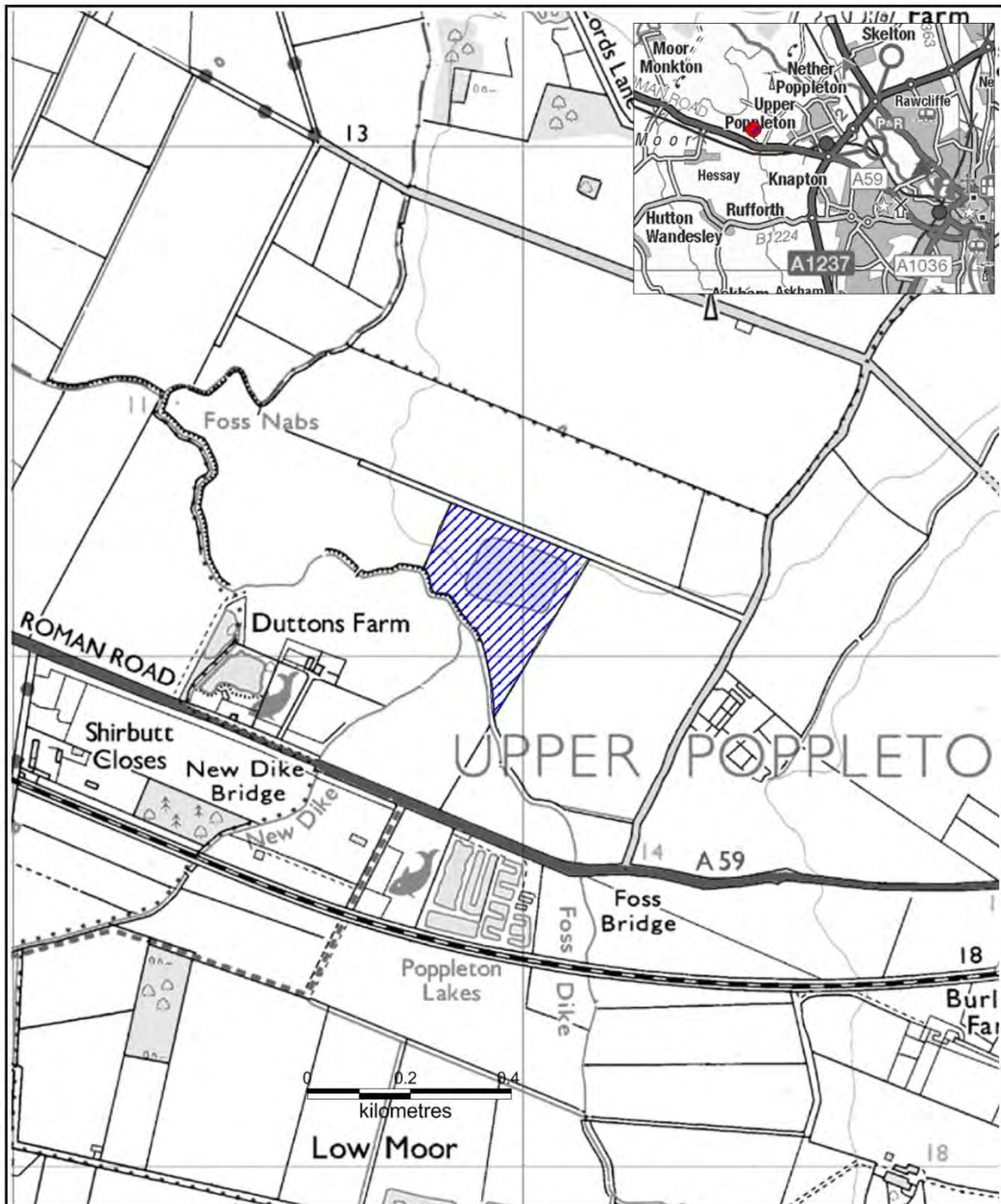
- Mitigation of ecological issues, in particular with regard to avoiding impacts on the existing lake and protected species
- Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources
- Any future proposals on this site will need to comply with national and local Green Belt policy
- Appropriate site design and landscaping to mitigate impact on: heritage assets (archaeological remains), Upper Poppleton Conservation Area and their respective settings, the York historic character and the Green Belt and local landscape features
- A site specific flood risk assessment, which to be satisfactory will need to include necessary mitigation, such as compensatory storage, attenuation and SuDS as appropriate
- Suitable arrangements to ensure safe access onto and along local roads (which may include the use of signage and restrictions on direction of travel), including from site along Kettlewell Lane to Newlands Lane, at the junction onto Newlands Lane and at the junction with the A59
- Appropriate arrangements for control of and mitigation of the effects of noise, dust and mud on road
- An appropriate restoration scheme using opportunities for habitat creation and to a use consistent with the purposes of Green Belt designation

Reasons for allocating site

This site could contribute to the supply of engineering clay over the Plan period (Policy M13) as evidence, including from the former excavation on site, indicates that there is a suitable resource in this location. No major issues have been raised by statutory consultees in respect of local amenity, landscape, biodiversity, historic and water environments which indicate any significant conflict with other relevant policies in the Plan.

Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated site**.



Site Reference: **MJP52**

Site Name: **Field to the north of Duttons Farm, Upper Poppleton**

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 09-2013
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2013.

FORMER NORTH SELBY MINE SITE, DEIGHTON

Site reference	WJP02
Nature of Submitted Proposal	
Anaerobic digestion facility	
Location of Land	Former North Selby Mine New Road Deighton York YO19 6EZ
(Grid Reference)	(464665 444239)
District	City of York
Mineral and Waste Planning Authority	City of York Council
Submitted by	Peel Environmental Limited (on behalf of Harworth Estates Ltd)
Landowner	Landowner supports submission
Current Use	Former coal mine
Minerals Estimated Reserve (tonnes)	Not applicable
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	60,000
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	24
Estimated date of commencement	By April 2017 (based on requirement for implementation specified in decision notice for planning application 12/03385/FULM)
Proposed Life of Site	Permanent
Proposed Access	Existing access from former North Selby mine site onto A19 approximately midway between the villages of Deighton and Escrick
Light vehicles (two-way daily movements)	12 for AD facility and normally 100 for glasshouse facility with up to 200 in the busiest period of mid-November to mid-January (submitter information)
HGVs (two-way daily movements)	70 for AD facility and 14 for glasshouse facility (submitter information)

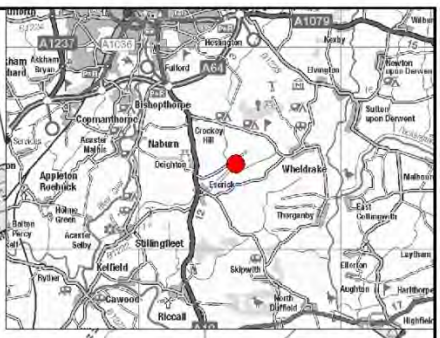
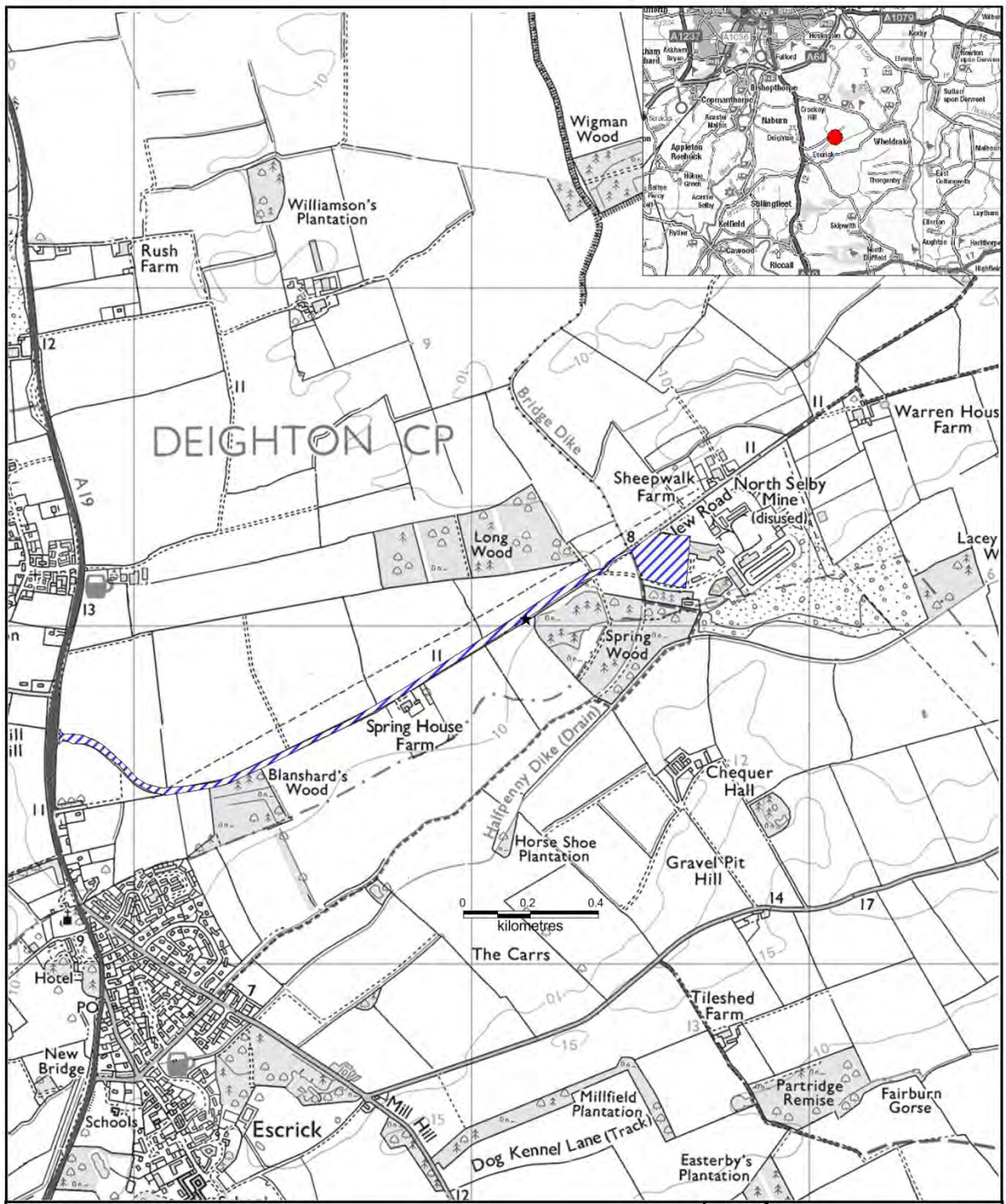
Possible site restoration and aftercare (if applicable)	None specified.
Other information (if applicable)	<p>Planning application (12/03385/FULM) for the development of an anaerobic digestion and horticultural glasshouse project including CHP units was granted planning permission in April 2014 for receipt of source segregated organic LACW, C & I food waste and agricultural waste</p> <p>No extra capacity is proposed as part of this submission in addition to that already permitted</p>
<p>Key Sensitivities identified by Site Assessment</p> <ul style="list-style-type: none"> • Ecological issues, including impacts on: Spring Wood SINC and protected species • Heritage asset issues, including proximity to and impact on: Escrick Conservation Area and Listed buildings including Escrick Park and Coach House • Issues arising from the location within the general extent of York's Green Belt and that the emerging York Local Plan will continue to designate this land as Green Belt • Landscape and visual intrusion issues, including: impact on Green Belt and local landscape features • Water issues, including: aquifer, flood risk (Zones 2 and 3), piling, fuel storage • Impact on public right of way across site • Traffic impact, including: access and the A19 • Amenity issues, including: noise, air pollution, lighting 	
<p>Development requirements identified through Site Assessment and Consultation processes</p> <ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to Spring Wood SINC and protected species • Any future proposals on this site will need to comply with national and local Green Belt policy • Appropriate site design and landscaping to mitigate impact on: heritage assets including Escrick Conservation Area and Listed buildings including Escrick Park and Coach House and their respective settings and local landscape features and to be consistent with protecting the historic character of York and the purposes of Green Belt designation • A site specific flood risk assessment, which to be satisfactory will need to confirm the impact of climate change of river flooding at this site and investigate groundwater flooding, and address the issue of draining surface water will be managed using SuDS without causing additional flood risk or flood risk elsewhere, not impeding water flows or result in any net loss of floodplain storage • An appropriate site design to ensure the protection of the aquifer • Suitable arrangements for public rights of way (diversion or retention, and associated mitigation, as appropriate) • Suitable arrangements for access and local roads including onto the A19 • Appropriate arrangements for control of and mitigation of the effects of noise, air pollution and lighting 	
<p>Reasons for allocating site</p> <p>This site could contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policy W01) and contribute to net self-sufficiency in capacity for the management of waste (Policy W02) and provide flexibility in capacity for management of C & I waste in line with Policy W04 and would be consistent with the overall locational principles for waste capacity (Policy W10) and Policy W11 waste site identification principles. Although the site has the benefit of planning permission for the development of an anaerobic digestion facility this has not been implemented. The scale of capacity that could be provided at the</p>	

site is such that it is of strategic importance and the site therefore has potential.

Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process that would indicate that the site could not be developed and operated in an acceptable manner.


Although, the site is located in the Green Belt permission has already been granted for development of an anaerobic digestion facility on the site which has not yet been implemented. This permission has established the principle of the suitability of the site for this form of development.

Therefore the site is an **allocated Site**.



Site Reference: WJP02

Site Name: Former North Selby Mine Site, Deighton

Site Area 



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 06-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

FIELD TO NORTH OF DUTTONS FARM, UPPER POPPLETON

Site reference	WJP05
Nature of Submitted Proposal	
Landfill and recycling of inert waste from construction industry	
Location of Land	Field SE5356 9513 to north of Duttons Farm Newlands Lane Upper Poppleton
(Grid Reference)	(453967 454090)
District	City of York
Waste Planning Authority	City of York Council
Submitted by	Stephenson & Son (on behalf of Mr W R Smith)
Landowner	Landowner supports submission
Current Use	Agriculture and a lake in the former clay working
Minerals Estimated Reserve (tonnes)	See MJP52
Minerals Annual Output (tonnes)	See MJP52
Waste Annual Tonnage import	40,000
Recycled Materials Annual output (tonnes)	Not applicable
Size of Site (hectares)	6.28
Estimated date of commencement	Prior to 2022
Proposed Life of Site	2022-2027
Proposed Access	Existing access via Kettlewell Lane onto Newlands Lane then onto A59
Light vehicles (two-way daily movements)	2 – 4 (estimate)
HGVs (two-way daily movements)	10 – 14 (estimate)
Possible site restoration and aftercare (if applicable)	No detailed design yet, but would be to forestry and agriculture
Other information (if applicable)	Site is also the MJP52 site area and the proposal would follow on from the extraction as the means to achieve the restoration on the site

Key Sensitivities identified by Site Assessment

- Ecological issues, including impacts on: existing pond, protected species and potential habitats
- Potential impact on best and most versatile agricultural land
- Heritage asset issues, including proximity to and impact on: Upper Poppleton Conservation Area and City of York
- Landscape and visual intrusion issues, including impacts on: York and local landscape features and neighbouring residences
- Issues arising from the location within the general extent of York's Green Belt and that the emerging York Local Plan will continue to designate this land as Green Belt
- Water issues, including: hydrology, flood risk (mostly Zone 1, small area of Zones 2 and 3), surface water drainage, potential impact of landfilling
- Traffic impact, including: access from the site along Kettlewell Lane to Newlands Lane and HGV use of local roads (including the A59)
- Amenity issues, including: noise, dust, potential for mud on the road

Development requirements identified through Site Assessment and Consultation processes

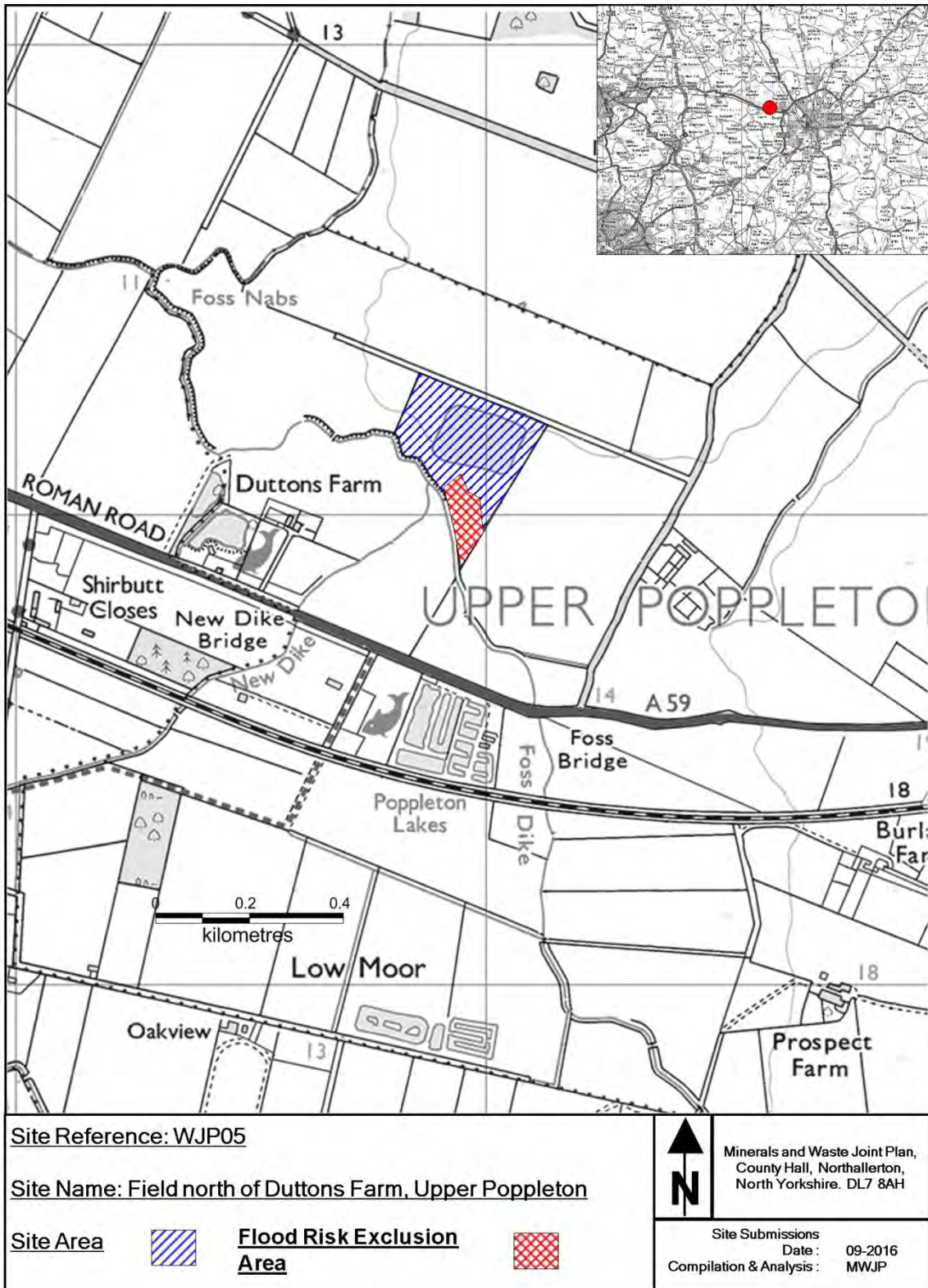
- Mitigation of ecological issues, in particular with regard to avoiding impacts on the existing lake and protected species
- Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources
- Any future proposals on this site will need to comply with national and local Green Belt policy
- Appropriate site design and landscaping to mitigate impact on: Upper Poppleton Conservation Area and its setting, York's historic character and the Green Belt and local landscape features
- A site specific flood risk assessment, which to be satisfactory will need to include necessary mitigation, such as compensatory storage, attenuation and SuDS as appropriate and the avoidance of the SFRA identified flood risk area (as shown below)
- Suitable arrangements to ensure safe access onto and along local roads (which may include the use of signage and restrictions on direction of travel), including from the site along Kettlewell Lane to Newlands Lane, at the junction onto Newlands Lane and at the junction with the A59
- Appropriate arrangements for control of and mitigation of the effects of noise, dust and for mud on road
- An appropriate restoration scheme using opportunities for habitat creation and to a use consistent with the purposes of Green Belt designation

Reasons for allocating site

This site is proposed as the means to enable the restoration of the MJP52 clay extraction site, and as such, would not conflict with the strategic policies in the Plan (Policies W01, W02, W10 and W11) and would contribute to meeting capacity requirements for C, D & E waste (Policy W05). Recycling of waste would assist in moving management of waste up the hierarchy and the site would provide capacity for inert landfill to help meet any future requirements.

Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated site** which would only be taken forward in association with MJP52.



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

HAREWOOD WHIN, RUFFORTH

Site reference	WJP11
Nature of Submitted Proposal	
Retention of the following facilities beyond 2017	
<ul style="list-style-type: none"> • landfill, • recycling (including treatment, bulking and transfer) and liquid waste treatment • Energy from Waste (Biomass and Landfill Gas Utilization) • kerbside recycling and waste transfer operation 	
and the construction of a new waste transfer station	
Location of Land	Harewood Whin Landfill Site Tinker Lane Rufforth York YO23 3RR
(Grid Reference)	(453992 451704)
District	City of York
Waste Planning Authority	City of York Council
Submitted by	Yorwaste Ltd
Landowner	Landowner supports submission
Current Use	Waste facility for landfill, open windrow composting, recycling (including treatment bulking and transfer) and liquid waste treatment
Minerals Estimated Reserve (tonnes)	Not applicable
Minerals Annual Output (tonnes)	Not applicable
Waste Annual Tonnage import	Landfill: 120,000 C&I Recycling: 150,000 Liquid Waste Treatment: 25,000 MRF: 50,000 Transfer: 120,000 (All above estimates for 2020)
Recycled Materials Annual output (tonnes)	345,000 (based on imports)
Size of Site (hectares)	81.73
Estimated date of commencement	Continuation from 2017
Proposed Life of Site	15-20 years

Proposed Access	Existing access on Height Lands Lane onto the B1224, approximately 460m east of Rufforth
Light vehicles (two-way daily movements)	30 (source: submitter details)
HGVs (two-way daily movements)	160 (source: application details 16/00534/FULM)
Possible site restoration and aftercare (if applicable)	No detailed design yet available as restoration plan is under review
Other information (if applicable)	An application for the construction of a Waste Transfer Station (16/00357/FULM) is currently awaiting determination as is an application for the continuation of the landfill site beyond 2017 (16/00534/FULM). Planning permission 16/00635/FUL for the retention and continued use of the compost pad was granted on 13 May 2016.
Key Sensitivities identified by Site Assessment	
<ul style="list-style-type: none"> • Ecological issues, including impacts on: river, protected species, airfield restrictions regarding restoration, potential habitats • Potential impact on best and most versatile agricultural land • Heritage asset issues, including archaeological remains • Landscape and visual intrusion issues, including: village, local landscape features, landfill including that not filled to currently approved levels and restored, effects on users of public rights of way • Issues arising from the location within the general extent of York's Green Belt and that the emerging York Local Plan will continue to designate this land as Green Belt • Water issues, including: hydrology, aquifer, flood risk (mostly Zone 1 and small area of Zone 3) and surface water drainage • Traffic impact, including: access and HGV use of local roads including the B1224 • Amenity issues, including: noise, dust, odour, litter, quality of life, effects on Rufforth village and users of rights of way 	
Development requirements identified through Site Assessment and Consultation processes	
<ul style="list-style-type: none"> • Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species • Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources • Design to mitigate impact on archaeological remains • Any future proposals on this site will need to comply with national and local Green Belt policy • Appropriate site design and landscaping to mitigate impact on: Rufforth village (including Listed Buildings), the historic City of York and their respective settings, Green Belt and local landscape features and and users of public rights of way • A site specific flood risk assessment, which to be satisfactory will need to include necessary mitigation, such as compensatory storage, attenuation and SuDS as appropriate and the avoidance of the SFRA identified flood risk area (as shown below) • An appropriate design to ensure protection of the aquifer • Suitable arrangements for access to local roads including the B1224 and appropriate an appropriate traffic management plan • Appropriate arrangements for control of and mitigation of the cumulative impacts on air quality, and the effects of noise and dust • An appropriate restoration scheme using opportunities for habitat creation and to a use 	

consistent with the purposes of Green Belt designation and integrated with the local landscape character, but which is also appropriate to location within a birdstrike safeguarding zone

Reasons for selecting/discounting site

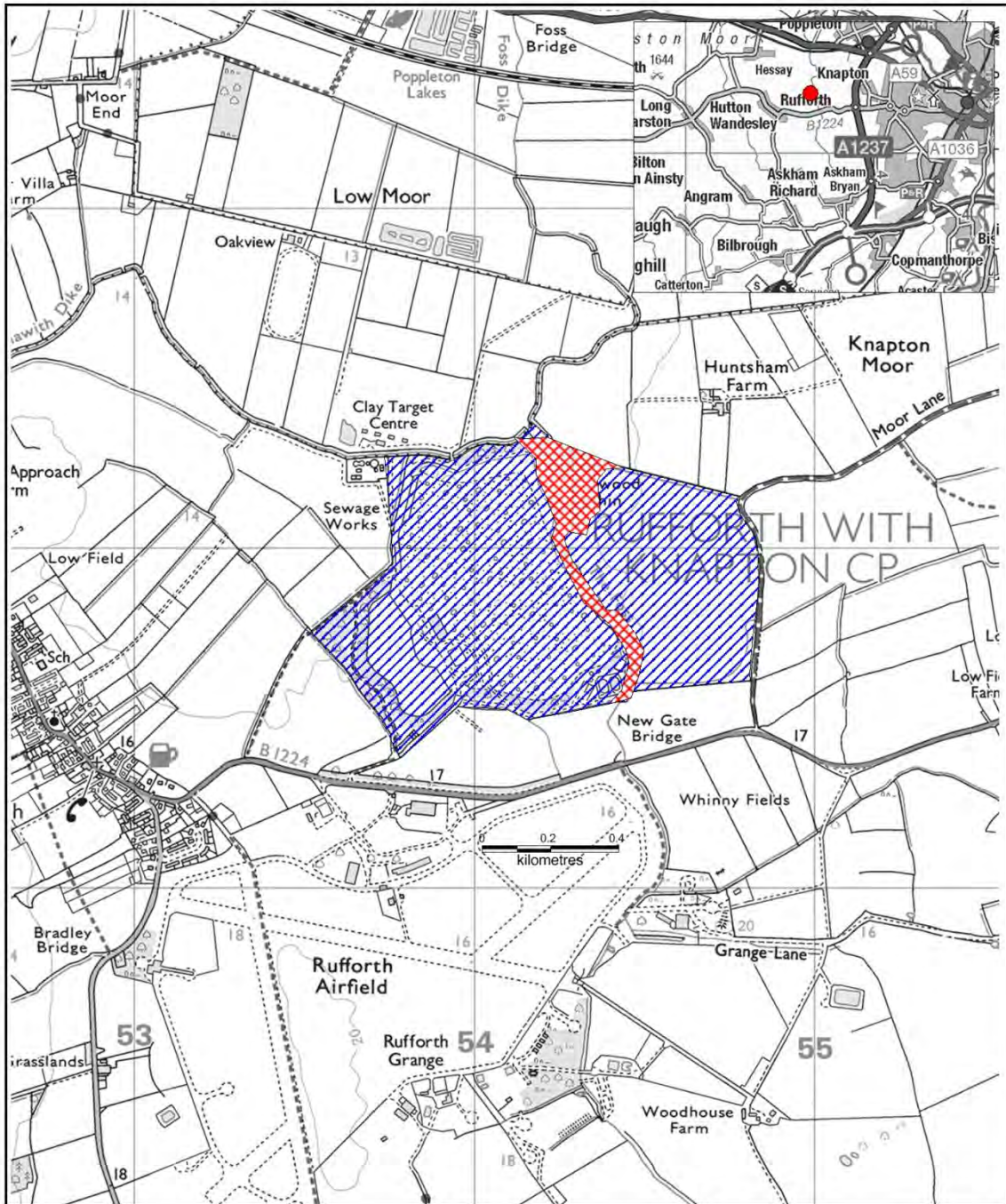
The WJP11 area already contributes to waste management capacity within the Plan area.

Provision of support for the retention of existing uses and development of appropriate additional uses could further contribute to the provision of infrastructure which could help move waste up the waste hierarchy (Policy W01) and facilitate net self-sufficiency in capacity (Policy W02) and the meeting of capacity requirements for LACW and C& I waste (Policies W03 and W04). The site is also compatible with Policies W10 overall locational principles for waste capacity and W11 waste site identification principles. The continuation of the landfill would maintain increasingly scarce capacity for non-inert, non-hazardous waste.

Although this is a well-established site with a range of existing waste uses, its location within the Green Belt is a significant constraint which may limit the scale and nature of waste development that may be appropriate.

Although there are development requirements which have been identified through the Site Assessment process which would need to form part of the development proposals for any subsequent planning application, no overriding constraints have been identified at this stage through the site assessment process to indicate that the site could not be developed and operated in an acceptable manner.

Therefore the site is an **allocated** site.



Site Reference: WJP11

Site Name: Harewood Whin, Rufforth

Site Area



Flood Risk Exclusion Area



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 08-2016
Compilation & Analysis : MWJP

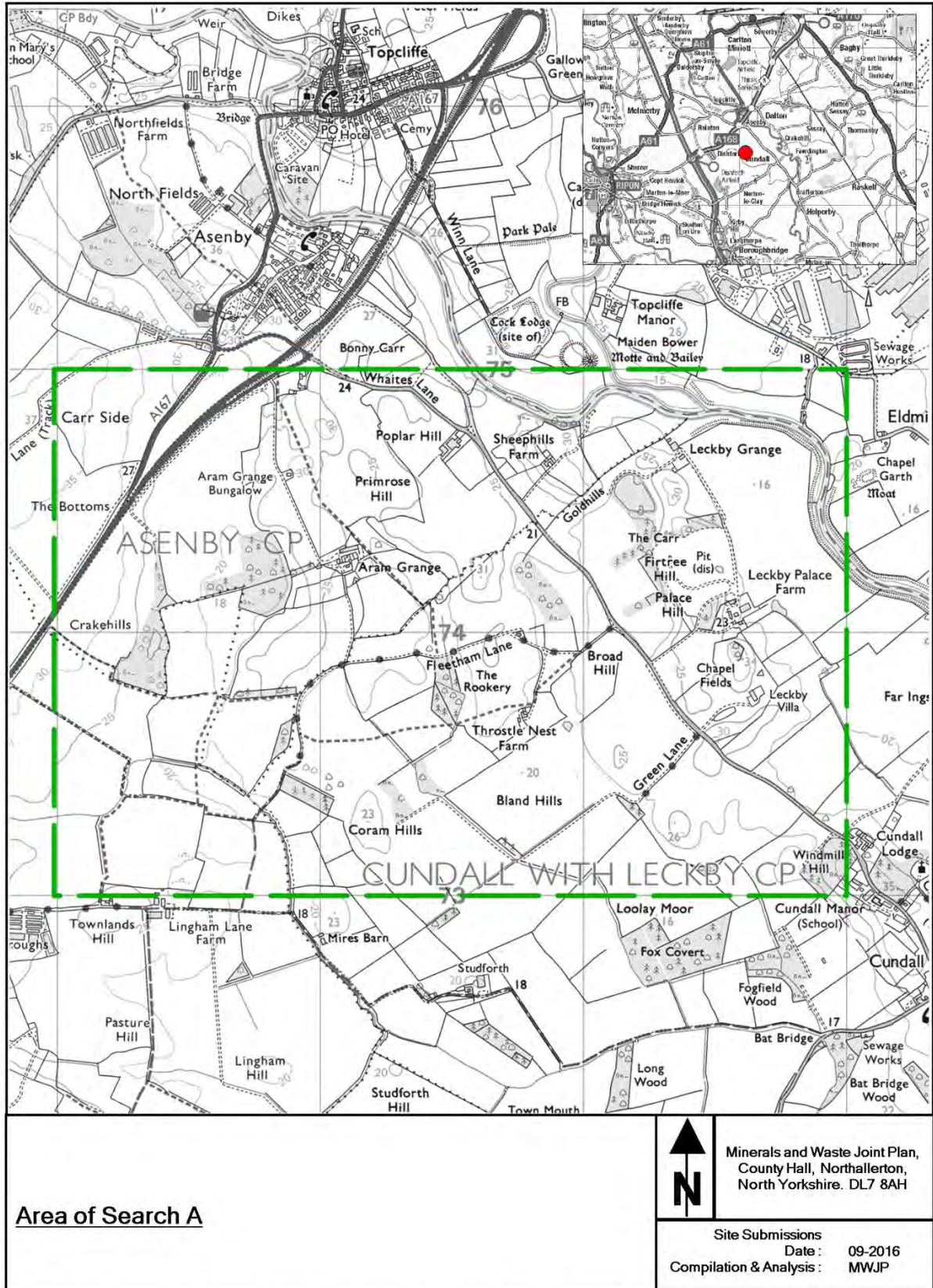
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

SECTION 3 – AREAS OF SEARCH

As explained in the introduction to Appendix 1, the Areas of Search identified on the key diagram and in this section have been identified to help ensure that an adequate supply of concreting sand and gravel can be made available to meet potential requirements in the sand and gravel 'southwards distribution area' towards the end of the plan period, if further resources are required which cannot be provided through working of allocated sites. These areas have been identified based on geological information which suggests that sand and gravel resources of suitable quality is likely to occur within the areas. They are considered to have the potential for mineral working within them but more detailed minerals resource investigation is likely to be required to confirm this. The boundaries of the Areas of Search are intended to be indicative only and are therefore based on Ordnance Survey grid lines. They are intended to guide further search activity by industry towards identification of potentially suitable sites and to this extent the locations of the Areas are considered to be generally consistent with the strategic approach in the Plan, particularly in relation to encouraging mineral working in locations near to where minerals are used.

It should be noted that the two Areas of Search contain land affected by various constraints, including those indicated below. Therefore, any subsequent planning application within an Area of Search will need to address those constraints, and any others relevant at the time of making the application, such that the proposal is acceptable in environmental and local amenity terms and would be consistent with the policies in the Joint Plan.

Area of Search A



Area of Search A



Minerals and Waste Joint Plan,
County Hall, Northallerton,
North Yorkshire. DL7 8AH

Site Submissions
Date : 09-2016
Compilation & Analysis : MWJP

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100017946, 2016.

Key Sensitivities identified by Site Assessment

- Ecological issues, including impacts on: protected species and in the context of the river Swale as a designated feature of the Humber Estuary SAC and SSSI, and the effects of MoD restrictions regarding restoration
- Potential impact on best and most versatile agricultural land
- Heritage asset issues, including: Scheduled Monuments to the east of the River Swale and listed buildings in Asenby and in Topcliffe Conservation Area and impact on potential archaeological remains
- Landscape and visual intrusion issues, including: landscape character
- Water issues, including: potential for risk to source protection zones, risk of groundwater pollution, potential disturbance to groundwater flow, flood risk and functional flood plain
- Traffic impact, including: access
- Amenity issues, including: noise and dust

Development requirements identified through Site Assessment and Consultation processes

- Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species and the river Swale
- Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources
- Design to mitigate impact on archaeological remains
- Appropriate site design and landscaping to mitigate impact on: Scheduled Monuments to the east of the River Swale and listed buildings in Asenby and in Topcliffe Conservation Area
- A suitable flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation, surface water drainage and SuDS as appropriate and protection of the aquifer
- Suitable arrangements for access to local roads and an appropriate traffic management plan
- Appropriate arrangements for control of and mitigation of the cumulative impacts on air quality and the effects of noise and dust
- An appropriate restoration scheme using opportunities for habitat creation and integrated with the local landscape character, but which is also appropriate to location within a birdstrike safeguarding zone

Key Sensitivities identified by Site Assessment

- Ecological issues, including impacts on: Farnham Mires, Hay-a-Park and Birkham Wood SSSIs, protected species and the river Tutt catchment and the effects of MoD restrictions regarding restoration
- Potential impact on best and most versatile agricultural land
- Heritage asset issues, including: potential impact on the significance of Farnham Conservation Area and the Listed Buildings in that vicinity (including the Grade I Listed Church of St Oswald), Listed Buildings at Scotton including Scotton Old Hall and Listed Buildings at Nidd and Brearton and impact on potential archaeological remains
- Landscape and visual intrusion issues, including: impact on landscape character
- Water issues, including: potential for risk to source protection zones, risk of groundwater pollution, potential disturbance to groundwater flow, flood risk and functional flood plain
- Traffic impact, including: access
- Amenity issues, including: air pollution, noise and dust

Development requirements identified through Site Assessment and Consultation processes

- Mitigation of ecological issues, in particular with regard to avoiding impacts on protected species, river Tutt catchment and Farnham Mires, Hay-a-Park and Birkham Wood SSSIs
- Mitigation to minimise the irreversible loss of best and most versatile agricultural land and to protect high quality soil resources
- Design to mitigate impact on archaeological remains
- Appropriate site design and landscaping to mitigate impact on: Farnham Conservation Area and the Listed Buildings in that vicinity (including the Grade I Listed Church of St Oswald), the Listed Buildings at Scotton including Scotton Old Hall, and the Listed Buildings at Nidd and Brearton
- A suitable flood risk assessment, which to be satisfactory will need to include any necessary mitigation such as compensatory storage, attenuation, surface water drainage and SuDS as appropriate and protection of the aquifer
- Suitable arrangements for access to local roads and an appropriate traffic management plan
- Appropriate arrangements for control of and mitigation of the cumulative impacts on air quality and the effects of noise and dust
- An appropriate restoration scheme using opportunities for habitat creation and integrated with the local landscape character, but which is also appropriate to location within a birdstrike safeguarding zone

Addendum for Executive**13th October 2016****Report of the Director of City and Environmental Services****Minerals and Waste Joint Plan – Publication Draft**

1. At the Local Plan Working Group meeting on 10th October 2016, the points included in Table 1 below were raised. Following the meeting, these points have been discussed with colleagues at North Yorkshire County Council and North York Moors National Park Authority. The Officers' responses to the points raised are recorded in Table 1 indicating further action.
2. In some cases although the points raised are accepted in principle, this will require further work to consider the detail of the policy wording and the 'knock on' effect throughout the document. We would therefore ask that the recommendations of the report are changed to allow the Director of City and Environmental Services (CES) in consultation with the Executive Member for Transport and Planning being authorised to approve any such changes to the Minerals and Waste Joint Plan document as necessary to implement the principles agreed by Members. I have set out the existing recommendations and the proposed additional recommendation (iv) at the end of this update.
3. The proposed changes included in Table 1 will also be put forward to the Executive Members at North Yorkshire County Council on 18th October and North York Moors National Park Authority on 20th October seeking their agreement.

Table 1

Section	Comments Made	Officer Response
M16 d) i)	SSSIs should be covered by the 3.5km buffer as well as National Parks and AONBs.	<p>Following discussions with other technical officers at North Yorkshire County Council and North York Moors National Park Authority, it is not considered appropriate to add SSSIs to this part of the policy given that it is a buffer for landscape impacts. However, an additional criterion to M16 d) and the supporting text (para 5.122) to this policy could be amended to require that applicants consider the Natural England Impact Risk Zones. These allow initial assessment of the potential risks posed by development proposals to: Sites of Special Scientific Interest, Special Areas of Conservation, Special Protection Areas (SPAs) and Ramsar sites. They define zones around each site which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts.</p> <p>Action: Amend policy and supporting text</p>
M16	Policy needs to be clearer with regard to which criteria apply to surface development and sub-surface development	<p>This policy has been discussed in detail with colleagues at NYCC and NYM including legal advice and it is not therefore considered that restructuring this policy would aid in its clarity.</p> <p>Action: No amendment</p>
M17 1) iii)	Policy should include reference to the need to reduce water consumption by means of recycling water which in turn will reduce the transport implications.	<p>Text can be added to paragraph 5.132 making the connection that the reuse and recycling of water on site will reduce water consumption and subsequently the need for road transport. This is already considered in Policy M18 1) i).</p> <p>Action: Amend supporting text</p>
M17 2) ii)	Policy needs to set out how the well pad density and/or number of wells will be limited to avoid cumulative impact. Could the figures in para 5.137 be elevated into the policy itself?	<p>Following discussion with colleagues at the County and National Park Authority it is considered too prescriptive to include the reference to 10 well pads 'limit' in the policy. However it will be possible to add additional wording to the policy to provide more clarification on the factors to be considered in assessing cumulative impacts</p> <p>Action: Amend Policy</p>
M17 2) v)	Remove 'where practicable' and reword to require applicants to undertake a sequential approach in relation to brownfield and greenfield sites.	<p>Agree that policy can be strengthened by removing 'where practicable' to make it clear brownfield, industrial or employment land should be used before agricultural land.</p> <p>Action: Amend policy</p>
M17 4) i)	Should define what is an 'adequate separation distance' between hydrocarbon development	<p>Part i) of this policy provides the overall requirement to protect amenity through the use of adequate separation distances for all forms of hydrocarbons development. Part ii) addresses specific distances.</p>

	and residential buildings and sensitive receptors. Should also define 'sensitive receptors'.	Para. 5.146 can be added to, to provide clarity in relation of what will be considered when assessing what is an adequate separation distance. Action: Retain policy and amend supporting text
		Whilst there is not an established definition for 'sensitive receptors', officers will establish a list of land uses which provides clarity for this term. Action: Amend policy and supporting text
M17 4) ii)	Increase the residential buffer from 400m to 500m as per the distance used for wind turbines.	400m relates to a well-practiced separation distance between agricultural development and residential properties as set out in the GDPO, particularly in relation to noise and smells and their effect on residential amenity. As hydrocarbon development potentially has additional effects such as light pollution, perceived safety risks, perceived land and water pollution risks, it would seem appropriate to increase the separation distance. A buffer of 500m is commonly used in relation to separation distances between wind turbines and residential properties and could be used. Action: Amend policy and supporting text.
M17 4) ii)	Refer to the safety aspects as well as residential amenity in the supporting text.	Para. 5.149 covers the aspects of safety Action: No amendment
M17 4) ii)	Define 'sensitive receptors'.	As above. Action: Amend policy and supporting text.
M17 4) ii)	Remove the 24 hours limit as many 'sensitive receptors' such as schools and nursing homes would be affected by operations during the daytime which wouldn't be covered by the policy as it stands.	Agreed. By clarifying what is meant by 'sensitive receptors', it justifies the need to make this policy applicable to all types of surface hydrocarbon development, not just that which operates for 24 hours a day. Action: Amend policy and supporting text.
M17 4) ii)	Remove the 'unless' clause as it weakens the policy.	Keep part 4)i) as currently worded: <i>Hydrocarbon development will be permitted in locations where it would not give rise to unacceptable impact on local communities or public health. Adequate separation distances should be maintained between hydrocarbons development and other sensitive receptors in order to ensure a high level of protection from noise and vibration, light pollution, emissions to air or ground and surface water, and induced seismicity, including in line with Policy D02.</i> Add in new text to follow on, as a replacement for current Part 4)ii) (ie in effect merging Parts 4)i) and ii): <i>Proposals for surface hydrocarbon development, particularly those involving hydraulic fracturing, within 500m distance of residential buildings or other sensitive receptors,</i>

		<p><i>are unlikely to be consistent with this requirement and will only be permitted in exceptional circumstances.</i></p> <p>Action: Amend policy and supporting text.</p>
M18	<p>Require the need for a waste water management plan to be in place before any application determined. The supporting text should be amended to reflect the need to consider the Water Framework Directive and to protect aquifers.</p>	<p>Agree that the policy and supporting text could be amended to require the applicant to demonstrate, by way of a waste water management plan, the removal and disposal of waste/returned water has been considered and planned for ahead of the determination of any application for hydrocarbon development. Reference to the WFD and protection of aquifers could be referred to in the supporting text and reference made to the wider waste water policy W08 and water environment policy D09.</p> <p>Action: Amend policy and supporting text</p>

Recommendations

4. Members are asked to agree:

- i. That the draft Minerals and Waste Joint Plan for York, North Yorkshire and North York Moors National Park (Annex A) be approved for the purposes of publication in accordance with the requirements of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012;

Reason:- So that an NPPF compliant Joint Waste and Minerals Plan can be progressed

- ii. That the Executive Member (Planning) be authorised to make non-substantive editorial changes to the main document (Annex A) and other supporting documents (Annexes B to I) proposed to be published alongside the Plan prior to publication

Reason:- So that an NPPF compliant Joint Waste and Minerals Plan can be progressed

- iii. That the Director of City and Environmental Services (CES) in consultation with the Executive Member for Transport and Planning be authorised to make changes to the main document (Annex A) and other supporting documents (Annexes B to I) arising from the equivalent Executive meetings at North Yorkshire County Council and North York Moors National Park Authority provided that they are non-substantive in terms of their impact on the City of York area.

Reason:- So that the three authorities can make changes specific to their authority areas where they will not impact on the other Joint areas.

- iv. That the Director of City and Environmental Services (CES) in consultation with the Executive Member for Transport and Planning be authorised to approve any such changes to the Minerals and Waste Joint Plan document as necessary to implement the principles agreed by Members.

Reason:- So that detailed wording of the policies can be agreed between officers at the Joint authorities once approval in principle has been received by all Joint authorities' Members.

This page is intentionally left blank