

Matters, Issues & Questions:

Matter 1: Minerals – Coal

Question 64 - 65

Coal

64. Do Policies M20 (Deep coal and disposal of colliery spoil) and M21 (Shallow coal) strike the right balance between environmental considerations and the benefits of extracting coal? Could there be any conflict with NPPF paragraph 149 or are there sufficient safeguards in place to mitigate unacceptable adverse impacts?

Policy M20: *Deep coal and disposal of colliery spoil* (page 100) and Policy M21: *Shallow coal* (CD17, page 101) permit the extraction of coal provided the proposals are in line with the development management policies in the *Publication Draft (CD17)* which cover environmental considerations which will need to be taken into account. The development management policies along with the additional criteria in policies M20 and M21 will ensure the proposal is environmentally acceptable and so comply with NPPF Paragraph 149.

65. Should specific consideration of the potential impact on climate change of coal development be included in this section of the Plan? Are the policies consistent with NPPF paragraph 94 requiring local planning authorities to adopt proactive strategies to mitigate and adapt to climate change?

National policy (NPPF (NEB01) Paragraphs 147 and 149) provide support in principle for development of coal resources, and do not indicate any specific requirement, when planning for coal at a strategic level, to take account to the climate change implications of developing coal resources. However, Policy M20: *Deep coal and disposal of colliery spoil* (page 100) and Policy M21: *Shallow coal* (page 101) are consistent with NPPF Paragraph 94 as the mitigation and adaptation due to climate change is covered within the Development Management policies, to which both coal policies refer in their criteria. The key Development Management policies which deal specifically with climate change are Policy D02: *Local amenity and cumulative impacts* (page 161), Policy D07: *Biodiversity and geodiversity* (page 173), Policy D09: *Water Environment* (page 179), Policy D10: *Reclamation and afteruse* (page 183) and Policy D11: *Sustainable design, construction and operation of development* (page 187) as discussed under Question 12 in *Other Legal Matters*. Other documents that deal with climate change include the *Minerals and Waste Plan Cross Cutting Issues paper* (OEB04) which has a chapter on climate change; individual authority documents include *the North Yorkshire County Council delivering on climate change* (LEB02); *Climate change action Plan for York* (LEB03); *Climate change*

framework for York (LEB04) and City of York Council low emission strategy (LEB05).

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