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<b>PART A:</b>	<b>MATTERS DEALT WITH UNDER DELEGATED POWERS</b>
<b>REPORT TO:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>30 AUGUST 2017</b>
<b>REPORT OF THE:</b>	<b>HEAD OF PLANNING</b>
<b>TITLE OF REPORT:</b>	<b>MINERALS AND WASTE JOINT PLAN. CHANGES TO PUBLICATION DRAFT</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

- 1.1 To consider proposed changes to the Publication Draft of the Minerals and Waste Plan.

### **2.0 RECOMMENDATION**

- 2.1 It is recommended that:
- (i) This Council supports the proposed changes to para 5.130 (Proposed Change number 68) and to Appendix 2 (Proposed Change number 113) as outlined in paragraphs 6.4 and 6.5 below.

### **3.0 REASON FOR RECOMMENDATION**

- 3.1 To ensure that the Minerals and Waste Authorities are aware of the views of this Council.

### **4.0 SIGNIFICANT RISKS**

- 4.1 There are no significant risks associated with the recommendation. The representations on the Publication Draft of the Plan that were made by this Council will be taken forward to the examination in public.

### **5.0 POLICY CONTEXT AND CONSULTATION**

- 5.1 Members are aware that the joint Minerals and Waste Plan is being prepared by North Yorkshire County Council, the City of York Council and the North York Moors National Park Authority. Once adopted the Plan will be the Development Plan for the area.

- 5.2 The Plan was formally published for a six week consultation in November 2016. Following an assessment of the representations that were received, a number of amendments to the Plan are proposed. These have been made available for consultation until 6th September 2017. Representations on the proposed changes will be considered by the planning inspector when the plan is examined.
- 5.3 Information on the County Council's web-site indicates that the Plan will be submitted for examination in November 2017 and that the examination will begin in January 2018.

## **6.0 REPORT**

- 6.1 In general, the proposed changes do not alter the overall policy approach of the plan. The majority reflect factual and typographical changes or provide additional clarity to policies.
- 6.2 A summary of the proposed changes is as follows:

### **Minerals Policies**

- Change to policy on landbanks for crushed rock to provide clarity on the time period that the policy applies for the magnesian limestone bank to correct a factual error

### **Hydrocarbons**

- Changes to correct typographical errors
- Changes to the background text to refer to exploratory 'activity' rather than drilling to clarify that it is other aspects of the development which may mean that development activity takes place over longer periods
- Changes to the regulatory regime text to clarify the roles and responsibilities for different bodies
- Changes to the definitions section to more accurately reflect the distinctions between the development activity associated with conventional and non conventional hydrocarbon resources
- Changes to the supporting text of Policy M16 to reflect the latest Government position. The implications of this are that additional restrictions will be applied to operations using more than 1,000 cubic metres of fluid
- Additional text to highlight that the minerals planning authorities are not seeking to unreasonably restrict activity typically associated with the production of conventional resources
- Change to Policy M17 to replace 'planned' with 'permitted' in the context of well pads to clarify their status
- Inclusion of text to recognise the potential impact on air quality as a result of increased vehicle movements in relation to hydrocarbon developments
- Changes to supporting text to Policy M17 to better reflect the direction of national policy and available evidence
- Change to Policy M18 to clarify that wells will be decommissioned following the completion of the operational phase
- Change to supporting text of Policy M18 to clarify that water arising on site may not always constitute waste
- The consultation material also includes a reference to a proposed change to the Plan to (to the supporting text of Policy DO6) to reflect the presence of other potentially relevant designations in District Local Plans and to ensure appropriate links are made. However, there is an inconsistency within the material as this change is

included in the schedule of proposed changes as a change to the supporting text of Policy M16 which relates specifically to hydrocarbons.

### **Potash and Salt**

- Changes to policy headings to refer to potash and rock salt (rather than polyhalite) as there are other forms of potash
- Amendments to the supporting text to define the different forms of potash which is necessary as there are different policy and infrastructure requirements depending on the form and national need for the mineral

### **Waste**

- Proposed change to Policy W11 to recognise that it will be acceptable in principle to site new waste management facilities next to existing waste management sites where it can be demonstrated that co-locational benefits would arise.

### **Transport and Infrastructure**

- Clarification of policy I02 to make it clear that the whole of the policy relates to the City of York

### **Safeguarding Policies**

- Proposed changes to Policy SO1 and the supporting text to clarify the status of the potash and polyhalite areas as a 'permitted' rather than licensed area
- Additional supporting text recognising the need for a pragmatic approach needs to be taken when implementing safeguarding requirements where an overlap with other types of development occurs
- Additional supporting text emphasising that minerals and waste transport infrastructure is also safeguarded in the plan

### **Development Management Policies**

- Changes to the supporting text to Policy DO3 to reflect the potential for vehicle movements to impact on air quality
- changes to the supporting text of Policy DO4 to further clarify the purposes of the AONB designation
- Changes to text of Policy D12 to recognise that all soils could make some contribution to ecological connectivity or carbon storage

### **Site Allocations**

- Some changes to the key sensitivities for sites that are proposed for allocation to reflect the potential significance of a constraint that has been identified through the site assessment process
- Some changes to development management requirements and site area to reduce potential harm to an identified asset

### **Safeguarded Sites**

- Changes in the appendix of safeguarded sites to correct typographical errors, provide updated information and an additional site - Showfield Lane, Malton (safeguarded as a waste transfer (non Hazardous site)).

### **Policies Map**

- Changes to correct an omission and to make the text consistent with the text in the plan

- 6.3 Members will recall that this Council has made a number of representations when the Plan was published for consultation. The vast majority of the proposed changes provide additional clarity to the Plan and do not specifically relate to or effect the specific representations that this Council has made. In this respect, it is considered that it is not necessary to make further representations in response to all of the proposed changes.
- 6.4 The Minerals and Waste Authorities have proposed changes to the Plan (PC68) to include a reference that recognises local landscape designations in Local Plans. This is linked to representations this Council has made in relation to the proposed hydrocarbon policies. It is considered that it would be appropriate to support the proposed change but to also make the point that in doing so, this does not alter representations this Council has previously made in respect of the hydrocarbon policies.
- 6.5 Additionally, a further change (PC113) is to include Showfield Lane as a safeguarded waste transfer site. This is in response to representations made by this Council. On that basis, it is considered appropriate that this Council should support the proposed change.

## **7.0 IMPLICATIONS**

- 7.1 The following implications have been identified:
- a) Financial  
No direct implications for Ryedale District Council
  - b) Legal  
No direct implications for Ryedale District Council
  - c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)  
No direct implications for Ryedale District Council

## **8.0 NEXT STEPS**

- 8.1 The Joint Plan will be submitted for examination in November 2017. Representations on the Plan and the proposed changes to the Plan will be considered as part of the examination process.

### **Gary Housden Head of Planning**

Author: Jill Thompson, Principal Specialist Place  
Telephone No: 01653 600666 ext: 327  
E-Mail Address: [jill.thompson@ryedale.gov.uk](mailto:jill.thompson@ryedale.gov.uk)

### **Background Papers:**

Minerals and Waste Joint Plan. Addendum of Proposed Changes to Publication Draft. July 2017

### **Background Papers are available for inspection at:**

<https://www.northyorks.gov.uk/minerals-and-waste-joint-plan>

