

# ***1. Introduction***

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## ***1.1 Need for a Plan***

### *Background*

- 1.1.1 A Local Plan is a document which sets out policies and specific proposals for the development and use of land. It is prepared within the broad framework set by national planning policies, regional guidance and the relevant County Structure Plan. Together with the Structure Plan, local plans constitute the 'development plan' for an area.
- 1.1.2 The Planning and Compensation Act 1991 (the 1991 Act) places a duty on each County Council in England and Wales to prepare a minerals local plan.
- 1.1.3 The Plan will have the same status as the District-wide Local Plans being prepared by District Councils. In the event of any conflict between the Minerals Local Plan and such plans, regulations provide that the more recently adopted provisions will prevail. In accommodating recent government guidance the Minerals Local Plan will supersede certain elements of the County Structure Plan. In the event of any conflict between the County Structure Plan and the Minerals Local Plan regulations provide that the provisions of the latter will prevail until such time as the County Structure Plan is altered.

### *Purpose of the Plan*

- 1.1.4 Changes in legislation set out in the 1991 Act confirm that development control decisions must accord with the development plan (ie the County Structure Plan and Local Plan), "*unless material considerations indicate otherwise*" (Section 54A). These plans therefore give everyone concerned with development in an area a measure of certainty about the types of development that will or will not be permitted over a given time period. In preparing local plans, authorities are required to give the proposals adequate publicity and to give individuals and organisations an opportunity to comment on them.
- 1.1.5 The role and purpose of the Minerals Local Plan is:-
- To translate national and regional policy into detailed proposals and policies
  - To develop the County Structure Plan in more detail and at a localised level
  - To provide guidance for the minerals industry
  - To set out policies for the control of development
  - To bring minerals planning issues before the public

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## **1.2 Plan Context, Timescale and Format**

### *Context*

- 1.2.1 The Plan covers the area of the County of North Yorkshire outside the Yorkshire Dales and North York Moors National Parks and the City of York Council. This Plan does, however, contain cross references to the National Parks since it is important that the minerals policies drawn up by the four mineral planning authorities are compatible across the whole of North Yorkshire. (The National Park Authorities and City of York Council are responsible for preparing minerals policies for their respective areas).
- 1.2.2 This Plan applies to all mineral working and mineral related issues.

### *Timescale*

- 1.2.3 The base date for the Plan is 1 January 1994 (ie the date from which minerals requirements are calculated). The end date of the Plan is 31 December 2006. It is intended that the Plan will be reviewed mid-way through the Plan period.

### *Format*

- 1.2.4 The Plan consists of:-
- (a) A WRITTEN STATEMENT setting out and justifying the Plan's policies and proposals; and
  - (b) A PROPOSALS MAP on an Ordnance Survey base identifying the areas to which various policies apply. Inset maps have been produced for certain areas at a larger scale than the main Proposals Map.

## **1.3 Plan Programme**

- 1.3.1 A Project Brief was published in June 1993. As the first stage in the preparation of the Minerals Local Plan an Issues Report was published in June 1994. The Consultation Draft Plan was approved by the County Council in December 1994 and was the subject of extensive public consultation between January and March 1995.
- 1.3.2 The County Council revised the Plan following consideration of the comments received. The Plan was placed "on deposit" between 6 October and 20 November 1995.
- 1.3.3 All objections were carefully considered and those objections which could not be resolved were considered at a Local Plan Inquiry conducted by an independent Planning Inspector between 20 September and 5 December 1996.
- 1.3.4 Following receipt of the Inspector's report, proposed modifications to the Plan were advertised in August 1997. After due consideration had been given to the objections received, the County Council proposed no further modifications. The plan was adopted in December 1997.