

2. Strategy and Policy Context

2.1 Policy Context

Statutory Basis

- 2.1.1 The legislative framework for the preparation of the Local Plan is provided by the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991), together with the Town and Country Planning (Development Plan) Regulations 1991.

National Guidance

- 2.1.2 This framework is supported by a series of Government guidance notes - Planning Policy Guidance Notes (PPGs) and Minerals Planning Guidance Notes (MPGs). These notes are progressively replacing the advice given in earlier planning circulars and are intended to provide a clearer and more systematic policy framework to secure consistency of approach to decision making. The most relevant of these Guidance Notes for this Plan are:-

PPG1 'General Policy and Principles' (February 1997)

PPG12 'Development Plans and Regional Planning Guidance' (February 1992)

MPG1 'General Considerations and the Development Plan System' (June 1996)

MPG3 'Coal Mining and Colliery Spoil Disposal' (July 1994)

MPG6 'Guidelines for Aggregates Provision in England' (April 1994)

Certain aspects of other PPGs and MPGs also refer to minerals in the context of local plan preparation.

Regional Planning Guidance

- 2.1.3 The Secretary of State published Regional Planning Guidance for Yorkshire and Humberside in 1995 (RPG 12). This Guidance provides the framework for development plans in the Region. For mineral planning the Guidance emphasises the balance required between the environment and economic needs of local communities and sets out the types of policies to be included in a minerals local plan.

Regional Aggregates Working Party

- 2.1.4 Regional Aggregates Working Parties (RAWPs) were established in the early 1970s to consider and identify likely problems in the supply of aggregate minerals. They bring together representatives of development and regulatory bodies in a non-executive capacity. North Yorkshire County Council is a member of the Yorkshire and the Humber Regional Aggregates Working Party (YHRAWP), a technical working group whose membership comprises mineral planning officers, minerals industry representatives, the Department of the

Environment, the Ministry of Agriculture, Fisheries and Food, the Coal Authority and the British Geological Survey.

- 2.1.5 Regional Commentaries are published by YHRAWP to update statistical information on the aggregates minerals industry in the Region and to recommend on the apportionment of the regional production requirements for aggregate minerals as set out in MPG6 between the four county areas - North, South and West Yorkshire and the Humber. Detailed information on the industry is largely drawn from Aggregates Monitoring (AM) Surveys carried out every four years by the RAWP, the latest being AM93, supplemented by annual monitoring undertaken by the individual mineral planning authorities.

County Structure Plan

- 2.1.6 The County Structure Plan contains a comprehensive set of policies on minerals. These were approved by the Secretary of State in August 1989 as part of County Structure Plan Alteration No 2. The Structure Plan policies are complementary to the policies in this Plan. In the event of any conflict the provisions of this Local Plan prevail.

Other Documents

- 2.1.7 Earlier work on minerals planning policies prior to the County Structure Plan is contained in the informal Interim Minerals Policy (1977) and the Knaresborough-Staveley Mineral Plan - Interim Policy (1980). This Plan supersedes both these policy documents.
- 2.1.8 The Minerals Local Plan is being prepared as a separate document from a Waste Local Plan. As a Waste Disposal Planning Authority, the County Council has a statutory duty to prepare a Waste Local Plan but a programme for this is yet to be determined.
- 2.1.9 A number of local plans are in the course of preparation or have been adopted by the District Councils and National Park Authorities. Some of these plans are relevant to mineral issues and where appropriate these will be taken into account in this Plan. Should there be a conflict between the provisions in a local plan and this Minerals Local Plan, then the provisions in the more recently adopted local plan will prevail. The County Council will also have regard to minerals plans prepared by adjoining Mineral Planning Authorities.
- 2.1.10 The previous paragraphs relate to the formal policy context. In recent years a degree of informal self-regulation has emerged with industry interests expressing their own approach to environmental standards and targets in published Codes of Practice. Examples include:-

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| BACMI | - Environmental Code |
| CBI | - Minerals Industry Environment Charter |
| SAGA | - Code of Practice |
| UKOOG | - Guidelines for Seismic Exploration |
| SAMSA | - Code of Environmental Practice |

2.2 The Strategy

Sustainable Development

- 2.2.1 The Government is committed to the integration of the principles of sustainable development into plans, policies and programmes. The Report on the World Commission on Environment and Development (Brundtland Report) defined sustainable development as *"development that meets the needs of the present without compromising the ability of future generations to meet their own needs."*
- 2.2.2 Minerals are an essential component in meeting the needs of the community and fostering economic growth. It is nationally recognised that the construction industry must continue to receive an adequate and steady supply of aggregates for this purpose. However, there is growing concern that the continued exploitation of minerals creates environmental costs which can be irreversible. Although nationally there are very substantial deposits of some minerals, their extraction would involve exploiting a non-renewable resource. Once the resource has been worked out it no longer exists in its original form. Therefore, the application of sustainable principles in minerals planning is concerned with conserving the use of minerals, promoting efficiency of use, minimising waste, stimulating the use of alternatives, environmental controls, higher standards, the selective release of land and restoration proposals.
- 2.2.3 National guidance in MPG1 sets out the following objectives for sustainable development in relation to minerals planning:-
- "(i) to conserve minerals as far as possible, whilst ensuring an adequate supply to meet needs;*
 - (ii) to ensure that the environmental impacts caused by minerals operations and the transport of minerals are kept, as far as possible, to an acceptable minimum;*
 - (iii) to minimise production of waste and to encourage efficient use of materials, including appropriate use of high quality materials and recycling of wastes;*
 - (iv) to encourage sensitive working, restoration and aftercare practices so as to preserve or enhance the overall quality of the environment;*
 - (v) to protect areas of designated landscape or nature conservation value from development, other than in exceptional circumstances and where it has been demonstrated that development is in the public interest; and*
 - (vi) to prevent the unnecessary sterilisation of mineral resources."*
- 2.2.4 North Yorkshire contains some of the country's finest scenery and man-made heritage and large areas of high quality agricultural land. The geological factors which contribute to this high landscape quality and agricultural value also control the

extent and distribution of a substantial proportion of the County's mineral resources. It is no coincidence, therefore, that North Yorkshire is the fourth largest producer of aggregate minerals in the United Kingdom while containing two National Parks, three Areas of Outstanding Natural Beauty, two Heritage Coast designations, internationally important nature conservation sites and extensive areas of best and most versatile farmland and man-made heritage.

2.2.5 Although the County Council will seek to encourage the use of alternative sources of aggregates to substitute for primary land-won resources, it is recognised that there is unlikely to be any significant change in material sourcing in the short term. Consequently, land-won resources will continue to be the main source of market supply during the Plan period. Striking a balance between the need for minerals and the need to protect the environment is therefore the fundamental element of the strategy.

2.2.6 The ability of the County to be able to fulfill this strategy and continue to meet its share of forecast crushed rock requirements is of particular concern in the longer term. Providing for alternative sources as existing reserves become exhausted will involve higher environmental costs as potential new sources are increasingly constrained by geology and/or environmental factors. North Yorkshire is not the only county facing this situation. It is nationally recognised that, over time, less reliance must be placed on traditional land-won sources. However, with demand for aggregates forecast to increase, output of land-won minerals during the Plan period is unlikely to witness a fall as a result of policy influences alone.

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| <i>Strategy</i> | To achieve a balance between satisfying the need for minerals and the need to protect the environment, which maximises the sustainability of both. |
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Environmental Appraisal

2.2.7 Government guidance requires the environmental appraisal of development plans. The County Council has appraised the policies and proposals in this Plan having regard to the DoE Good Practice Guide ("Environmental Appraisal of Development Plans"). This has involved assessing the environmental impact of policies and proposals against a range of environmental indicators covering global sustainability, natural resources and local environmental quality. The indicators have been defined in terms of minimising the impact of mineral working on the environment, rather than to improving or increasing environmental quality. This is to reflect the inherent conflict which exists between mineral extraction and environmental protection, although it is recognised that there can be positive benefits from mineral workings. The assessment, in the form of a matrix, is available as a separately published document. The introductions to Chapters 3 - 7 present the results of the matrix assessment as applicable to the policies and proposals in that chapter.

*National Parks and Areas of
Outstanding Natural Beauty*

2.2.8 In pursuing a sustainable approach to minerals planning, the role of the National Parks and AONBs in meeting North Yorkshire's share of forecast aggregate production needs to be reassessed. The North York Moors National Park and the Howardian Hills and Nidderdale AONBs all make some contribution to the total aggregate output from North Yorkshire. However the main focus is on the Yorkshire Dales National Park. In recent years this area has contributed an average of 47% towards the County's total crushed rock output. Similarly over 50% of the County's crushed rock permitted reserves lie within the Yorkshire Dales National Park, the bulk of these reserves having their origins in planning permissions granted in the 1950's and 1960's. There is thus little scope for early action through the Town and Country Planning system to reduce the capability to produce a large tonnage of aggregates from the area. The extent of permitted reserves will result in the Dales continuing to contribute substantially to North Yorkshire's rock output, although provision is being made in this Local Plan for the National Park contribution, over time, to be a declining one in proportional, if not actual, tonnage terms. Provision for new mineral workings will be concentrated in the area covered by this Local Plan thus, over time, fulfilling the more stringent approach appropriate to mineral planning in National Parks. However, the same stringent controls also apply in Areas of Outstanding Natural Beauty and it must not be assumed that a policy of gradually transferring operations away from the National Parks can be readily accommodated in the remainder of the County.

Developing the Strategy

2.2.9 The overall strategy for the Plan area will be pursued through a series of aims and objectives relating to the main functions of minerals planning policy. Each objective is capable of being monitored to assess whether the aims and, hence, the strategy are being realised.

2.2.10 The aims of the Plan are as follows:-

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| <i>Aims</i> | <p>To ensure an adequate and steady supply of minerals</p> <p>To encourage greater use of alternatives to primary resources</p> <p>To limit the adverse effects of mineral extraction on the environment and local amenity</p> <p>To encourage, through the reclamation of mineral workings, the longer term enhancement of the environment and local amenity</p> <p>To encourage the utilisation of the most environmentally acceptable standards of mineral operation and processing</p> <p>To prevent the unnecessary sterilisation of mineral resources and to minimise potential conflict with non-mineral development</p> <p>To sustain the contribution of mineral related employment to the rural economy</p> |
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These aims, together with the objectives of the Plan, provide the framework within which the general policies of the Plan as set out in Chapters 3 and 4, have been defined.

2.2.11 While the period of this initial Minerals Local Plan extends to 2006, the present view of the cumulative effects of meeting the County apportionment, reducing the proportional output from the National Parks, the lack of incentive for the use of secondary materials and environmental constraints will force a review of strategy in the longer term and perhaps question the ability of North Yorkshire to continue to accommodate the demands being placed upon it.