



Minerals and Waste Joint Plan

Minor Corrections to the Addendum of Proposed Changes to Publication Draft

November 2017

Introduction

1. 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. The Authorities have worked jointly to prepare a Minerals and Waste Joint 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.
2. Work commenced on the Joint Plan in May 2013, with further rounds of consultation taking place in February 2014, January 2015 and November 2015. The Publication Draft Plan and Policies Map were published in November 2016, in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, to provide an opportunity for representations to be made regarding legal compliance and the 'soundness' of the Joint Plan.
3. Representations received at the 'Publication' stage were assessed and as a result a number of amendments to the Joint Plan were proposed, compiled in an 'Addendum of Proposed Changes to the Publication Draft', and made available from 12th July to 6th September 2017, to provide an opportunity for representations to be made regarding legal compliance and 'soundness'.
4. Subsequent to the publication of the 'Addendum of Proposed Changes to the Publication Draft' a small number of minor errors in the document were identified. These minor errors include, amongst others, the omission of text that was intended to be deleted and typographical errors.
5. As a result of this, a schedule of **Minor Corrections to the Addendum of Proposed Changes to the Publication Draft** has been compiled. Parts A and B below detail the affected 'Proposed Change' (e.g. PC03), the corresponding part of the Publication Draft Plan that would be amended and an explanation of the '*Details of Correction*', provided in italics.
6. It is considered appropriate to submit this 'Minor Corrections to the Addendum of Proposed Changes to the Publication Draft' to the Planning Inspectorate as a 'Supporting Document' to inform the Inspector as the Joint Plan is taken through the Examination in Public.

Minor Corrections to the Addendum of Proposed Changes to Publication Draft of the Minerals and Waste Joint Plan

Key: Original Addendum of Proposed Changes

- Example: New Text
- Example: Deleted Text
- Example:** Text in bold is Policy wording

Key: Minor Corrections to the Addendum of Proposed Changes

- Example: Indicates corrected text
- Example: Text which was omitted in error

Part A - Proposed changes initiated by the Local Planning Authorities

| PC No. | Page Number | Policy Ref / Paragraph Number / Reference point | Change proposed | Reason | <i>Details of Correction</i> |
|--------|---|---|---|----------------------------------|---|
| PC03 | 79 | Para. 5.108 2 nd line | Please note that the references to 'DECC' in Figure 13 should now be read as references to DBEIS as its successor | To correct a typographical error | <i>Page Number changed from '78' to '79' to rectify an error.</i> |

Part B - Proposed changes in response to representations

| PC No. | Page Number | Policy Ref / Paragraph Number / Reference point | Change proposed | Reason | Details of Correction |
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| PC43 | 18 | Para. 2.26 2 nd line | Revise para: The NPPF also places emphasis upon conserving important landscape and heritage assets by requiring that landbanks for non-energy minerals are, <u>as far as is practical</u> , provided outside National Parks, AONBs ... | To reflect consistence with national policy | <i>Deleted 'of' which was included in error and replaced with 'for' which was omitted in error.</i> |
| PC45 | 25 | Para. 2.54 16 th line | Revise para: ...Plan period. Marine Plans for the East Inshore and East Offshore areas, covering the area south of Flamborough Head , were published by DEFRA <u>the Marine Management Organisation</u> in April 2014. These recognise ... | To correct a factual error | <i>The highlighted text should be in <u>green and underlined</u> (i.e. new text). It is currently in black (i.e. existing text) which is an error.</i> |
| PC51 | 64 | Para. 5.55 15 th line | ... East Inshore and Offshore Marine Plans (DEFRA <u>MMO</u> 2014) should help ... | To correct a factual error | <i>Deleted 'Coast' which was included in error.</i> |
| PC52 | 68 | Para. 5.68 4 th sentence | Revise 4 th sentence: Neither of Sites within the other two MPAs in England <u>with reserves of silica sand</u> currently has do not have a 10 year landbank <u>as required by the NPPF national policy</u> , although both are ... | To more closely align the text with national policy | <i>The highlighted text 'currently has' and 'a 10 year landbank' should not be underlined, which is an error, as it is not new text.</i> <i>The highlighted text 'as required by' should</i> |

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| | | | | | <p><i>not be green as it is not new text, which is an error. It is existing text and is proposed to be retained.</i></p> <p><i>The highlighted text 'national policy' should be <u>underlined</u> in addition to being green as it is new text.</i></p> |
| PC62 | 83 | Para. 5.119 | <p>Revise para. 5.119 d): 'Conventional hydrocarbons' include oil and gas found within geological 'reservoirs' with relatively high porosity/permeability, extracted using conventional drilling and production techniques.</p> <p>Revise para. 5.119 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.</p> <p>Revise para. 5.119 g): In planning terms it is <u>considered that relevant distinctions can be drawn between the specific nature and/or scale of activities associated with certain stages of development for conventional hydrocarbons and those used for unconventional hydrocarbons. These differences may include the potential requirement for a larger number of well pads and individual wells, the volume and pressures of fluids used for any hydraulic fracturing processes and the specific requirements for any related plant and equipment and the management of related wastes.</u> important to distinguish between:</p> <ul style="list-style-type: none"> 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 | To clarify the distinctions between development activity associated with conventional and unconventional resources | <p><i>The highlighted text 'coal' and 'ii' have been added to the text proposed to be deleted, as these were omitted in error.</i></p> |

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| PC63 | 86 | Para. 5.122 | <p style="text-align: center;">techniques to extract hydrocarbons</p> <p>Revise para. 5.122: While the Infrastructure Act 2015 and secondary legislation address hydraulic fracturing which occurs underground, the Government has also consulted on introduced further restrictions, in the form of a prohibition on high volume hydraulic fracturing operations from taking place being carried out from new or existing wells that are drilled at the surface in certain specified protected areas, although they are not yet in force. As proposed The restrictions would will principally affect 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, that is used for the carrying out of “associated hydraulic fracturing” the definition of which is contained in section 4B(1) of the Petroleum Act 1998. The Government has stated that, in addition, these restrictions will apply where an operator is required to get consent from the Secretary of State for hydraulic fracturing that is not “associated hydraulic fracturing”, and that the Secretary of State intends to require that such consent be obtained for operations which use more than 1,000 cubic metres of fluid at any single stage, or expected stage, unless an operator can persuasively demonstrate why requiring such consent would not be appropriate in their case. The areas proposed for protection protected 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 policy protection in their own right, the proposed restrictions would do not, in themselves, constitute planning policy as they are proposed to will be implemented through the oil and gas licensing regime.</p> | <p>To more accurately reflect the current regulatory position relating to the Government’s Surface Protections for hydraulic fracturing</p> | <p><i>Deleted ‘#’, which preceded the highlighted word ‘Revise’ in the first sentence, and ‘would’, which followed the highlighted word ‘they’ in the last sentence, as these were included in error.</i></p> <p><i>The highlighted text ‘that are’, ‘protected’, and ‘T’ should be in green and underlined (i.e. new text). They are currently in black (i.e. existing text) which is an error.</i></p> <p><i>The highlighted text ‘certain’, ‘but not to conventional... volume hydraulic fracturing.’ and ‘are proposed to’ has been added to the text proposed to be deleted, which was omitted in error.</i></p> <p><i>The highlighted text</i></p> |
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| | | | | | <p><i>'will principally affect' should be in <u>green and underlined</u> (i.e. new text). It is currently in red which is an error.</i></p> <p><i>The highlighted text 'fracturing' should be in red with strikethrough (i.e. deleted text). It is currently in green with strikethrough which is an error.</i></p> <p><i>The highlighted letter 'r', which was omitted in error, has been added to the word 'though'. The text is proposed to be retained.</i></p> |
| PC72 | 92 | Para 5.137 | <p>Revise 1st sentence and add new sentence between 1st and 2nd sentences: 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 <u>Policy</u>¹⁷. <u>Where an area being developed by an operator comprises a PEDL or licence block area of less, or more, than 100km² the density guideline will be applied pro-rata.</u></p> | To clarify the approach to preventing unacceptable cumulative impact | <p><i>The highlighted word has been altered to reflect the existing text. A lower case 'p' has been replaced with an upper case 'P' and footnote ¹⁷ has been added, which were omitted in error.</i></p> |
| PC73 | 92 | Para 5.137 7 th | <p>Revise 2nd sentence: For PEDLs located <u>within</u> the Green Belt or where a</p> | To clarify the | <p><i>The highlighted word</i></p> |

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| | | line | relatively high concentration of other land use constraints exist, including significant access constraints, a lower density <u>and/or number</u> may be appropriate. | approach to preventing unacceptable cumulative impact | <i>has been altered to reflect the existing text. Replaced 'in' with 'within' which was used in error.</i> |
| PC83 | 140 | Policy W11 parts 1), 2), 3) and 5) | Revise text of part 1) to: 1) Siting facilities for the preparation <u>for re-use</u>, recycling, transfer and treatment of waste (excluding energy recovery or open composting) on previously developed land, industrial and employment land, or at <u>or adjacent to</u> existing waste management sites ... Make equivalent changes to parts 2), 3) and 5) | To improve consistency of the policy with Policy W10 | <i>The word 'the' has been deleted as this was included in error.</i> |
| PC87 | 156 | Para. 8.34 | Add new sentence at end of Para. 8.34: <u>The East <u>Inshore and East Offshore</u> <u>Marine Plans</u> (Policy PS3) supports the protection and expansion of port and harbour capacity.</u> | To emphasise the linkage between marine and terrestrial planning | <i>The highlighted text has been amended to rectify errors. The word 'Coast' has been replaced with 'Inshore and East Offshore' to use the correct terminology. The lower case 'm' of 'Marine' has been replaced with an upper case 'M' and 's' has been added to 'Plan'.</i> |
| PC88 | 159 | Para. 8.47 Safeguarding exemption criteria list | Revise 12th bullet point: Applications for development on land which is already allocated in an adopted local plan where the plan took account of minerals, and waste <u>and minerals and waste transport infrastructure</u> safeguarding requirements | To reflect the fact that minerals and waste transport infrastructure is also safeguarded in the plan | <i>Deleted '11th' which was included in error and replaced with the highlighted text, '12th', which was omitted in error.</i> |

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| PC89 | 164 | Para. 9.16 | <p>Revise final sentence: 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. <u>Air quality can also be adversely affected, particularly in locations where Air Quality Management Areas have been identified</u> and other development management policies in the Joint Plan will therefore also be relevant in some circumstances.</p> | <p>To reflect the potential for vehicle movements to impact on air quality</p> | <p><i>The highlighted text 'also' has been added as this was omitted in error.</i></p> |
| PC96 | 184 | Policy D10 Part 2) viii) | <p>Revise to read: Promoting the delivery of <u>Achieving significant net gains for biodiversity and the establishment of a which help create coherent and resilient ecological networks, based on contributing. Where practicable, towards established objectives including the creation of Biodiversity Action Plan habitats proposals should contribute significantly to the creation of habitats of particular importance in the local landscape and seeking to deliver</u>ing benefits at a landscape scale. <u>This includes wet grasslands and fen in the Swale and Ure valleys and species-rich grassland on the Magnesian limestone ridge.</u></p> | <p>To clarify the proposed approach and reflect the diminishing significance of biodiversity action plans</p> | <p><i>The highlighted letter 's' should be in <u>green and underlined</u> (i.e. new text). It is currently in black (i.e. existing text) which is an error.</i></p> <p><i>The highlighted text '<u>habitats</u>' should not be underlined, which is an error, as it is not new text. It is proposed to be deleted.</i></p> |

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