

Minerals and Waste Joint Plan

Preferred Options Consultation

Authorities Response to Preferred Options Comments

August 2016

Minerals and Waste Joint Plan Preferred Options Consultation November 2015 – January 2016

Summary of consultation responses

The Preferred Options consultation stage, although not a statutory requirement in preparing a local plan, was nevertheless undertaken in order to provide an opportunity for members of the public, statutory bodies and other interested parties to comment on the authorities preferred policy approach and sites which the authorities have identified as 'preferred' for inclusion within the plan, before formal pre-submission publication of the Plan.

Consultation

The Preferred Options consultation ran for nine weeks from 16th November to 15th January 2016.

A wide range of consultees and stakeholders were contacted either by letter or by email. All consultees were sent details of the consultation along with either a paper or electronic copy of the summary leaflet. Details of how to access other documents on the Joint Plan website and how to make comments were provided in the letter or email, with an option of receiving paper copies also given if requested. A reminder email was sent to each of the 'specific' consultees and Parish Councils two weeks prior to the close of the consultation.

The Preferred Options consultation was publicised through a range of means consisting of:

- A promotional banner on the NYCC website providing full details of the consultation and links to all of the consultation documents;
- Press release issued jointly by the three authorities, plus an additional 'reminder' press release two weeks prior to the close of the consultation;
- Article in the NYCC electronic newsletter NY NOW (4,014 subscribers);
- Posters displayed in libraries and on parish council notice boards;
- Twitter and Facebook announcements by all three authorities;
- Information on the North York Moors and City of York website.
- Parishes with sites in their area were sent detailed site allocation plans
- Individual twitter posts for each of the drop-in sessions held

A series of drop-in sessions were held in 16 locations across the Joint Plan area. These were advertised in the press releases, on posters, on the consultation page of the Joint Plan website and within the letters and emails sent directly to consultees and via social media. The drop-in sessions were held during the afternoons and evening within the hours of 12 – 7pm, the exact times were dependent on the availability and opening times of the specific venue. The drop-in events were visited by a total of approximately 186 individuals.

Responses to consultation

A total of 2934 substantive comments were received from 603 respondents. A summary of responses received during this consultation stage is available to view below.

A large number of responses were received on matters relating to oil and gas (hydrocarbons). These have been grouped into themes and presented in a supplementary table following the main table, together with a summary response.

2968 York Green Party

S

1842 Due regard to Habitat Directive and protection of special sites is very important.

001: Background

Response to comment:

Noted.

734 Kirby Hill, Little Ouseburn & Thorpe Underwood Parish Council

O

1710 The document states that 'The role of the Development Plan is to guide future development in the area. It forms the starting point for decision making on planning applications.' In North Yorkshire the Development Plan has come after the development with regard to AWRP. Consultation/public opinion has counted for nothing to date. Establishing AWRP shapes future policy in regard to waste in North Yorkshire for the next 20 plus years. The approval of AWRP should have waited until the Plan was fully consulted upon.

001: Background

Response to comment:

Noted. Permission for the AWRP has now been granted.

2860

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1546 Object to the Background Chapter.

001: Background

Response to comment:

Noted.

2817

O

1615 Object

001: Background

Response to comment:

Noted.

3829

DNS

001: Background

P1.03 1648 Support keeping up to date with new legislation, this will be hard to do once Plan is adopted as national legislation may override local policies if it is different, such as Government agreeing to bury toxic waste under AONBs.

What are the 'material considerations' the council refers to? This needs defining further. Could the Plan not explicitly convey material considerations would not include developments which 'would cause significant harm to the character and appearance of the area; harm that would not be off-set by any proposed mitigation.'

Response to comment:

Noted. The policies and reasoned justification in the Plan provide further definition of the matters to be taken into account

3829

DNS

001: Background

P1.04 1793 Paragraphs 1.04 and 1.05.
The 2011 Localism Act is out of date for while it gave communities the right to have their voices heard, they can now be overruled by the 'community' government minister. There needs to be a joint initiative to stop national policies overriding the joint local approach to decision making.

Response to comment:

Noted

001: Background P1.13 1723 The Plan needs to re-assess how it takes account of NPPF paragraph 93 and the main thrust of the Paris Climate Change Accord (Dec 2015).

Unless amended to remove or oppose shale gas extraction the plan could be subject to legal challenge.

Response to comment:

The Plan needs to be generally consistent with national policy, which does not preclude shale gas development

044: Site Allocations 1336 Unless further comments are provided comments on preferred sites remain the same as previously made.

Satisfied with the process used to allocate sites in terms of flood risk. For all sites where flood risk has been identified as an issue, the mitigation requirements section should make it clear that for an FRA to be satisfactory it will need to include necessary mitigation, such as compensatory storage, attenuation and SuDS as appropriate.

Response to comment:

The mitigation requirements as outlined in Appendix 1 can be made clearer in the next publication as part of the identification of development management matters to be considered in any future application where appropriate.

044: Site Allocations 1542 The documentation is difficult to follow and the Drop-in Sessions were held during the day when working residents could not attend.

Response to comment:

Noted. Where practicable, drop in sessions were generally arranged to include both day-time and evening periods to allow a range of opportunities to attend

044: Site Allocations

- 1661 Concerned about quarrying in North Yorkshire, especially near North Stainley, Scruton, West Tanfield and the coastal areas. Designated areas should not be quarried.

Response to comment:

Noted

129 Yorwaste Ltd

DNS

044: Site Allocations

- 0947 It is noted that there is no mention of a waste transfer station in the Hambleton District.

Response to comment:

No site submissions have been received proposing an additional waste transfer facility or expansion to an existing facility, to those already in operation, within the Hambleton District area.

53 Hambleton District Council

DNS

044: Site Allocations

- 1411 The site proformas provide details on the preferred and discounted sites and sets out information relating to size of site, mineral output and estimated daily vehicle movements. These figures relate to the whole site rather than just the area which has been preferred, which makes it difficult to come to conclusions on the real impacts of the development. It would be helpful if more accurate figures could be presented in the next stage of the Plan.

The environmental impacts of sites in the Hambleton area need to be reassessed. If the environmental impacts of the sites cannot be acceptably mitigated consideration should be given to discounting the allocations.

Response to comment:

Improvements will be made to the clarity of the information provided regarding the sites. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

129 Yorwaste Ltd

DNS

044: Site Allocations

- 0948 It is noted that there is no mention of a waste transfer station in the Ryedale District.

Response to comment:

A waste transfer station at Kirby Misperton within Ryedale District is currently being constructed, and it is referred to on page 228 within Appendix 2 to the Preferred Options Consultation.

3461

DNS

044: Site Allocations

1407 All the points below need to be considered for mineral sites proposed near small rural communities or conservation areas: prevailing winds leading to noise and dust pollution; traffic impact on unsuitable local roads; cumulative impact of numerous mineral extraction sites; excessive amounts of aggregate currently available so no additional immediate requirement for mineral extraction; impact upon wildlife and agricultural land; has the extension of existing sites being considered as opposed to the creation of new sites; consideration should be given to importing required minerals rather than developing new extraction sites.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant.

342 Mone Brothers Excavations Ltd

DNS

044: Site Allocations

1287 Eggborough Sandpit has extant planning permission for extraction of sand, restoration to be by inert waste infill and also inert waste recycling.

This site has not been included in the list of preferred and discounted sites, but feel it should be included.

Response to comment:

The existing operations already have planning permission. Site has not been referred to in Appendix 1 as no submission for an allocation for new minerals or waste development at Eggborough Sandpit has been made.

3384

044: Site Allocations

0495 It is recognised that failure to support any submitted site is not a realistic option as a level of mineral extraction is necessary for the growth of the country's infrastructure and the community must play a part in achieving this. Therefore, non-supportive comments have been restricted to MJP60.

Response to comment:

Noted

044: Site Allocations

- 1959 Welcomes the site assessment methodology which led to the identification of preferred sites. The methodology appears not to have been used in the context of unconventional hydrocarbon exploration/exploitation, and there is a lack of detail concerning vehicle movements, site access, environmental impact, water supply, waste water disposal, materials, employment, impact on current land use, tourism, etc. This is unsatisfactory and is a weakness in the Plan.

Response to comment:

The methodology for site assessment is for use in connection with specific sites where these have been submitted for consideration for allocation through the Plan process. No unconventional hydrocarbon exploration/exploitation sites have been submitted. The issues of vehicle movements, site access, environmental impact, water supply, waste water disposal, materials, employment, impact on current land use, tourism, etc. would be dealt with at the planning application stage and it is not considered that they can be considered through a strategic level assessment of unknown proposals at this stage.

3016

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044: Site Allocations

- 0603 Supportive of proposed sites in the local area (MJP21, MJP33, MJP17, MJP43) but MJP60 should remain a discounted site.

Response to comment:

Noted

1187 CEMEX

DNS

044: Site Allocations

- 0798 The company propose to carry out detailed geological investigations in order to precisely define a potential future area to the west of current workings at Newbridge.

Response to comment:

Noted.

3555

044: Site Allocations

- 2255 The objection process is suitably opaque.

Response to comment:

Noted

2215 CPRE (Hambleton Branch)

DNS

044: Site Allocations

0518 For sites which are taken forward as preferred sites there needs to be a realistic assessment of the economically extractable minerals at each site and mitigation proposals provided by submitters.

Residents close to the sites should be informed of any proposals near them and be made aware of any mitigation or possible compensation if the site went ahead.

Neighbouring Planning Authorities should provide detailed plans of the aggregate resources in their own areas and the steps to realise them before creating new longer term Preferred Sites in North Yorkshire.

Response to comment:

Noted. These issues are addressed through the process of preparing the Plan and, where relevant, through the development management process. Liaison with neighbouring minerals and waste planning authorities has taken place throughout preparation of the Plan.

3577

DNS

044: Site Allocations

1398 Concerned about the number of sites in the Kirkby Fleetham area; if all are approved it would make the villages more remote and inaccessible with cumulative impacts from traffic, pollution, noise and dust.

Response to comment:

Issues raised are being considered through the Site Assessment process where relevant.

116 Ryedale District Council

DNS

044: Site Allocations

1150 Work has been progressing with the Local Geological Panel on the identification of potential Local Geological Sites for designation. The Plan sets out that minerals and waste sites will be permitted where there are no demonstrated unacceptable impacts on biodiversity and geodiversity etc. It is considered that the latest information regarding Local Geological Sites shows a conflict with some sites identified in the Joint Plan as follows:

Burythorpe Quarry - Local Geological Interest - Osgodby Formation - Geological Status - Candidate 1.

Response to comment:

No development in addition to that already with the benefit of planning permission is currently proposed at Burythorpe quarry.

1885 Considers there to be a large amount of information to consider in order to form a view.

044: Site Allocations

Response to comment:

Noted.

3386

S

0003 Agree with the sites identified as suitable/unsuitable for minerals and waste development.

044: Site Allocations

It is important that any proposed development maintains the natural and built environment and does not affect water supplies, if a development does impact or cause harm to these assets then it should be discouraged.

Response to comment:

Agreement with the identification of the sites is noted. Issues raised regarding proposed development will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

044: Site Allocations

0563 The TA demonstrates that the majority of junctions on the SRN will only be impacted upon by one site generating new traffic. Only two SRN junctions will be impacted by more than one site, these are the Catterick Central junction, where the daily impact is likely to be around 210 HGVs which equates to around 20-25 HGVs per hour. Should there be capacity issues at this junction then consideration will need to be given to attaching planning conditions to permissions to limit the impact at times of congestion.

The second junction with a cumulative impact is A1(M) Junction 51 at Leeming Bar where 107 HGVs a day, which equates to 12 - 15 HGVs per hour are likely to impact on this junction. This is unlikely to cause capacity issues. Should there be any capacity issues at the time of the planning application a condition could be attached to any planning permission to limit the impact at times of congestion.

Should there be any peak hour capacity issues these can be resolved through the planning process by the attachment of conditions limiting the times that vehicles can arrive and depart from the site to avoid peak congestion times.

The cumulative impact of the various sites has been considered and it is accepted that these are generally limited. Should there be any cumulative issues these could be controlled through appropriate planning conditions limiting times vehicles arrive and depart from the site to avoid peak congestion times.

There is a potential highway safety issue associated with the sub-standard merge and diverge on the northbound A1 Junction with B6474. The addition of HGVs here may represent a highway safety issue.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3392

044: Site Allocations

0502 It is recognised that failure to support any submitted site is not a realistic option as a level of mineral extraction is necessary for the growth of the country's infrastructure and the community must play a part in achieving this. Therefore, non-supportive comments have been restricted to MJP60.

Response to comment:

Noted.

2812 Trans Pennine Trail Office

DNS

044: Site Allocations

1260 Any minerals or waste sites which will impact upon the Trans Pennine Trail or the National Cycle Network will need full consultation with TPT and Sustrans.

Response to comment:

The Trans Pennine Trail Office and Sustrans are both consultees on the development on the Minerals and Waste Joint Plan. The Trans Pennine Trail/National cycle Network interests can be further clarified in the 'mitigation' sections in respect of the individual sites.

797 Overton Parish Meeting

DNS

044: Site Allocations

1511 The sites presented do not affect the parish area.

Response to comment:

Noted.

3714

DNS

044: Site Allocations

0436 Sites close to the A1 should have been considered for waste transfer/recycling.

Response to comment:

Noted. Sites are assessed on an individual basis under the sites assessment process.

470 Carlton Husthwaite Parish Council

044: Site Allocations

1757 Supports the preferred policies and agrees with the monitoring indicators.
Due to lack of expertise the parish is unable to comment on specific policies.

Response to comment:

Noted.

3729

044: Site Allocations

0613 This consultation is fundamentally flawed as it contains a deliberate inbuilt bias in that where a site is preferred any constraints are said to be capable of mitigation and these requirements are set out. Mitigation requirements are not set out for discounted sites and the constraints of the site, however minor, are treated as impossible to mitigate with the site being assessed on the basis of a worst case scenario. Therefore, respondents are steered to support the preferred options. It is likely that without substantial reform this process will be subject to an application for judicial review.

Response to comment:

No bias towards preferred sites is intended, rather with the discounted site it is considered that there are potential adverse impacts which either of such significance that they are not capable of being addressed or that when the site is assessed relative to other potential sites the one proposed for discounted has, overall, more potential adverse impacts than the preferred sites.

3737

044: Site Allocations

1093 Proposed clay extraction [MJP52] and landfill [WJP05] site in view of property. No information sent to property so complete surprise. Shows lack of respect for property and flaws in information for the public who it will affect.

Response to comment:

It was considered that reference to just a field number was not helpful so the site was described in the context of the nearest property shown on the OS base. However improvements will be made to the clarity of the information provided regarding the location of the site. The site submission was initially published in the Issues and Options Consultation in February 2014, and was also referred to in the Supplementary Sites Consultation in January 2015.

880 Stutton with Hazlewood Parish Council

DNS

044: Site Allocations

1671 All current discounted sites should remain discounted.

Response to comment:

Noted

044: Site Allocations

0959 Section 130 of the 1980 Highway Act there is a duty to assert and protect the rights of the public to the use and enjoyment of any highway. This poses a problem where a planning application conflicts with existing rights of way. Policy D02 needs rewording to reflect this duty.

Cumulative effects in areas where there are several sites need to be taken into consideration in terms of landscape and amenity.

In the site proformas the heading regarding restoration is 'Possible Site Restoration (if applicable). This seems to imply that reinstatement is an optional extra, so operators less likely to provide this information. Recommend changing the title to 'PLANS AND TIMESCALE FOR REINSTATEMENT/AFTER USE'

Policy D10 should be reworded. The suggestion of section 106 agreements and bonds to ensure compliance is also strongly recommended. Should consider a Community Infrastructure Levy to recompense communities.

Response to comment:

The issues of impact on rights of way and cumulative effect of development will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The 'restoration' heading is so phrased to recognise that some of the site submissions are on sites with existing permanent planning permissions as at Site WJP13. It is not possible for the County Council to collect CIL from mineral operations as it is not a CIL collection authority.

044: Site Allocations

P1.01 0309 It appears that only landowners and the operators of sites (MJP23) have been contacted at earlier stages. Landowners of land adjacent to the site should also have been contacted.

Response to comment:

Interested parties such as the minerals and waste industry and known landowners with an interest were invited to indicate land they wished to be developed. MJP23 was among the sites published in the Issues and Options Consultation in 2014 and mentioned in the Supplementary Sites Consultation in 2015. These consultations were subject to publicity through the media and via the Parish Councils. It is not feasible to obtain details of all landowners adjacent to the submissions for a number of reasons, including that not all land is registered with the Land Registry.

130 Leeds City Council

DNS

Q14 1208
044: Site Allocations

Support the protection of railway sidings and wharves for the sustainable movement of minerals freight, however land adjacent to them needs to also be allocated for the associated mineral processing activities to take place.

Response to comment:

Noted

116 Ryedale District Council

DNS

Q14 1146
044: Site Allocations

Work has been progressing with the Local Geological Panel on the identification of potential Local Geological Sites for designation. The Plan sets out that minerals and waste sites will be permitted where there are no demonstrated unacceptable impacts on biodiversity and geodiversity etc. It is considered that the latest information regarding Local Geological Sites shows a conflict with some sites identified in the Joint Plan as follows:

Knapton Quarry - safeguarded waste site.- Local Geological Interest - Cretaceous Ferity Chalk Faulted, Geographical status - Approved EYRIGS

Response to comment:

No development in addition to that already with the benefit of planning permission is currently proposed at Knapton Quarry

Q14
044: Site Allocations

0133 Paragraph 126 of the NPPF requires Local Plans to set out a positive strategy for conservation of the historic environment. The Plan has to set out a framework which is likely to conserve the historic environment of the Plan area.

Some of the sites proposed could harm elements which contribute to the significance of one or more heritage assets in their vicinity. However there has been no evaluation of what impact mineral or waste development on these areas might have on those assets.

In the absence of any assessment of the degree of harm which the proposed Allocations might cause to the historic environment or what measures the Plan might need to put in place in order to ensure that any harm is minimised, At this stage the Plan cannot demonstrate that the principle of mineral or waste development from these areas is compatible with Objective 9 or Policy D08 of the Plan or the requirements of the NPPF. Nor can it demonstrate that the anticipated amount of mineral extracted from or waste disposed upon these sites is actually deliverable because the need to preserve the heritage assets in their vicinity in line with advice in the NPPF may mean that certain areas of the site are undevelopable.

Therefore before identifying sites as Preferred Areas

1) An assessment needs to be undertaken of the contribution which sites make to the designated heritage assets in their vicinity and what impact the proposed development might have on their significance.

2) If it is considered that the development of these sites would harm elements which contribute to the significance of any of the nearby heritage assets, then the Plan needs to set out how that harm might be removed or reduced.

3) If it is concluded that the development would still be likely to harm elements which contribute to the significance of any of the heritage assets then that site should not be allocated unless there are clear public benefits that outweigh the harm, as is required by Paragraphs 133 or 134 of the NPPF.

Response to comment:

Further assessment of the potential impact of the sites on heritage assets will take place prior to the next publication of Appendix 1.

127 Harworth Estates (UK Coal Operations Ltd)

DNS

Q14
044: Site Allocations

1089 None of the Harworth Estate sites are specifically considered in the assessment and are not included in Appendix 1.

Southmoor Energy Centre (WJP03) and North Selby Mine (WJP02) are listed as committed sites. Support this approach but they should have greater prominence in the final Plan.

Response to comment:

Noted

120 Historic England

DNS

Q16 0164
044: Site Allocations

The development of several of the sites identified as Preferred Sites could result in harm to elements which contribute to the significance of a number of designated heritage assets in the vicinity. Due to the sensitive nature of some of these locations it is not sufficient to rely on the general Development Management Policies of this Plan as the basis for ensuring that the areas' natural and historic environment is safeguarded. Therefore support the approaches out in the Appendices of alerting potential developers to the presence of heritage assets which might be affected by the development.

Support the principle of setting out associated mitigation measures which are likely to be necessary to ensure sites are developed in a sustainable manner.

The title 'Mitigation Measures' should be renamed 'Development Principles' as this is more accurate. If the title 'Mitigation Measures' is retained then it needs to set out with slightly greater clarity what actual mitigation measures are likely to be necessary to reduce harm to an acceptable level.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2192 Local Access Forum

DNS

MJP03 Q14 0979
044: Site Allocations

The access is along a bridleway and there will be impact on the users with no opportunity for passing places or alternatives.

Response to comment:

The MJP03 site has been withdrawn.

519 East & West Layton & Carkin Parish Council

O

MJP03 Q14 2067 Object to the site being a preferred site.

044: Site Allocations

The site is adjacent to Forcett Quarry and will be worked from there. The site is closer to the village of East Layton. Concerns include the fact that blasting will increase, noise from crushers, peckers and lorries, especially at night. Concerned that Forcett Quarry may increase night working. Imported material is to be worked on site. There is a drought in the lower lake and this has been a concern in relation to the Quarry, there is no indication of how environmental issues already identified will be exacerbated. Concerned about the number of lorries using the site and litter from the drivers. The junction onto the A66 is a concern, increase in traffic from the quarry will exacerbate the existing problems. There are unlikely to be any significant employment opportunities in the area.

Response to comment:

The MJP03 site has been withdrawn.

2173 CPRE (North Yorkshire Region)

O

MJP03 Q14 0738 This could be considered an extension to Forcett Quarry. Concerned about the impact on nearby SINCs and for potential loss of trees if the site is developed.

044: Site Allocations

Another site adjacent to the site was refused planning permission because there was an unacceptable amount of soil to be removed from the proposed site, this has not been covered in the appraisal for this site and should be considered prior to allocation of the development.

Response to comment:

The MJP03 site has been withdrawn.

120 Historic England

DNS

MJP03 Q16 0169 Some designated assets could be affected by the proposed extension of the existing quarry onto this site, these include a series of Scheduled earthworks associated with Stanwick Oppidum, Grade II Registered Park and Garden of Forcett Hill, Scheduled moated sites and East Layton Conservation Area.

044: Site Allocations

Response to comment:

The MJP03 site has been withdrawn.

MJP04 Q14 1624
044: Site Allocations

Object to the allocation of this site.

It will have a detrimental effect on residents amenity and health. Residents will be impacted by noise, dust, vibration and fumes from the site and from waste if it is allowed to be imported for restoration. It will affect the quality of life and is contrary to paragraphs 123 and 143 of the NPPF. The level of transport movements would be unacceptable and would impact on the environment. The lorries would have to use local roads and pass through villages leading to health and safety issues. The location of the access is unacceptable. The area has significant biodiversity and environmental interests with wildlife, hedges and woodland that should be protected. The area also has PROW, bridleways and a national trail passing through the site which would be lost if allocated.

Response to comment:

The MJP04 site has been withdrawn.

MJP04 Q14 0510
044: Site Allocations

Object to the site as will impact on the local amenity in terms of noise, dust and increased traffic. The access road is single track with no passing places and so there would be congestion and increased danger with using the road. The site would impact on the landscape and views of the local residents.

Response to comment:

The MJP04 site has been withdrawn.

MJP04 Q14 0139
044: Site Allocations

Concerns about the impact which mineral development in this location might have on the significance of a number of designated heritage assets in its vicinity including Scheduled Monument of Maiden Bower and Cock Lodge, and east of the site there is a medieval moated site, fishponds and associated field system which is a Scheduled Monument.

National policy guidance makes it clear that Grade I and II* Listed Buildings are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.

In order to demonstrate that the identification of this site as a Preferred Area is not incompatible with the requirements of the NPPF as part of the evidence base there needs to be an assessment of what contribution this area makes to these elements which contribute to the significance of the Listed Buildings and what effect the proposed development might have on them. An assessment of the contribution the site makes to designated heritage assets in the area.

Response to comment:

The MJP04 site has been withdrawn.

2197 CPRE (Harrogate)

DNS

MJP04 Q14 0821 There is a potential impact on an Area for Nature Conservation and ecology i.e. loss of habitat for protected species. There will also be a loss of BMV agricultural land. No mitigation measures for these have been provided.
044: Site Allocations

Response to comment:

The MJP04 site has been withdrawn.

114 Ministry of Defence / Defence Infrastructure Organisation

DNS

MJP04 Q14 0793 The site falls within the statutory 45.7m height consultation zone surrounding RAF Topcliffe and Dishforth Airfield. Any development exceeding this height would need to consult the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restoration which includes wetland creation or open water bodies will need to be referred to the DIO.
044: Site Allocations

Response to comment:

The MJP04 site has been withdrawn.

3717

DNS

MJP04 Q14 0472 The lane leading to the site is not capable of carrying 100 HGV's per day. Concerned increased traffic will disturb livestock and damage grassland. Residents living close to the site have not been directly informed about the proposed site or the Plan.
044: Site Allocations

Response to comment:

The MJP04 site has been withdrawn.

112 Highways England

DNS

MJP04 Q14 0557 Access to this site would be via Whaites Lane. Whaites Lane provides a link to the A168 which forms part of the SRN. Approximately 3km to the west of the junction with Whaites Lane, the A168 terminates with vehicles channelled either north or southbound on the A1.
044: Site Allocations

It is suggested that a routing restriction is implemented as part of any future planning consents to ensure that HGV movements approach/depart from the north only towards the A168. The TA considers that the overall draw of approximately 50% of traffic to the East and 50% of traffic to the west. Assuming 9 working hours per day this would equate to circa 6 movements per hour both eastbound and westbound on the A168. This level of traffic is not of concern to Highways England.

Response to comment:

The MJP04 site has been withdrawn.

2192 Local Access Forum

O

MJP04 Q14 0960
044: Site Allocations

This site should not be preferred. The proposed quarry crosses bridle paths and footpaths which cannot easily be rerouted. If the rights of way were avoided there would still be an impact from noise, dust and loss of wildlife habitat.

Since there is a lack of off-road routes for recreation in the area there would need to be further detailed discussions prior to permission being granted.

Response to comment:

The MJP04 site has been withdrawn.

3825

O

MJP04 Q14 1629
044: Site Allocations

Object to the site on the following grounds: access to the site would generate HGVs in close proximity to residential properties and the large volumes of traffic going to/from Cundall Manor School. Increased traffic could result in subsidence of neighbouring properties and be hazardous for pedestrians. Concerned about noise affecting the residents and wildlife.

Response to comment:

The MJP04 site has been withdrawn.

61 National Grid Gas and Electric

DNS

MJP04 Q16 0107
044: Site Allocations

The site is crossed by High Pressure Gas Transmission apparatus.
No permanent structures should be built over or under pipelines, materials or soil are not to be stacked or stored on top of the pipeline route any access to the pipeline is to be maintained at all times.

Local authorities have a statutory duty to consider applications for development in the vicinity of high pressure pipelines and advise the developer on whether the development should be allowed on HSE safety grounds.

Response to comment:

The MJP04 site has been withdrawn.

MJP05 Q14 0147 Support the proposal not to identify this site as a preferred area.

044: Site Allocations

The mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including Scotton Old Hall, Farnham Conservation Area, Scriven Conservation Area and numerous Listed Buildings in the settlements surrounding the site.

Response to comment: *Noted. Issues raised will be considered through the Site Assessment process where relevant.*

3753 WH Barker Partnership

MJP05 Q14 0615 Object to the discounting of this site.

044: Site Allocations

Discounting the site at this stage is premature as time should be allowed for further ecology and hydrology assessments to be carried out. The site is well located and contains a viable and valuable sand and gravel resource which would contribute to meeting the southern distribution area supply requirements. The deposit is closer to the market than many other alternatives identified.

Response to comment: *Objection is noted, as is the proposal to supply additional information. It is acknowledged that evidence shows the existence of a mineral resource within the site which, if exploited would contribute to meeting supply requirements. Further assessment of the resource required to meet requirements to 2030 is taking place.*

943 Well Parish Council

MJP06 Q14 1783 HGVs from 'Nosterfield quarry' travel at speed along the B6267.

044: Site Allocations

Response to comment: *Speeding traffic is a matter for regulation by the police. However, if details (including date/time) of alleged lorry incidents are passed to the County Council's Monitoring and Compliance Officer at the time then the matter can be followed up with the site operator. Traffic issues will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

2192 Local Access Forum

DNS

MJP06 Q14 0961 The cumulative effects are disproportionately negative on habitat, recreational users of the rights of way and local lanes.
044: Site Allocations Restoration should be defined before permission is given.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. Restoration details would be required as part of any planning application.

114 Ministry of Defence / Defence Infrastructure Organisation

DNS

MJP06 Q14 0785 The site falls within the statutory safeguarding consultation zone of RAF Leeming and RAF Topcliffe. Any development exceeding 91.4m above ground level would need to consult the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restorations which include wetland creation or open water bodies will need to be referred to the DIO.
044: Site Allocations

Response to comment:

The DIO will continue to be consulted as the Plan progresses and has been consulted on planning application NY/2011/0242/ENV. No structure is proposed exceeding 91.4m in height.

317 Tarmac

S

MJP06 Q14 0090 The inclusion of this site is supported.
044: Site Allocations

Response to comment:

Noted

MJP06 Q14 0184 Consideration should be given to the proximity of the site to Thornborough Henges. The County Council's Heritage Officers should be consulted.
044: Site Allocations

The Parish Council is seeking to minimise the amount of restoration to open water in the area. This proposal would have a cumulative impact on the amount of open water in the area and so would have a detrimental impact on the landscape.

There would be a loss of 'best and most versatile' agricultural land.

Response to comment:

Proximity to the Henges Scheduled Monuments is a consideration. The Council's Heritage Officers are part of the site assessment process. The implications of restoration including the amount of open water, potential loss of 'best and most versatile' agricultural land and cumulative impact are considerations within the site assessment process and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

317 Tarmac

S

MJP06 Q15 0094 The right key sensitivities have been identified.
044: Site Allocations

Response to comment:

Noted

1114 Woodland Trust

DNS

MJP06 Q15 0877 Has ancient woodland within the site boundary.
044: Site Allocations

Response to comment:

Respondent subsequently confirmed that the representation reference to an ancient woodland within this site was identified in error, as the woodland is more than 50m away from the site.

MJP06
044: Site Allocations

Q16 0177 The application site lies within the Swale/Ure catchments which contains the most significant concentration of Neolithic and Bronze Age monuments and related archaeological deposits in the north of England. Many of the features within the landscape are scheduled as nationally important including Thornborough Henges.

Historic England have been involved in discussions regarding an application at Langwith Hall Farm, which is on this site. Considered that further mineral extraction in the area would have harmful cumulative impact on the setting of heritage assets associated with Thornborough Henges, Thornborough Moor and the ability to appreciate and experience them in their landscape.

However the mitigation measures proposed as part of the application offered a clear opportunity to reverse some of the harmful impacts of past quarrying on the landscape and to reconnect the Henges with their landscape setting.

If the current application is not approved the Plan needs to make it clear that, in order to reduce the cumulative impact which further quarrying might have upon the setting of designated and undesignated heritage assets in the area, any development proposals would need to include similar mitigation measures to those proposed in the current application.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

317 Tarmac

S

MJP06
044: Site Allocations

Q16 0098 The right key mitigation measures have been identified.

Response to comment:

Noted.

MJP07 Q14 0134 The site area lies within the Swale/Ure river catchments which contains the most significant concentration of Neolithic and Bronze Age monuments and related archaeological deposits in the north of England.
044: Site Allocations

Archaeological evaluations within the site area have demonstrated the presence of archaeological features in the southern half of this site (identified in the Environmental Statement which accompanied Application no. NY/2011?0242/ENV as Area D). These should be considered as having high archaeological value and are part of, and contribute to, the understanding of the significance of the Thornborough Landscape.

Therefore the southern half of this site as detailed above should be excluded from the preferred area.

Response to comment:

The recommendation to delete a further part of the submission is noted. Further assessment of the potential impact of the sites on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

114 Ministry of Defence / Defence Infrastructure Organisation

DNS

MJP07 Q14 0786 The site falls within the statutory safeguarding consultation zone of RAF Leeming and RAF Topcliffe. Any development exceeding 91.4m above ground level would need to consult the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restorations which include wetland creation or open water bodies will need to be referred to the DIO.
044: Site Allocations

Response to comment:

The DIO will continue to be consulted as the Plan progresses and would be consulted if a planning application were submitted as the site is within the statutory birdstrike safeguarding zone or if a structure exceeding 91.4m high were to be proposed, (which it is not). Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP07 Q14 1785 HGVs from 'Nosterfield quarry' travel at speed along the B6267.

044: Site Allocations

Response to comment:

Speeding traffic is a matter for regulation by the police. However, if details (including date/time) of alleged lorry incidents are passed to the County Council's Monitoring and Compliance Officer at the time then the matter can be followed up with the site operator. Traffic issues will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

317 Tarmac

O

MJP07 Q14 0997 Object to the discounting of the eastern part of the Oakland submission area. The Oaklands site is intended as an extension to the existing Nosterfield Quarry, which would be worked following the Langwith Hall site adjacent to the east. In the Assessment the Authorities state that no overriding constraints have been identified as part of the site assessment process. It appears that the discounting of the eastern part of the site would contradict the findings of the site assessment process on the grounds of landscape impacts and the impact upon the setting of Well. The submitter considers that these impacts can be appropriately mitigated, as is highlighted in the Authorities list of mitigation requirements.

044: Site Allocations

Not allocating the site would result in the loss and sterilisation of potential sand and gravel resource. As the allocation currently stands (as modified by the Authorities) it is likely that once the Oaklands site has been worked, the associated processing plant and infrastructure at Nosterfield Quarry would be decommissioned and removed resulting in a loss of viable resource.

Response to comment:

Objection is noted. Further assessment of the resource required to meet requirements to 2030 is taking place. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP07 Q14 1415 Concerned about the speed of vehicles from the existing quarry which travel along the B6267 and the impact further vehicle movements will have on existing residential properties.
044: Site Allocations

Response to comment:

Speeding traffic is a matter for regulation by the police. However, if details (including date/time) of alleged lorry incidents are passed to the County Council's Monitoring and Compliance Officer at the time then the matter can be followed up with the site operator. Traffic issues will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

948 West Tanfield Parish Council

O

MJP07 Q14 0185 Consideration should be given to the proximity of the site to Thornborough Henges. The County Council's Heritage Officers should be consulted.
044: Site Allocations

The Parish Council is seeking to minimise the amount of restoration to open water in the area. This proposal would have a cumulative impact on the amount of open water in the area and so would have a detrimental impact on the landscape.

There would be a loss of 'best and most versatile' agricultural land.

Response to comment:

Proximity to the Henges Scheduled Monuments is a consideration. The Council's Heritage Officers are part of the site assessment process. The implications of restoration including the amount of open water, potential loss of 'best and most versatile' agricultural land and cumulative impact are considerations within the site assessment process and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

317 Tarmac

S

MJP07 Q14 0091 The inclusion of this site is supported. Although it would be preferable see the full site area submitted taken forward, the reasons for discounting part of the site are understood.
044: Site Allocations

Response to comment:

Noted.

317 Tarmac

S

MJP07

Q15

0095

The right key sensitivities have been identified.

044: Site Allocations

Response to comment:

Noted

317 Tarmac

S

MJP07

Q16

0099

The right key mitigation measures have been identified.

044: Site Allocations

Response to comment:

Noted.

3019

S

MJP08

Q14

1826

Support the Site.

044: Site Allocations

This Site, which is operational, has access to the A64 and B-roads without the need to travel through the Air Quality Management Zone in Malton, or Commercial Street in Norton, causing less disruption to quality of life when compared to MJP12.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP08 Q14 1284 Object to the taking forward of this site.

044: Site Allocations

The current quarry is having an impact on local residents and issues raised are not, or are taking a long time to be addressed so if a larger quarry was allowed over a longer period of time this would exacerbate the problems.

It is felt more could be done to deal with the issue of dust, vehicles leaving site need to be monitored for cleanliness, as often deposits left on road, and verges are being driven over.

Noise at the existing quarry is a significant issue and impact of blasting's on the structure of nearby buildings.

The land to be used is best and most versatile land and should be protected, along with the ecology in the area.

There has been a little restoration at the existing quarry, concerned if a larger quarry allowed this would take even longer posing a risk to health and safety, especially as it took so long to erect boundary fencing.

Reference is made to mitigation against several issues but there is a lack of information about how this mitigation will be carried out.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP08 Q14 1125 Support the allocation of this as a preferred mineral site in principle, subject to Development Management issues being satisfactorily addressed at the subsequent planning application stage to meet mitigation measures identified as a result of potential negative impacts set out in the site assessment.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

116 Ryedale District Council

DNS

MJP08 Q14 1149
044: Site Allocations

Work has been progressing with the Local Geological Panel on the identification of potential Local Geological Sites for designation. The Plan sets out that minerals and waste sites will be permitted where there are no demonstrated unacceptable impacts on biodiversity and geodiversity, etc. It is considered that the latest information regarding Local Geological Sites shows a conflict with some sites identified in the Joint Plan as follows:

MJP08 - Local Geological Interest - Coral Rag Malton Oolite, Geological status - Candidate 1

Response to comment:

The issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

842 Settrington Parish Council

S

MJP08 Q14 1697
044: Site Allocations

No objection to the extension of the quarry subject to the satisfactory outcome of the intended consultation process.

Response to comment:

Noted.

119 Natural England

S

MJP08 Q15 1036
044: Site Allocations

Note the proximity of MJP08 to the River Derwent SAC and welcome the general identification of ecological issues and impacts on SSSIs, etc., but would like to see specific reference to potential hydrological impact on River Derwent SAC in the site brief.

Response to comment:

Reference to potential hydrological impacts on the River Derwent SAC can be made within the identification of development management matters to be considered in any future application where appropriate.

MJP08 Q15 0488
044: Site Allocations

Support the assessment of the site and its preferred status. Have comments on some of the key sensitivities and mitigation measures through the site selection process.

The proposed allocation site comprises entirely pasture grassland that is actively grazed. There have been no recorded instances of protected species activity in the area, nor will there be any habitats of any significance.

The majority of the soils in this area are of the subgrade 3b designation and therefore are not BMV, a survey would be done at the appropriate time regarding this issue.

In terms of cultural heritage assets, the operations are long standing and are not within the setting of any nearby listed assets, scheduled monuments or the conservation area, so this should be removed from the key sensitivities.

The surrounding landscape has some local value but the operations are well screened from potential receptors and this would remain the case for MJP08. The SA appears to support this position.

In terms of traffic impact the SA indicates that movements from the site will go through Malton and Norton. A map has been provided to show the routes. The operator does not route any traffic through Malton apart from local deliveries. The existing site access enters onto a minor road but is of modern design with no accidents throughout the operation of the site. This key sensitivity should be removed.

Response to comment:

Comments and additional information regarding the traffic route used are noted. It is not possible to remove access as a sensitivity as matter relevant to the determination of any minerals development. However, the issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP08 Q15 1708
044: Site Allocations

Should add 'effects of blasting on neighbouring properties' to 'amenity issues'

Response to comment:

Blasting can be added.

120 Historic England

DNS

MJP08 Q16 0170 Some designated assets could be affected by the proposed extension of the existing quarry onto this site, these include Grade II Listed Buildings Settrington Grange Farmhouse and associated farm buildings and Settrington Conservation Area.
044: Site Allocations

Response to comment:

Further assessment of the potential impact of the site on heritage assets will take place prior to the next publication of Appendix 1. The designated asset issue will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

842 Settrington Parish Council

S

MJP08 Q16 1709 Should add 'blasting' to penultimate bullet point.
044: Site Allocations

Response to comment:

Blasting can be added.

1134 Fenstone Minerals Ltd

DNS

MJP08 Q16 0489 Support the assessment of the site but would like to comment on the key sensitivities and mitigation measures through the site selection process.
044: Site Allocations

There are no known ecological sensitivities and the restoration scheme offers long term ecological enhancement over current conditions.

Impacts on BMV are unknown, however the operator has established practices already in operation on site and these can be carried through to the operation of site MJP08.

Only minimal landscape mitigation is required and no impacts will be generated on any nearby designated cultural heritage assets or their setting.

The site access is long established with no accident history so there are no requirements for any enhancements/improvements.

Response to comment:

Comments are noted. Issues raised will be considered (including the issue of the 'unknowns') through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

74 Selby District Council

DNS

MJP09 Q14 1310
044: Site Allocations

In the Selby Core Strategy (2013) Policy SP7 Olympia Park Strategic Development Site allocates a site that neighbours MJP09 on all sides, except the south of the Site on Barlby Road. Planning Permission has been granted for that allocation for mixed use development comprising 863 dwellings.

Response to comment:

The presence of the rail facility on the MJP09 site was acknowledged in the determination of the Olympia Park planning application and as a potential development will continue to be taken into account in the site assessment process.

2812 Trans Pennine Trail Office

DNS

MJP09 Q14 1256
044: Site Allocations

Potential for the site to have significant visual impact from the bypass, the TPT (south of the boundary) and others locations. However, scope for enhancement is high and consultation with TPT and Sustrans would look at opportunities to enhance and protect the network.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1187 CEMEX

S

MJP09 Q14 0799
044: Site Allocations

Support the Preferred Site.

Response to comment:

Noted.

121 Environment Agency

DNS

MJP09 Q14 1344
044: Site Allocations

In previous comments made reference to Ouse and Humber IDB, it should be the Ouse and Derwent IDB.

Response to comment:

Noted.

3710

DNS

MJP10
044: Site Allocations

Q14

0249

Potgate quarry as currently operating has created considerable noise and dust. To avoid any additional noise and dust a condition to prevent any moveable heavy plant (crushing and sorting) should be imposed.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant.

2210

S

MJP10
044: Site Allocations

Q14

1658

Support the discounting of this Site.

The stated size of the Site (14.8ha) is incorrect and misleading, the true size is 35.95 ha.

The proposed Site would have catastrophic impact upon the landscape. Use of explosives would cause irreparable structural damage to listed buildings in close proximity to the Site. Noise and dust pollution would affect local residents in listed buildings as regulations stipulate single glazed windows cannot be changed. Although the proposal states that extracted minerals will be 'processed at the existing quarry plant site' the quarry currently processes the majority of extracted stone at the quarry face with a mobile crushing and grading plant.

Response to comment:

It is agreed the stated size is incorrect and this will be corrected. Issues raised will be considered through the Site Assessment process where relevant.

120 Historic England

S

MJP10
044: Site Allocations

Q14

0151

Support the proposal not to identify this site as a preferred area.

Mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including Grade II* listed Stainley Hall, Grade II Listed Friars Hurst, a group of 4 Grade II Listed Buildings at Sleningford Hall and a group of Grade II Listed Buildings at Sleningford Park.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

MJP10 Q14 0888 Object to the discounting of Potgate Quarry.

044: Site Allocations

Implemented new production strategy whereby the majority of unwashed crushed products are now supplied from Gebdykes Quarry. Vehicle movements from Potgate have reduced significantly.

Have rerouted existing footpaths and bridleways and created new ones for use by local residents.

Now generate green electricity at Potgate and grow own biomass crops.

Landscape issues will be one of the hardest to resolve, but are willing to look at different options to find the right result.

The submission should not be treated in the same way as a planning application and should deal with guiding principles and commitments which may include a proposed method of working and certain restoration features.

Have provided a proposed engagement plan to provide relevant evidence and receive responses from the Plans Team.

If the site is not preferred then the quarry will close within the next 5 years along with the associated concrete business and potentially the site quarry at Gebdykes. The success of the operation is based on the two quarries working together and being able to supply the concrete batching facility on site.

The Plan has a duty to support sustainable development and this includes Potgate Quarry.

The SA process was commented on, comments passed to SA team.

More detailed information will be provided in a detailed report to follow.

Response to comment:

Issues raised and the additional information now received will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP10 Q14 0247
044: Site Allocations

Concerned about the impact upon the great crested newts in the area. The site is within a Nitrate Vulnerable Zone. Nearby residential properties use bore holes as their main source of supply and there is concern about the impact on these (contamination/reduction or loss of supply).

Concerned about traffic impacts on local roads, rights of way and through villages as well as noise, dust and agricultural/animal and personal welfare and safety. Concerned about the proximity to the AONB. Agricultural land is farmed adjacent to the site and there is a risk of contamination to soil and crops as well as potential risk to livestock.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP10 Q14 0612
044: Site Allocations

Object to the discounting of the site.

The suggested impact upon the SINC is inaccurate as it would not be left bordered by high cliffs and ultimately could be ameliorated by suitable conditions. Therefore, to assess the proposal as having a minor negative effect is inappropriate.

HGV movements are unlikely to be as high as suggested, access onto the A6109 has been improved and the level of traffic is likely to be the same or slightly lower than at present. There have been no recorded impacts from dust at Potgate Quarry, therefore it is not warranted to assess the impact negatively for this proposed extension.

With regard to the objectives of reducing causes of climate change and minimising the use of resources, if the material is not extracted at this site it will be extracted elsewhere, therefore it is not appropriate to give the site a negative assessment.

With regard to impact upon the historic environment, the undesignated archaeology is unlikely to be of any great significance and any negative impacts could be mitigated. Any negative effect upon landscapes and townscapes is likely to be minor rather than major as the existing Potgate Quarry is closer to the AONB and North Stainley than the proposed site.

The proposed site will extend the jobs in the existing quarry and without this development there would be significant loss of employment in North Stainley. Any concern about dust, noise or traffic impacts above current levels is not accurate as the existing Potgate Quarry has not harmed the perception of visitors. Negative assessment of impacts upon bridleways is not justified as existing bridleways are regularly used without any complaints.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant.

MJP10 Q14 1667 Support the discounting of the Site.

044: Site Allocations

The proposed Site area is too extensive, too close to residential properties and would be visually intrusive from the adjacent road.

Response to comment: *Noted.*

3729

O

MJP10 Q14 0614 The quality of assessing the site is extremely poor, being based on cumulative inaccuracies, speculation inconsistent with evidence from the existing quarry, generalisations with no relevance to the site and a disregard for possible planning conditions that could ameliorate some of the concerns. When comparing the assessment of the nearby site MJP14, which includes many similar issues, every problem is minimised and said to be capable of being mitigated whereas in the case of MJP10 every problem is magnified.

044: Site Allocations

Response to comment: *Issues raised will be considered through the Site Assessment process where relevant.*

2210

S

MJP10 Q15 1659 The key issues have identified.

044: Site Allocations

The likely severe impacts on landscape, local amenity, loss of best and most versatile agricultural land, local roads and rights of way are of particular importance. However, ecological and historic environment should also have been included within the reasons for discounting.

Response to comment: *Issues raised will be considered through the Site Assessment process where relevant.*

114 Ministry of Defence / Defence Infrastructure Organisation

DNS

MJP11 Q14 0796 The site falls within the statutory safeguarding consultation zone of RAF Leeming. Any development exceeding 91.4m above ground level would need to consult the DIO. In addition this site falls within the statutory safeguarding zone for RAF Leeming, development exceeding 15.2m above ground level will need to be referred to the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restorations which include wetland creation or open water bodies will need to be referred to the DIO.

044: Site Allocations

Response to comment:

The DIO will continue to be consulted as the Plan progresses and would be consulted if a planning application were submitted as the site is within the statutory birdstrike safeguarding zone or if any structures exceeding 91.4m high or 15.2m high were to be proposed.

2239 Yorkshire Water Services

DNS

MJP11 Q14 0540 There is a 90mm water main within Green Lane. If the highway is to be affected by the development of this site it is essential that the pipe is properly protected during all phases of development.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1135 Lightwater Quarries Ltd

DNS

MJP11 Q14 1252 The success of the operation is based on both Potgate (MJP10) and MJP11 (Gebdykes) quarries working together and being able to supply the concrete batching facility on site.

044: Site Allocations

Response to comment:

Noted

3746

O

MJP11 Q14 1007 Access to the site is a problem using a conveyor under the road as two main gas pipes run parallel to the road and there is a mains water pipe.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant.

3746

DNS

MJP11 Q14 1010 Potgate Quarry has been discounted in the Plan, it has more than double the mineral reserve of Gebdykes Quarry and is a smaller site. Potgate has less visual impact than Gebdykes.
044: Site Allocations

The key sensitivities for Potgate are listed as the AONB and tourism, Potgate is not in an AONB and Gebdykes about the same distance from AONB but this is not mentioned on the proforma.

The B6268 is the main road for tourism towards Masham and the Yorkshire Dales but there is no mention of tourism in the proposal.

The same company run Potgate and Gebdykes Quarries. Gebdykes was mothballed 3 years ago and only Potgate was worked, so why discount the site at Potgate and create a new quarry at Gebdykes.

Concerned about the type of crossing which is going to be used to cross the lane when there are gas and water mains present.

Response to comment: *Issues raised will be considered through the Site Assessment process where relevant.*

2197 CPRE (Harrogate)

DNS

MJP11 Q14 0824 Concern over cumulative impact on the SSSI, loss of habitats and other ecological impacts. There is also particular concern over the extent of BMV agricultural land being lost. The mitigation measures are insufficient.
044: Site Allocations

Response to comment: *Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

3746

O

MJP11 Q15 1008 Hedgerows will be lost and tree buffer strips planted will not be maintained as is the case now. The road is busy when crossing and noise and dust will increase. Weeds are not kept under control and spread onto neighbouring land. The site will need to be regularly monitored.
044: Site Allocations

Response to comment: *Issues raised will be considered through the Site Assessment process where relevant.*

119 Natural England

S

MJP11
044: Site Allocations

Q15 1035 Note the proximity of the site to Mar Field Fen SSSI and welcome the general identification of ecological issues and impacts on SSSIs, etc., but would like to see a specific reference to potential hydrological impacts on Mar Field Fen SSSI in the site brief.

Response to comment:

Reference to potential hydrological impacts on the SSSI can be made within the identification of development management matters to be considered in any future application where appropriate..

120 Historic England

DNS

MJP11
044: Site Allocations

Q16 0167 Some designated assets could be affected by the proposed extension of the existing quarry onto this site, these include a Grade II Listed dovecote; the northern edge of Masham Conservation Area; Grade II Listed Low Mains Farmhouse and Grade II Listed Low Burton Hall.

Response to comment:

Further assessment of the potential impact of the site on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3746

O

MJP11
044: Site Allocations

Q16 1009 If the site goes ahead farm land with a public right of way will be lost. There will be a visual impact and increased blasting.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant, however it should be noted that there is no designated public right of way within the MJP11 site area.

MJP12 Q14 0056
044: Site Allocations

This site submission does not conform with saved Policy 4/13. Traffic passes through the centres of Malton and Norton and class C roads in areas of high amenity.

The current planning permission NY/2007/0247/FUL limits extraction to 150,000 tonnes per year, this proposal increases this to 250,000 tonnes per year.

Response to comment:

Policy 4/13 will be superseded by the Joint Plan policies so is not relevant to the site submission. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP12 Q14 1823 Object to the Site.*044: Site Allocations*

The reasons for this include: the stone is Jurassic and Corallian, not Magnesian Limestone and therefore aggregate from the Site is of limited strategic importance since it is widely available. The site is in close proximity to Norton-on-Derwent. It should be a priority to protect the sensitive environment and habitat for this town, its residents and core economy.

Topography - The Site lies between 70-80m above Norton. See Appendix A - Topography of Malton and Norton for further details.

Flooding - A Hydrogeology Report by Ashton Bennett states 'There are BGS Groundwater flooding susceptibility areas within 50m of the Site'. 'The EA...maps indicate the superficial strata to the north of the site comprise a Secondary (A) Aquifer... capable of supporting water supplies at local rather than a strategic scale ...'. 'The bedrock beneath the site is classified by the EA as a principal aquifer.' '[The Site] is classified by the EA as highly vulnerable to pollution... [but] it is imperative that it is protected from pollution'. The continuing removal of permeable limestone has caused significant increase in water flow to vulnerable flood points. Areas such as Bazleys Lane, Spring Cottage, Auburn Hill and Langton Road have seen severe flooding problems, photos provided demonstrate this. The continued removal of mineral will contribute to flooding in Norton and this cannot be mitigated. See the Report for further details.

Dust - An ongoing problem from the Site to the detriment of health of humans and racehorses which walk along Langton Road, parallel to the Site. Wheelwash facilities at the Site are not used, so mitigation measures have not worked, contributing to dust and dirt on the road and hedges.

Racehorse Training in Norton - The Town is a major centre of racehorse training, employing 400 direct and indirect people and contributing £20m annually to the local economy. See Appendix D - Map of Norton Racehorse Training Yards for further details.

Traffic Impact - A Norton Action Group Traffic Survey undertaken in 2014 has found 117 HGV vehicles went north on Welham Road in one day, not accounting for those travelling south from the Quarry. HGVs from the Site disturb local amenity throughout the day (before 7am) and in high volume generating large amounts of complaints contributing to the ongoing deterioration of this neighbourhood. Racehorse training yards along Welham Road have had to close down due to HGV traffic from the Site. The local roads and the route used by the HGVs from the Site is unsuitable as it is narrow and affects other road users and pedestrians. The potential plan to ban HGVs from Malton, forcing them to travel through Norton, will likely lead to only shifting the air quality issues. See the Report for further details.

Air Quality - Butchers Corner in Norton, which is on the route used by HGVs from the Site, has a chronic air quality management problem and is a AQM Zone. Attached information shows that the Site is responsible for 25-30% of HGV traffic along Commercial Street which is a large impact for one business that contributes little to the local economy. See Appendix F - 2014 Highways Authority Traffic Data (Commercial Street, Norton) and Appendix G - Calculation of Design Traffic for further details.

Noise and Blasting - The current noise permissions are continually breached which leads to local amenity suffering from noise

pollution. The irreversible fracturing damage done to the strata is impossible to mitigate.

Response to comment:

The error in the Sustainability Appraisal which refers wrongly to Magnesian Limestone will be corrected. Other issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3832

DNS

MJP12 Q14 1790
044: Site Allocations

The vehicle movements listed are not a true reflection of actual movements. The current working practices are impacting on ecological issues, the agricultural land is of poor quality and there are problems with surface water drainage. The existing quarry access is poor and made worse by the size of the HGVs exiting to site and blocking the road causing safety concerns. There is unlimited traffic which impacts heavily on Norton and Malton. Current consents are not being adhered to in terms of noise, dust, blasting, vibration, speeding traffic both from the operator and 3rd parties. The maps show that there are substantial reserves of crushed rock at this site.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP12 Q14 0497 This site does not conform with Saved Policy 4/13.
044: Site Allocations

Traffic from this site passes through the centres of Malton and Norton and through areas of high amenity.

The proposal to extend the site will increase output from 150,000 to 200,000 tonnes per year, but there are no restrictions on the quantities of limestone extracted or the traffic movements in the local area.

It is proposed that the traffic movements to and from the site will increase which will impact on the local roads and towns which is against SP6 - 'processes must not result in significant highway impact or impair the neighbouring occupants or impinge unacceptably on surrounding landscape'. Operations are restricted to stopping on 80 contour line on Whitewall Corner Hill to avoid being seen from the high amenity area of the Wolds.

Current planning permission for this site ends on 30 November 2023.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

116 Ryedale District Council

S

MJP12 Q14 1127 Support the allocation of identified preferred mineral site in principle subject to Development Management issues being satisfactorily addressed at the subsequent planning application stage to meet mitigation measures identified as a result of potential negative impacts set out in the site assessment.
044: Site Allocations

The above is subject to landscape and setting considerations being taken on board with respect to the southern extent of the quarry. It is suggested that the potential extension to the area quarried does not extend below the ridgeline of Sutton Wold. This will help to minimise visual and noise impacts to Welham Wold Farm and other dwellings and uses to the south. The extent of the extension to the quarry down-slope of Sutton Wold to the south of the current quarry operation, could also potentially open up views into the quarry from the south.

Welcome that previous comments have been taken board and identified as matters to be addressed through appropriate mitigation.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP12 Q14 1148
044: Site Allocations

Work has been progressing with the Local Geological Panel on the identification of potential Local Geological Sites for designation. The Plan sets out that minerals and waste sites will be permitted where there are no demonstrated unacceptable impacts on biodiversity and geodiversity, etc. It is considered that the latest information regarding Local Geological Sites shows a conflict with some sites identified in the Joint Plan as follows:

Local Geological Interest - Malton Oolite - Geological status - Candidate 1

Response to comment:

The issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

672 Norton-on-Derwent Town Council

S

MJP12 Q14 1739
044: Site Allocations

Support the continuation of extraction of Jurassic Limestone.

Response to comment:

Noted.

2239 Yorkshire Water Services

DNS

MJP12 Q14 0541
044: Site Allocations

There is a 315mm treated water main laid down within the site. The water main is protected via a deed of easement. It may be possible for the pipe to be diverted or if appropriate, it could remain in place and be controlled by the Water Industry Act. YW are of the opinion to maintain the position of the infrastructure. The phasing and restoration scheme should account for the presence of the pipe as damage to the pipe may result in lack of water supply to parts of North Yorkshire.

There is also an abandoned water main within the site which may need to be capped off and/or removed. See response for map of infrastructure in proximity to the Site.

Response to comment:

Water Main will be added to the matters to be considered through the Site Assessment process and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1157 W Clifford Watts & Co Ltd

S

MJP12 Q14 0814 Support this allocation for extraction of limestone.

044: Site Allocations

Response to comment: *Noted.*

119 Natural England

S

MJP12 Q15 1037 Note that the Habitats Regulations Assessment identifies concerns regarding the proximity of the site to the River Derwent SAC.

044: Site Allocations

While we welcome the general identification of ecological issues and impacts on SSSIs etc. but would like to see a specific reference to potential hydrological impacts on River Derwent SAC in the site brief.

Response to comment: *Reference to potential hydrological impacts on the River Derwent SAC can be made within the identification of development management matters to be considered in any future application where appropriate.*

120 Historic England

DNS

MJP12 Q16 0171 Some designated assets could be affected by the proposed extension of the existing quarry onto this site, these include Scheduled Monuments The Three Dykes and a round barrow at West Wold Farm, Grade II Listed Buildings Whitewall House and Whitewall Cottages and Langton Conservation Area.

044: Site Allocations

Response to comment: *Further assessment of the potential impact of the site on heritage assets will take place prior to the next publication of Appendix 1.*

1157 W Clifford Watts & Co Ltd

S

MJP12 Q16 0815 A mitigation requirement identified in Appendix 1 includes 'Design to include improvements to existing quarry access'. Access to the quarry is already used by HGVs in connection with existing operations. No improvements are required.
044: Site Allocations

Response to comment:

The Highway Authority in assessing the proposal advised that 'minor works may be required to improve the existing access arrangements'.

116 Ryedale District Council

S

MJP13 Q14 1133 This site is acceptable as an allocated recycling site of construction, demolition and excavation waste in principle subject to Development Management issues being satisfactorily addressed at the planning application stage to meet mitigation measures identified as a result of potential negative impacts set out in the site assessment. Acknowledgement that previous comments have been taken on board and identified as matters to be dealt with through appropriate mitigation.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1157 W Clifford Watts & Co Ltd

S

MJP13 Q14 0816 Support allocation of this site.
044: Site Allocations

Response to comment:

Noted

121 Environment Agency

DNS

MJP13 Q14 1339 the site has an Environmental Permit for the treatment of inert wastes. An extension of the permitted area within the quarry may require a variation to the permit or a new permit. For any new permit or variation to be permitted would need to be satisfied that there would be no unacceptable impacts on the local community.
044: Site Allocations

Response to comment:

Noted.

2854 Norton Action Group

O

MJP13 Q14 0057
044: Site Allocations

The submission does not conform with saved Policies 4/13 or 4/16. Further ancillary development of the quarry was refused permission under NY/2012/0340/FUL.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2824

O

MJP13 Q14 0498
044: Site Allocations

This site does not conform with Saved Policies 4/13 or 4/16.

Traffic from this site passes through the centres of Malton and Norton and through areas of high amenity.

It is proposed that the traffic movements to and from the site will increase which will impact on the local roads and towns which is against SP6 - 'processes must not result in significant highway impact or impair the neighbouring occupants or impinge unacceptably on surrounding landscape'. Operations are restricted to stopping on 80 contour line on Whitewall Corner Hill to avoid being seen from the high amenity area of the Wolds.

Current planning permission for this site ends on 30 November 2023 and this includes the ancillary activity on site. Further ancillary development on the site was refused permission.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. This proposal would not affect the ridgeline as it would be located in the base of the quarry which is well below the 80m contour.

MJP13 Q14 1791
044: Site Allocations

The vehicle movements listed are not realistic. The site currently impacts on ecological issues, there are problems with surface water drainage. The existing quarry access is poor and made worse by the size of the HGVs which impact on the local amenity and economy in particular the horse racing industry. There are constant breaches due to noise and dust and it is difficult to identify which operation is causing pollution. Importing waste material and what materials are permitted to be imported onto this site are very unclear. Need to make sure relevant enforcement is undertaken as site is on a principle aquifer. Recycling area seems to be getting bigger, enforcement action is needed.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

672 Norton-on-Derwent Town Council

DNS

MJP13 Q14 1740
044: Site Allocations

Would like to see a restriction on the growth of the recycling of materials due to concerns about noise, traffic volumes and monitoring of conditions already in place through an application.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP13 Q14 1824 Object to the Site.*044: Site Allocations*

The reasons for this include: the stone is Jurassic and Corallian, not Magnesian Limestone and therefore aggregate from the Site is of limited strategic importance since it is widely available. The site is in close proximity to Norton-on-Derwent. It should be a priority to protect the sensitive environment and habitat for this town, its residents and core economy.

Topography - The Site lies between 70-80m above Norton. See Appendix A - Topography of Malton and Norton for further details.

Flooding - A Hydrogeology Report by Ashton Bennett states 'There are BGS Groundwater flooding susceptibility areas within 50m of the Site'. 'The EA...maps indicate the superficial strata to the north of the site comprise a Secondary (A) Aquifer... capable of supporting water supplies at local rather than a strategic scale ...'. 'The bedrock beneath the site is classified by the EA as a principal aquifer.' '[The Site] is classified by the EA as highly vulnerable to pollution... [but] it is imperative that it is protected from pollution'. The continuing removal of permeable limestone has caused significant increase in water flow to vulnerable flood points. Areas such as Bazleys Lane, Spring Cottage, Auburn Hill and Langton Road have seen severe flooding problems, photos provided demonstrate this. The continued removal of mineral will contribute to flooding in Norton and this cannot be mitigated. See the Report for further details.

Dust - An ongoing problem from the Site to the detriment of health of humans and racehorses which walk along Langton Road, parallel to the Site. Wheelwash facilities at the Site are not used, so mitigation measures have not worked, contributing to dust and dirt on the road and hedges.

Racehorse Training in Norton - The Town is a major centre of racehorse training, employing 400 direct and indirect people and contributing £20m annually to the local economy. See Appendix D - Map of Norton Racehorse Training Yards for further details.

Traffic Impact - A Norton Action Group Traffic Survey undertaken in 2014 has found 117 HGV vehicles went north on Welham Road in one day, not accounting for those travelling south from the Quarry. HGVs from the Site disturb local amenity throughout the day (before 7am) and in high volume generating large amounts of complaints contributing to the ongoing deterioration of this neighbourhood. Racehorse training yards along Welham Road have had to close down due to HGV traffic from the Site. The local roads and the route used by the HGVs from the Site is unsuitable as it is narrow and affects other road users and pedestrians. The potential plan to ban HGVs from Malton, forcing them to travel through Norton, will likely lead to only shifting the air quality issues. See the Report for further details.

Air Quality - Butchers Corner in Norton, which is on the route used by HGVs from the Site, has a chronic air quality management problem and is a AQM Zone. Attached information shows that the Site is responsible for 25-30% of HGV traffic along Commercial Street which is a large impact for one business that contributes little to the local economy. See Appendix F - 2014 Highways Authority Traffic Data (Commercial Street, Norton) and Appendix G - Calculation of Design Traffic for further details.

Noise and Blasting - The current noise permissions are continually breached which leads to local amenity suffering from noise

pollution. The irreversible fracturing damage done to the strata is impossible to mitigate.

Response to comment:

The error in the Sustainability Appraisal which refers wrongly to Magnesian Limestone will be corrected. Other issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

119 Natural England

S

MJP13 Q15 1038
044: Site Allocations

Note that the Habitats Regulations Assessment identifies concerns regarding the proximity of the site to the River Derwent SAC. While we welcome the general identification of ecological issues and impacts on SSSIs etc. but would like to see a specific reference to potential hydrological impacts on River Derwent SAC in the site brief.

Response to comment:

Reference to potential hydrological impacts on the River Derwent SAC can be made within the identification of development management matters to be considered in any future application where appropriate.

1157 W Clifford Watts & Co Ltd

DNS

MJP13 Q16 0817
044: Site Allocations

A mitigation requirement identified in Appendix 1 includes 'Design to include improvements to existing quarry access'. Access to the quarry is already used by HGVs in connection with existing operations. No improvements are required.

Response to comment:

The Highway Authority in assessing the proposal advised that 'minor works may be required to improve the existing access arrangements'.

120 Historic England

DNS

MJP13 Q16 0172
044: Site Allocations

Some designated assets could be affected by the proposed extension of the existing quarry onto this site, these include Scheduled Monuments The Three Dykes and a round barrow at West Wold Farm, Grade II Listed Buildings Whitewall House and Whitewall Cottages and Langton Conservation Area.

Response to comment:

Further assessment of the potential impact of the site on heritage assets will take place prior to the next publication of Appendix 1.

670 North Stainley-with-Sleningford Parish Council

S

MJP14 Q14 1664
044: Site Allocations

Support the Preferred Site.

No objections to the Site in line with the proposed preferred areas. However, prefer restoration to agricultural land as currently sufficient open water exists in the area.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

119 Natural England

O

MJP14 Q14 1029
044: Site Allocations

Have an outstanding objection with regards to planning application NY/2011/0429/ENV and do not consider that sufficient information has been provided at this stage to determine that the minerals extraction at this site will not destroy or damage the interest features for which the Ripon Parks Site of Special Scientific Interest (SSSI) and River Ure Bank Ripon Parks SSSI are designated.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP14 Q14 0136
044: Site Allocations

Southern site - Pennycroft and Thorneyfields

A planning application is under consideration for this site area, if the proposed landscaping is carried out it is considered that there would be no long term impact on heritage assets in its vicinity. If the current application is not approved the Plan needs to make it clear that any development management proposals for this area would need to demonstrate that those elements which contribute to the significance of the Registered Park and Garden would not be harmed. In order to reduce the harm on the designated landscape mitigation measure would need to include appropriate tree planting along the edge of the quarry site and within the Registered Park.

Northern Site - Manor Farm West

This area lies to the south of Thornborough Henges complex which is part of the Swale/Ure catchment area. Many of the features in this area are scheduled as nationally important.

Studies have demonstrated that existing deposits are demonstrably of national importance and as a result this area should be excluded as a Preferred Area.

Response to comment:

Issues raised in connection with the southern area (Pennycroft and Thorneyfields) will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The Manor Farm West area of the MJP14 site has been withdrawn by the submitter in April 2016.

2192 Local Access Forum

DNS

MJP14 Q14 0962
044: Site Allocations

There is no possible re-routing of the lorry access, unless by parallel track, but the peace and pleasure of this section of the promoted Rowel Way would be diminished. More detailed discussion regarding access would be required before permission was granted.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP14 Q14 0552 Support this site being included within the plan.

044: Site Allocations

Response to comment: *Noted.*

2764

O

MJP14 Q14 1627 The joint inclusion of this site with Pennycroft and Thorneyfields is misleading. The site is located near East Tanfield not Ripon. The area has previously been discounted due to archaeological impact, and falls within very close proximity to Thornborough Henges and East Tanfield. Sites are stopped because of newts and bats so why is this site being allowed? The extracted gravel would be transported across the river, consider the impact of this on wildlife.

044: Site Allocations

Response to comment: *Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. Descriptions of location will be improved where feasible. The Manor Farm West area of the MJP14 site has been withdrawn by the submitter in April 2016.*

53 Hambleton District Council

DNS

MJP14 Q14 1413 This site is split in two. The proposals will involve the extension of the existing sand and gravel extraction at Ripon Quarry. Concerned about the impact of further extensions to the quarry will have on residential amenity of nearby residents, particularly in relation to de-watering and on nearby historic assets. There are also concerns regarding the long term restoration of the sites and the impact further bodies of water in the area would have on the appearance of the wider landscape.

044: Site Allocations

Response to comment: *Improvements will be made to the clarity of the information provided regarding the site. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

MJP14 Q14 0787 The site falls within the statutory safeguarding consultation zone of RAF Leeming and RAF Topcliffe. Any development exceeding 91.4m above ground level would need to consult the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restorations which include wetland creation or open water bodies will need to be referred to the DIO.

044: Site Allocations

Response to comment:

The DIO will continue to be consulted as the Plan progresses and has been consulted on the planning application for the Pennycrofts & Thorneyfield area (NY/2011/0429/ENV). The Manor Farm West area of the MJP14 site has been withdrawn by the submitter in April 2016.

MJP14 Q14 0186 Consideration should be given to the proximity of the site to Thornborough Henges. The County Council's Heritage Officers should be consulted.

044: Site Allocations

The Parish Council is seeking to minimise the amount of restoration to open water in the area. This proposal would have a cumulative impact on the amount of open water in the area and so would have a detrimental impact on the landscape.

There would be a loss of 'best and most versatile' agricultural land.

Response to comment:

Proximity to the Henges Scheduled Monuments is a consideration. The Council's Heritage Officers are part of the site assessment process. The implications of restoration including the amount of open water, potential loss of 'best and most versatile' agricultural land and cumulative impact are considerations within the site assessment process and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP14 Q14 0507
044: Site Allocations

This allocation is split over two separate areas. Manor Farm West and Pennycroft, these are 1.3km apart, on opposite sides of the River Ure, in different districts with different impacts.

Manor Farm has in the past been discounted for archaeological reasons. The impacts from the two areas are so different that they should not be assessed as one site allocation. Respondents are not aware that Manor Farm West has previously been discounted and looking more at Pennycroft which is a larger area.

The address of the Manor Farm area is incorrect in the documents.

The scale of the map showing the site submission is poor, some features have been excluded such as Thornborough Henges, please use the map for MJP38 as an example of a clearer map.

There are archaeological constraints associated with the Manor Farm area including being the only part of the Henge to Ure connection left, it is close to the designated Southern Henge, close to East Tanfield medieval village and other listings at Manor Farm and Rushwood Hall.

Has there been some material change in the archaeological value of the site for it to be Preferred now when it was discounted in the past.

There is no figure provided for light vehicle access for Manor Farm West, and the access is through the Rive Ure. Manor Farm West should be considered in terms of tranquillity like MJP38.

The planning permission for Ripon Quarry expired on 31 December 2015 yet extraction is still taking place.

Response to comment:

Issues raised in connection with the southern area (Pennycroft and Thorneyfields) will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. Descriptions and mapping of location will be improved where feasible. The Manor Farm West area of the MJP14 site has been withdrawn by the submitter in April 2016.

Planning application NY/2015/0306/ENV for an extension to the duration of Ripon Quarry is currently awaiting determination.

MJP15 Q14 1064 The site assessment is misleading and inadequate. It fails to recognise that Natural England has no objection to the development of the site, including the impact on international and national designations, effects on breeding birds and habitats.

044: Site Allocations

The site is not in a NVZ or SPZ.

The current application is considered acceptable from a highways, noise, dust and historic and ALC perspective. The assessment recognises the national importance of silica sand and the absence of suitable secondary or recycled products.

From a historic environment perspective, the assessment is misrepresentative in that the County Archaeologist indicated that a mitigation strategy has been submitted and they would be happy to advice on a suitably worded condition requiring a detailed WSI to be submitted prior to site works commencing.

The site assessment fails to deal with the exceptional circumstances test and the national importance of silica sand.

The NYCC Minerals Development Framework (2007) identified the site as a preferred site.

Non-energy mineral extraction and Natura 2000 was published in 2011. This document is clear that Natura 2000 sites are not intended to be 'no development zones' and new development is not automatically excluded. Instead the Directives require that new plans or projects are undertaken in such a way that they do not adversely affect the integrity of the Natura 2000 site.

The fact Natural England has no objection to the site is a clear indication that the site is compatible with the Natura 2000 objectives.

Response to comment:

Natural England made no comment at Preferred Options on the suitability of the site, but at Issues and Options advised that as less ecologically sensitive sources of silica sand exist outside the AONB the inclusion of this site is not supported.

National Policy has changed since 2007 and the NYCC framework was not adopted so is not relevant. However, issues raised will be considered through the Site Assessment process where relevant. The SA process already acknowledges that the site is not in a NVZ or SPZ.

2192 Local Access Forum

DNS

MJP15 Q14 0963 What are the plans to restore this mothballed site.

044: Site Allocations

Response to comment:

The proposed restoration is referred to in the site table. Reference is also made to the current planning application NY/2011/0465/73 which is awaiting determination.

1112 RSPB North

S

MJP15 Q14 0773 Support the decision to discount this site from the Plan due to outstanding issues and sensitivities.

044: Site Allocations

Response to comment:

128 Yorkshire Wildlife Trust

S

MJP15 Q14 1180 Support the discounting of this site.

044: Site Allocations

Response to comment:

1102 Hanson UK

O

MJP15 Q14 0551 Object to this site being discounted.

044: Site Allocations

Response to comment:

120 Historic England

S

MJP15 Q14 0152 Support the proposal not to identify this site as a preferred area.

044: Site Allocations

Mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including a group of Grade II Listed Buildings at Redshaw Hall.

Response to comment:

2930 Hornby Castle Project and Clutterbuck and Co

O

MJP17 Q14 0245 Although the redrawn boundaries of this site allocation is an improvement the site still has the potential to compromise the open character setting of Hornby castle.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3730 Mulberry Homes (Yorkshire) Ltd

O

MJP17 Q14 0671 Do not support the proposed allocation of the site.
044: Site Allocations

The proposed allocation of MJP17 is premature when considered in the context of Policy M02 and Para. 5.15 which states that a mid-term review will be needed to consider the level of further provision needed in order to maintain a 7 year landbank at 2030, based upon updated evidence in the annually updated Local Aggregate Assessment.

There is no requirement in the NPPF for authorities to plan beyond the plan period. The NPPF requires authorities to ensure that landbanks do not stifle competition.

The proposed site allocations contained in Part 1(i) together with existing sites provide a steady and adequate supply in accordance with NPPF. Additional sites required for supply post 2025 should be considered at the mid term review proposed.

Response to comment:

Whilst it is possible that sites such as MJP17 could potentially fulfil a role of longer term supply (post 2030) it is considered prudent to allocate them now in order to ensure that sufficient reserves have been identified through to the end of the plan period as required by government. It is not considered that this identification will stifle competition.

114 Ministry of Defence / Defence Infrastructure Organisation

DNS

MJP17 Q14 0790 The site falls within the statutory safeguarding consultation zone of RAF Leeming. Any development exceeding 91.4m above ground level would need to consult the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restorations which include wetland creation or open water bodies will need to be referred to the DIO.
044: Site Allocations

Response to comment:

The DIO will continue to be consulted as the Plan progresses and would be consulted if a planning application were submitted as the site is within the statutory birdstrike safeguarding zone or if a structure exceeding 91.4m high were to be proposed, (which it is not).

112 Highways England

DNS

MJP17

Q14

2276

This Site is located in close proximity to the A1(M) and so care needs to be taken in terms of extraction in this location.

044: Site Allocations

Response to comment:

Noted. Issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2192 Local Access Forum

DNS

MJP17

Q14

0964

There is a bridleway which runs across the centre of this site which must be retained. The bridleway from Ghyll Lane to Leases Lane (new, in connection with the A1 upgrade) is not shown on the plan. Detailed access plans must be approved before the site is progressed.

044: Site Allocations

Response to comment:

Issues raised regarding bridleways and access will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

317 Tarmac

S

MJP17

Q14

0093

The inclusion of this site is supported. Although it would be preferable see the full site area submitted taken forward, the reasons for discounting part of the site are understood.

044: Site Allocations

Response to comment:

Noted.

MJP17 Q14 0138 Concerned about the impact which mineral development in this location might have upon the significance of a number of designated heritage assets in its vicinity including Hornby Castle, The Bainesse Roman roadside settlement and Anglican Cemetery at Catterick, Scheduled World War II fighter pens and associated defences, Scheduled round barrow west of area, potential Mesolithic site at Killerby, Rudd Hall and Ghyll Hall.

044: Site Allocations

National policy guidance makes it clear that Grade I and II* Listed Buildings are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.

In order to demonstrate that the identification of this site as a Preferred Area is not incompatible with the requirements of the NPPF as part of the evidence base there needs to be an assessment of what contribution this area makes to these elements which contribute to the significance of the Listed Buildings and what effect the proposed development might have on them. An assessment of the contribution the site makes to designated heritage assets in the area.

Response to comment:

Noted. Further assessment of the potential impact of the sites on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3016

S

MJP17 Q14 0600 Support this Part Preferred Part Discounted Site and should be 3rd priority.

044: Site Allocations

Response to comment:

Noted.

2173 CPRE (North Yorkshire Region)

O

MJP17 Q14 0734 The site would detrimentally impact on listed buildings (Dere Street) and its surrounds. Any archaeological artefacts should be dealt with prior to any permissions being granted. If this site went ahead it would lead to there being extraction sites both sides of the A1 which would impact on the landscape.

044: Site Allocations

Response to comment:

Dere Street is not a designated 'listed building', however the archaeological and landscape issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

317 Tarmac

S

MJP17

Q15

0096

The right key sensitivities have been identified.

044: Site Allocations

Response to comment:

Noted.

119 Natural England

S

MJP17

Q15

1033

Note the proximity of the site to Swale Lakes SSSI and welcome the general identification of ecological issues and impacts on SSSIs etc. but would like to see a specific reference to potential impacts on Swale Lakes SSSI in the site brief.

044: Site Allocations

Response to comment:

Reference to potential impacts on the Swale Lakes SSSI can be made within the identification of development management matters to be considered in any future application where appropriate.

317 Tarmac

S

MJP17

Q16

0100

The right key mitigation measures have been identified.

044: Site Allocations

Response to comment:

Noted.

3761

O

MJP21 Q14 1403
044: Site Allocations

Concerned that the site would have a major detrimental impact on quality of life including health and mental wellbeing, increase in traffic, highways safety, noise, dust and pollution, impact upon wildlife and conservation, increased flood risk, loss of local landscape character (industrialisation) and exporting the resource to areas outside NY Plan Area.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3426

S

MJP21 Q14 1532
044: Site Allocations

Support inclusion of this site as a preferred option as it has the least impact on the neighbouring area.

Response to comment:

Noted.

3421

DNS

MJP21 Q14 1521
044: Site Allocations

The site would result in loss of agricultural land, noise and increased HGVs. The dust on prevailing winds will be brought in to the village of Kirkby Fleetham.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

317 Tarmac

S

MJP21 Q14 0092
044: Site Allocations

The inclusion of this site is supported.

Response to comment:

Noted.

MJP21 Q14 0503 Support this proposed site.

044: Site Allocations

This site is far larger than other sites, has a lesser impact upon the villages of Great and Little Fencote and Kirkby Fleetham and is a more than adequate contribution to the Plan without the need to pursue MJP26, MJP33 and MJP60. The development of one large site has some damaging but manageable impacts on the community whereas development of most of the submitted sites in the local area would change the character significantly.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP21 Q14 0610 This site is acceptable in principle, but is currently too close to residential and farm buildings. Proposed access would be less intrusive if the A1M local access road was reached by a new road across the quarry land north of Low Street.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP21 Q14 0137
044: Site Allocations

Concerns about the impact which mineral development in this location might have on the significance of a number of assets in this vicinity including World War II Fighter Pens and associated defences at former RAF Catterick, four Grade II listed buildings around Oran House, Stable block at Killerby Hall, Hook Car Hill Farmhouse, two Grade II Listed Buildings around Kirkby Fleetham Hall, Friars Garth, Castle Hills Medieval Motte and Bailey Castle, Bainesse Roman roadside Settlement and Kiplin Hall.

National policy guidance makes it clear that Grade I and II* Listed Buildings are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.

In order to demonstrate that the identification of this site as a Preferred Area is not incompatible with the requirements of the NPPF as part of the evidence base there needs to be an assessment of what contribution this area makes to these elements which contribute to the significance of the Listed Buildings and what effect the proposed development might have on them.

There is a requirement in the 1990 Act that 'special regard' should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. This only applies to planning applications but would be beneficial to take into consideration during the development of the plan. An assessment of the contribution the site makes to designated heritage assets in the area.

Response to comment:

Noted. Further assessment of the potential impact of the sites on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP21 Q14 0556
044: Site Allocations

Low Street forms a junction with the A1(M) in close proximity to the proposed site which is not of an appropriate standard for intensified HGV use with access only being permitted to and from the southbound carriageway. The same is true of Tickergate Lane access to the northbound carriageway which would not be suitable for intensified HGV use.

The TA states that the site would be accessed from Low Street with all vehicles using an upgraded section of Low Street to access the new Local Access Road which will run adjacent to the upgraded A1 once constructed. It is understood that the new Local Access Road would provide a link to the Mid-Catterick junction with the A1 which is currently under construction.

Based on the TA 87% of HGVs would travel north along the Local Access Road to the A1 Mid Catterick junction. This would equate to circa 36 vehicles per hour. The remaining 13% of HGVs heading to Hambleton (10%) and Harrogate (3%) would be expected to use the new Local Access Road to access the A684 or the A1 at the Leeming Bar junction. This would equate to a maximum of 5 vehicles travelling on the A1 south.

This level of traffic is not a concern to Highways England at these locations during the off peak period. Consideration of the impact at peak periods will be required through the planning process, however, should it be considered that this impact is unacceptable then the use of the site by HGVs during peak hours could be controlled by a condition.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2853

S

MJP21 Q14 0104
044: Site Allocations

Support the decision to prefer this site.

Any restoration involving areas of water at the site should include provision of flood capacity for the River Swale to avoid the flooding downstream at Morton on Swale bridge.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP21 Q14 0496 Support this proposed site.

044: Site Allocations

This site is far larger than other sites, has a lesser impact upon the villages of Great and Little Fencote and Kirkby Fleetham and is a more than adequate contribution to the Plan without the need to pursue MJP26, MJP33 and MJP60. The development of one large site has some damaging but manageable impacts on the community whereas development of most of the submitted sites in the local area would change the character significantly.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2173 CPRE (North Yorkshire Region)

MJP21 Q14 0735 The development of this site would see the River Swale acting as a boundary between the existing site at South Ellerton on the opposite side of the river. Concerned that excavation of this site would cause detrimental harm to the river resulting in flooding and a change in the course of the river.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2239 Yorkshire Water Services

MJP21 Q14 0542 There is a 3" water main within the site boundary. This has not been identified as either a key sensitivity or requiring mitigation. If this site is to be granted planning permission the matter must be addressed and may be controlled via an appropriate condition. It may be possible to divert the pipe or if appropriate it could remain in place and be controlled via the Water Industry Act. YW are of the view that the current position should be maintained and its presence should be taken into account during the phasing and restoration of this site. Any damage to the pipe could result in loss of water supply to areas within North Yorkshire

044: Site Allocations

Response to comment:

Water Main will be added to the matters to be considered through the Site Assessment process and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate, if current application NY/2010/0356/ENV is not determined.

MJP21 Q14 0965 Previously advised that all new access's should be as inclusive as possible. In view of the cut off date for rights of way it is expected that proposed 'permissive walkways' are made into dedicated bridleways, if this occurred the gain could be seen as some recompense for noise, dust etc. during the life of the quarry working.

044: Site Allocations

The traffic arrangements for linking to the Local Access Road have been ignored so should be revisited so non motorised users of Low Lane are not put at risk.

The connecting bridge across the Swale should be left after the operation is complete as a benefit to the community, but this is not mentioned in the details.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3016

S

MJP21 Q14 0598 Support this Proposed Site and should be 1st priority.

044: Site Allocations

Response to comment:

Noted.

114 Ministry of Defence / Defence Infrastructure Organisation

DNS

MJP21 Q14 0789 The site falls within the statutory safeguarding consultation zone of RAF Leeming. Any development exceeding 91.4m above ground level would need to consult the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restorations which include wetland creation or open water bodies will need to be referred to the DIO.

044: Site Allocations

Response to comment:

The DIO will continue to be consulted as the Plan progresses and has been consulted on planning application NY/2010/0356/ENV. No structure is proposed exceeding 91.4m in height.

317 Tarmac

S

MJP21 Q15 0097 The right key sensitivities have been identified.

044: Site Allocations

Response to comment: *Noted.*

119 Natural England

S

MJP21 Q15 1031 Note the proximity of the site to Swale Lakes SSSI and welcome the general identification of ecological issues and impacts on SSSIs etc. but would like to see a specific reference to potential impacts on Swale Lakes SSSI in the site brief.

044: Site Allocations

Response to comment: *Reference to potential impacts on the Swale Lakes SSSI can be made within the identification of development management matters to be considered in any future application where appropriate.*

317 Tarmac

S

MJP21 Q16 0101 The right key mitigation measures have been identified.

044: Site Allocations

Response to comment: *Noted.*

MJP22 Q14 0187
044: Site Allocations

Provided a joint representation with FCC for an amendment to the original plan for MJP22. The additional allocations of land are necessary due to the effects of mining subsidence which has reduced both the consented reserves and the reserves within the current Plan allocation. The proposed Plan allocations do not present any insuperable planning or environmental issues and are a logical extension to the existing workings and current Plan allocation.

The area put forward by the Parish Council is 1.33ha. It has not been subject to a geological investigation but it is assumed that the geology of the sand deposit is uniform across the whole of the site and the depth of working (recognising the position of the water table) would be the same. It has been calculated that the area contains a reserve of circa 95,000 tonnes. This would provide an additional site life of 1 year.

With regard to the working of the two proposed deposits, with the exception of the commencement date which would hopefully be 2016/2017 and the proposed annual output which has increased to between 80,000 and 100,000 tonnes, the situation would remain the same as the existing Plan submission.

With regard to the key sensitivities for the additional Plan allocations these remain as identified by the Site Assessment and the mitigation requirements is also the same.

Response to comment:

Issues raised will be considered through the Site Assessment process and policy development processes where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP22 Q14 0188
044: Site Allocations

Recent mining activity in the area has significantly reduced the consented reserves of sand within the existing quarry due to an effective uplift of the water table. As a consequence looking to enlarge the allocation area in the Plan to compensate for the reduced depth of working. It has been estimated that reserves within the current Plan allocation have been reduced by as much as 50%.

A joint revised allocation has been submitted in conjunction with Hensall Parish Council. A map has been provided. The additional working area put forward by FCC extends to 8.78ha (allowing for a 30m standoff from the railway line) contains a workable reserve of circa 650,000 tonnes. This would provide an additional site life of circa 7 years. The site owner is supportive of the site allocation.

With regard to working of the two deposits, with the exception of the commencement date which hopefully will be 2016/17 and the proposed annual output which has increased to between 80,000 and 100,000 tonnes the situation would remain the same as the existing Plan submission.

The key sensitivities for the additional areas would remain the same as identified in the Site Assessment and mitigation requirements would also remain the same.

The additional Plan allocations are necessary due to the effects of mining subsidence which has reduced both the consented reserves and the reserves within the current Plan allocation. The proposed Plan allocations do not present any insuperable planning or environmental issues and are a logical extension to the existing workings and current Plan allocation.

Response to comment:

Issues raised will be considered through the Site Assessment process and policy development processes where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP22 Q16 0176
044: Site Allocations

There are two Grade II* Listed Buildings, The Red House and the Church of St Paul which could be affected by the proposed development.

Response to comment:

Further assessment of the potential impact of the site on heritage assets will take place prior to the next publication of Appendix 1.

880 Stutton with Hazlewood Parish Council

DNS

MJP23 Q14 1672 The proposed extension should be made at the west end of the Site. This would not interfere with the existing gas main, associated pipe works and properties.
044: Site Allocations

Response to comment:

The proposed extension to the west of the existing quarry site, as published in the Issues and Options and Supplementary Sites Consultation was withdrawn by the submitter due to issues with landownership which therefore would have affected deliverability.

1461 Samuel Smith Old Brewery (Cunnane Town Planning LLP)

DNS

MJP23 Q14 1018 All of the site should be discounted not just part of it.
044: Site Allocations

Response to comment:

Noted.

1352

O

MJP23 Q14 0310 Concerned about the following: a gas valve compound lies 500m west of the western site boundary; proximity of residential dwellings to the site boundary; blasting would affect properties, causing structural damage; noise pollution for the operations; impact upon local wildlife (Crag Wood).
044: Site Allocations

Pleased to see that consideration has been given to the points previously raised i.e. proximity of Towton Battlefield; vulnerability of Crag Wood and integrity of aquifer. However, insufficient thought has been given to the quality of life of local residents.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

121 Environment Agency

DNS

MJP23

Q14

1342

The preferred south area is underlain by a principal aquifer and is located in a groundwater Source Protection Zone 1.

044: Site Allocations

In accordance with 'Groundwater Protection: Principles and Practice' (GP3) the EA object in principle to development proposals in groundwater Source Protection Zone 1 that may physically disturb an aquifer. In many cases quarries extend below the water table and can therefore cause physical disturbance to the aquifer. Consequently object to any new quarry developments that propose to extract material from below the water table.

The east part of the site has been discounted because 'would likely to be significant adverse impacts, particularly in terms of the potential risk of contamination of groundwater source protection zones.' The preferred area is also located in a groundwater source protection zone 1. The justification for taking the south area forward as a Preferred site is therefore unclear.

Response to comment:

Comments are noted, as is the fact that the Environment Agency has raised no objections, subject to conditions, in respect of the planning application for the south area (reference NY/2009/0523/ENV).

2022

DNS

MJP23

Q14

0313

Concerned about mud and dirt on the road, which is particularly hazardous in dark and freezing conditions; ecological issues of the cumulative effects on protected species, including the isolation of Crag Wood.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1352

DNS

MJP23

Q15

0311

Pleased to see that comments made to previous consultations have been taken into account.

044: Site Allocations

Response to comment:

Noted.

120 Historic England

DNS

MJP23 Q16 0175
044: Site Allocations

Some designated assets could be affected by the proposed extension of the existing quarry onto this site, these include the Registered Battlefield at Towton and Listed Buildings around Hazelwood Castle including Grade I Listed Hazelwood Castle and the Roman Catholic Chapel at St Leonard.

Response to comment:

Further assessment of the potential impact of the site on heritage assets will take place prior to the next publication of Appendix 1.

121 Environment Agency

DNS

MJP24 Q14 1345
044: Site Allocations

These sites are located in a groundwater Source Protection Zones 1, 2 and 3 for two groundwater abstractions. One of these abstractions is used for drinking water.

It is important that groundwater is protected from pollution or harmful disturbance of flow. The proposals for development should be accompanied by a hydrological risk assessment and the implementation of mitigation measures to reduce risks to groundwater quality and groundwater resources to an acceptable level.

Response to comment:

Noted. Impacts on groundwater will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1114 Woodland Trust

DNS

MJP24 Q15 0883 Has ancient woodland within the site boundary.

044: Site Allocations

Response to comment:

Respondent subsequently confirmed that the representation reference to an ancient woodland within this site was identified in error, as the woodland is more than 50m away from the site.

121 Environment Agency

DNS

MJP27 Q14 1346 These sites are located in a groundwater Source Protection Zones 1, 2 and 3 for two groundwater abstractions. One of these abstractions is used for drinking water.

044: Site Allocations

It is important that groundwater is protected from pollution or harmful disturbance of flow. The proposals for development should be accompanied by a hydrological risk assessment and the implementation of mitigation measures to reduce risks to groundwater quality and groundwater resources to an acceptable level.

Response to comment:

Noted. Impacts on groundwater will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1114 Woodland Trust

DNS

MJP27 Q15 0884 The site has ancient woodland within the site boundary.

044: Site Allocations

Response to comment:

Respondent subsequently confirmed that the representation reference to an ancient woodland within this site was identified in error, as the woodland is more than 50m away from the site.

95 Doncaster Metropolitan Borough Council

DNS

MJP28 Q14 1353
044: Site Allocations

It is acknowledged that this site adjacent to our Authority boundary is being proposed for extension, but it appears that the material produced in the quarry will neither increase nor decrease supply but be maintained at current levels. As a result there will be no additional pressure on the infrastructure network in the Doncaster area.

Response to comment:

Noted.

128 Yorkshire Wildlife Trust

DNS

MJP29 Q14 1159
044: Site Allocations

This site is very close to the Brockadale Nature Reserve, an SSSI with a variety of valuable woodland and grassland habitats. Would like to be involved with discussions on quarry restoration. Have concerns about the expansion of the industrial estate within the quarry floor.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2781 Cromwell Wood Estate Co Ltd

S

MJP29 Q14 1278
044: Site Allocations

Support the Preferred Site.

Pleased to see that the site at Went Edge Quarry has been allocated as a preferred site.

Response to comment:

Noted.

119 Natural England

S

MJP29 Q15
044: Site Allocations

1034 Note the close proximity of the site to Brockadales SSSI and welcome the general identification of ecological issues and impacts on SSSIs etc. but would like to see a specific reference to potential impacts on Brockadales SSSI in the site brief.

Response to comment:

Reference to potential impacts on the Brockadales SSSI can be made within the identification of development management matters to be considered in any future application where appropriate.

120 Historic England

DNS

MJP29 Q16
044: Site Allocations

0174 Some designated assets could be affected by the proposed extension of the existing quarry onto this site, these include Wentbridge Conservation Area and Wentbridge Viaduct which is a Grade II Listed Building.

Response to comment:

Further assessment of the potential impact of the site on heritage assets will take place prior to the next publication of Appendix 1.

116 Ryedale District Council

S

MJP30 Q14
044: Site Allocations

1126 Support the allocation of identified preferred mineral site in principle subject to Development Management issues being satisfactorily addressed at the subsequent planning application stage to meet mitigation measures identified as a result of potential negative impacts set out in the site assessment.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP30 Q14 1742 Concerned about the increase in traffic on B1415 and the A64. Many HGVs use this route as a cut through causing damage to the roads.
044: Site Allocations

Response to comment:

Traffic would not be additional to the existing quarry traffic but a continuation thereof. However, the issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP30 Q16 0178 There is a high likelihood of important archaeological remains in this area, some of which may be of national importance. The Vale of Pickering area exhibits evidence of continuing human habitation and activity from the early prehistoric periods through the Roman period and up to the present day.
044: Site Allocations

The Plan needs to make it clear that any development proposals for this area would need to undertake an appropriate archaeological evaluation.

Response to comment:

Further assessment of the potential impact of the site on heritage assets will take place prior to the next publication of Appendix 1.

MJP31 Q14 0314 The site would be visually intrusive on the landscape and give rise to adverse effects on SSSI, SINIC, trees and hedgerows. Concerned about the proximity and impact on the registered battlefield site and its archaeological remains. Concerned about ground water supply and the underlying aquifer, as well as flood risk and surface drainage. Additional concerns include: impacts on PROW and their users; increase in HGVs, safety and frequency of vehicle movements.

044: Site Allocations

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

1461 Samuel Smith Old Brewery (Cunnane Town Planning LLP)

S

MJP31 Q14 1019 Supports the discounting of this site.

044: Site Allocations

Response to comment:

Noted.

2781 Cromwell Wood Estate Co Ltd

O

MJP31 Q14 1281 Object to the discounting of the Site.

044: Site Allocations

The Site would add to the overall reserve of Magnesian Limestone in the Plan and would be a natural extension to a quarry that has been restored but is an engineered topography that could be improved.

There is no evidence that the groundwater resources in Tadcaster would be derogated by quarrying, as there has been no evidence of this in the past when quarrying and tipping took place at sites on Old London Road.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

120 Historic England

S

MJP31

Q14

0159

Support the proposal not to identify this site as a preferred area.

044: Site Allocations

Mineral development on this site could harm elements which contribute to the significance of the Registered Battlefield at Towton.

National policy guidance indicates that Registered Battlefields are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.

[Response to comment:](#)

Noted. Issues raised will be considered through the Site Assessment process where relevant.

120 Historic England

S

MJP32

Q14

0153

Support the proposal not to identify this site as a preferred area.

044: Site Allocations

Mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including a Scheduled Cistercian grange and medieval settlement at High Cayton and a group of Listed Buildings at High Cayton.

[Response to comment:](#)

Noted. Issues raised will be considered through the Site Assessment process where relevant.

2781 Cromwell Wood Estate Co Ltd

O

MJP32 Q14 1282 Object to the discounting of the Site.

044: Site Allocations

Disappointed to see that the Site has been discounted due to the access road as only a few vehicles per week would be required to remove the hewn block stone from the site. Unlikely to be an impact upon road safety as the movements are of no greater risk than at the present time, i.e. agricultural machinery.

There are a limited number of building stone quarries in North Yorkshire, compared to authorities such as Kirklees, Calderdale and Leeds which provide most of the building stone and grit stone. Not aware of any building stone sites in the County that provide Pinkish Grit Stone used in the Wetherby, Spofforth and Harrogate areas up to Ripon. It is understood that this stone is currently being supplied by quarries working Ashover Grit in the Peak District and there are surely more sustainable ways of meeting this demand locally. This site provides stone that closely matches the stone used in the area, Markington etc. and there is local support for such sites.

The Site should be reconsidered as a special stone quarry providing distinctive stone for the Ripon Harrogate area.

Response to comment: *Noted. Issues raised will be considered through the Site Assessment process where relevant.*

1114 Woodland Trust

DNS

MJP32 Q15 0881 Has ancient woodland within the site boundary.

044: Site Allocations

Response to comment: *Noted.*

MJP33 Q14 1461 Support this site provided transport links are enforced to minimise traffic on the B6271. The road must not be used as a link to Northallerton.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3761

O

MJP33 Q14 1404 Concerned that the site would have a major detrimental impact on quality of life including health and mental wellbeing, increase in traffic, highways safety, noise, dust and pollution, impact upon wildlife and conservation, increased flood risk, loss of local landscape character (industrialisation) and exporting the resource to areas outside NY Plan Area.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3762

O

MJP33 Q14 1426 Object to this Preferred Site.
044: Site Allocations

The Site would be detrimental to the amenity of the residents of Kirkby Fleetham and Great Langton. The cumulative impact of the adjoining site MJP21 would encircle the community and lead to noise & dust pollution and loss of landscape. This site was discounted from the last Plan and requires an explanation why it is preferred in this Plan, if this was based upon policy rather than need then isn't the earlier decision valid?

Response to comment:

A number of factors have changed relative to the assessment of this site in 2007, including the current reserves of sand and gravel and the predicted requirements for the period to 2030, the potential access and landscaping. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2853

S

MJP33 Q14 0105 Support the decision to prefer this site.
044: Site Allocations

Any restoration involving areas of water at the site should include provision of flood capacity for the River Swale to avoid the flooding downstream at Morton on Swale bridge.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

114 Ministry of Defence / Defence Infrastructure Organisation

DNS

MJP33 Q14 0788 The site falls within the statutory safeguarding consultation zone of RAF Leeming. Any development exceeding 91.4m above ground level would need to consult the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restorations which include wetland creation or open water bodies will need to be referred to the DIO.
044: Site Allocations

Response to comment:

The DIO will continue to be consulted as the Plan progresses and would be consulted if a planning application were submitted as the site is within the statutory birdstrike safeguarding zone or if a structure exceeding 91.4m high were to be proposed, (which it is not).

3728

O

MJP33 Q14 0606 Object to this proposed site.
044: Site Allocations

Agree with discounting part of the site, but the remainder is in close proximity to Kirkby Fleetham Church, the 9 residential dwellings and Hookcar Hill Farm. This site would diminish the amenity of the historic area to the detriment of local residents.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP33 Q14 1504 Concerned about the potential increase of HGVs travelling on the B6271 towards Northallerton, even though the proposal states that traffic will go the other way. The best route is to link to MJP21 and to get rid of the processing station at Kiplin along with the proposed bridge across the River Swale from the main site.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2922

O

MJP33 Q14 1539 The site would have an unacceptable impact on the surrounding countryside, even if the access to the site is from Killerby. It will have a visual impact and create noise and dust pollution. The works could pollute the river and affect birds and fish.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3456

S

MJP33 Q14 1503 Support taking this site forward rather than MJP60.

044: Site Allocations

Access to the site should be via MJP21 as this would remove the need for increased use of the B6271 by heavy lorries.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3421

DNS

MJP33 Q14 1522 The site would result in loss of agricultural land, noise and increased HGVs. The dust on prevailing winds will be brought in to the village of Kirkby Fleetham. It appears that this site joins with MJP21 to create a much larger extraction area to the north of the parish.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP33 Q14 0514 Do not support this proposed site.

044: Site Allocations

Concerned about impact upon Kirkby Fleetham and the surrounding area from dust, noise and light pollution, together with HGV congestion on inadequate roads. Cumulative impact from preferred site MJP21 also a concern.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP33 Q14 1447 Extraction at this site close to Kirkby Fleetham would be detrimental to residents due to noise and dust. School children would be particularly affected.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP33 Q14 0544 It is agreed that HGV traffic would primarily use the Mid-Catterick junction, it is considered less likely that vehicles would use the junction at Scotch Corner. Vehicles travelling to and from the south could potentially use the Leeming Bar junction of the A1(M).

044: Site Allocations

Based on TAS distribution 75% of trips would travel north on the A1 and 3% south on the A1.

Assuming an equal spread of vehicles across a working day of 9 hours this would equate to circa 12 vehicles per hour impacting across the north-Catterick Junction of the A1(M) travelling to and from the north and less than one using the Mid-Catterick junction. This appears reasonable and this level of traffic is not of concern to Highways England at these locations.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP33 Q14 1533 Support discounting of part of this site, also support the rest as a preferred site but consider that the timing of the development needs to be reviewed to mitigate the consequences of MJP21 and MJP33 being worked at the same time. A proposal to route traffic through MJP21 needs to be considered in terms of the impact on Low Street if this is to be used as part of the route out of MJP21.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

120 Historic England

DNS

MJP33 Q14 0135 Have concerns about the impact which mineral development on this site might have on the three listed structures at Kirkby Hall, The Grade II Listed Hook Car Farmhouse, the Grade II Listed Langton Farmhouse, the Grade II North Lowfield Farmhouse and the Grade II Listed Kiplin Farmhouse.

044: Site Allocations

National policy guidance makes it clear that Grade I and II* Listed Buildings are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.

In order to demonstrate that the identification of this site as a Preferred Area is not incompatible with the requirements of the NPPF as part of the evidence base there needs to be an assessment of what contribution this area makes to these elements which contribute to the significance of the Listed Buildings and what effect the proposed development might have on them.

There is a requirement in the 1990 Act that 'special regard' should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. This only applies to planning applications but would be beneficial to take into consideration during the development of the plan. An assessment of the contribution the site makes to designated heritage assets in the area.

Response to comment:

Noted. Further assessment of the potential impact of the sites on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1298

O

MJP33 Q14 1491
044: Site Allocations

Objects to the site due to the increased flooding risk to local properties, noise, dust, pollution, traffic and change in water table. Quarry vehicles will be passing along narrow lanes causing a risk to local communities. Transporting material over the river could impact upon the river and traffic would need to access the site on a narrow road which is a known accident blackspot. The roads are full of potholes and the increase of HGVs will add to this problem. Noise would make outdoor living and recreation unpleasant. Concerned about the potential for being unable to insure houses due to flooding. Walkers are currently not allowed on the land proposed for quarrying.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

650 Kiplin Parish Meeting

O

MJP33 Q14 1444
044: Site Allocations

Access to the site proposed via B6271 is not acceptable as area liable to flooding as shown by photographs provided. Access from MJP21 should be supported as will prevent adverse impact on B6271. There has already been a large amount of extraction taken place in the area over recent years, so should move to another area now. Concerned about loss of residential amenity and impact on wildlife.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2192 Local Access Forum

DNS

MJP33 Q14 0966
044: Site Allocations

The connecting bridge across the Swale should be left after the operation is complete as a benefit to the community, but this is not mentioned in the details.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP33 Q14 1450
044: Site Allocations

The site would have an adverse impact on residential amenity. The site needs to be considered along with other sites in the area. This site was discounted in 2007, cannot see what has changed.
The site will impact on transport, landscape, biodiversity, water environment and agricultural land. Concerned about increase of HGV traffic in the area. There would be a loss of amenity for the local villages. The woodland identified as Ramsar near the site has not been mentioned but mitigation requirements for this woodland should be considered.

Response to comment:

A number of factors have changed relative to the assessment of this site in 2007, including the current reserves of sand and gravel and the predicted requirements for the period to 2030, the potential access and landscaping. There is no such designation as Ramsar, and there are no Ramsar sites designated in this part of the County. However, the issues raised, including the designated SINC and Ancient woodland areas will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1100 Aggregate Industries

MJP33 Q14 0851
044: Site Allocations

Supports the selection of the site as a Preferred Site.

Satisfactory access can be provided from the site to the public highway onto the B6271. This access was proposed in the Scoping submission and has been assessed by highways consultants in consultation with County Highways.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3016

MJP33 Q14 0599
044: Site Allocations

Support this Part Preferred Part Discounted Site and should be 2nd priority.

Response to comment:

Noted.

2931

O

MJP33
044: Site Allocations

Q14

1505

Object to extraction from this site as close to residences. Field to the east of Kirkby Fleetham Hall have been discounted so if the remainder of the application for Home Farm is to be included in the revised policy, and fields discounted as per the map then will not oppose at next stage.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

119 Natural England

S

MJP33
044: Site Allocations

Q15

1032

Note the proximity of the site to Swale Lakes SSSI and welcome the general identification of ecological issues and impacts on SSSIs etc. but would like to see a specific reference to potential impacts on Swale Lakes SSSI in the site brief.

Response to comment:

Reference to potential impacts on the Swale Lakes SSSI can be made within the identification of development management matters to be considered in any future application where appropriate.

MJP33 Q15 1427 Disagree with the key issues identified.

044: Site Allocations

This site is in conflict with Policies D03, D06, D07, D09 and D12, having no means of transporting materials safely, using routes unsuitable for HGVs and having no regard for the protection of agricultural land, the environment or local wildlife (being in close proximity to the River Swale).

The site currently produces oil crops and loss of this land would be in conflict with the aim to become a 'UK leader in food manufacturing, agriculture and biorenewables' as set out in the Strategic Economic Plan.

The cumulative impact of this and the MJP21 site would have a detrimental impact on the health and wellbeing of local villages.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP33 Q15 0607 Agree that routing HGVs onto the B6271 would be unacceptable, as the road has a history of accidents, experiences high levels of traffic and is not of a standard for additional quarry traffic.

044: Site Allocations

The issue of proximity to dwellings and a historic asset have not been addressed.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3759

DNS

MJP33
044: Site Allocations

Q15

1399

Sand and gravel extracted within the County should be used within the County. The proposed route out of the site is in the wrong place, the site should be worked in conjunction with MJP21 which would allow the sand and gravel to be transported more directly onto the A1. The B6271 is susceptible to flooding and not suitable for large amounts of HGV traffic. The area north of the Swale tends to flood, if no part of the site was located north of the Swale and the vehicular access more onto the A1 then the site would be more acceptable. If the processing plant/vehicular access was north of the Swale and onto the B6271 residents would look to get their council tax reduced on the basis of 'material change of circumstance.'

Response to comment:

It has been upheld in the courts that it is not possible to restrict the use to solely with the County. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1114 Woodland Trust

DNS

MJP33
044: Site Allocations

Q15

0878

Has ancient woodland within the site boundary.

Response to comment:

Respondent subsequently confirmed that the representation reference to an ancient woodland within this site was identified in error, rather the woodland is adjacent to the site.

3762

O

MJP33
044: Site Allocations

Q16

1428

Disagree with the mitigation requirements.

The loss of amenity for Kirkby Fleetham and Great Langton has not been addressed. Mitigation requirements should be considered for the Ramsar Woodland to the south of the site.

Response to comment:

There is no such designation as Ramsar, and there are no Ramsar sites designated in this part of the County. The issues raised, including the designated SINC and Ancient woodland areas will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP33 Q16 0608 Access to the A1M via the Killerby Site might be acceptable.

044: Site Allocations

Response to comment:

Access will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

252 York Potash

DNS

MJP34 Q14 0917 The site should be identified as a specific site which would be supported by Planning Practice Guidance, which lists requirements for specific sites. All of the requirements have been met for this site.

044: Site Allocations

The site has received planning permission so the reasons for discounting the site have been addressed.

Paragraph 1.8 states that where planning permission has been granted for minerals development during the preparation of the Plan these sites will not be considered for allocation but may be safeguarded. This site should be identified as a Specific Site in addition to the safeguarding of reserves and resources to provide policy support to the approved project and reflect its significance. It would align with Objective 6.

Response to comment:

The MJP34 site is a larger area than that granted in planning permission NYM/2014/0676/MEIA. Further assessment of the resource required to meet the allocation requirements to 2030 is taking place.

MJP35 Q14 0141 Concerned about the impact which mineral development in this location might have upon the significance of a number of designated heritage assets in the vicinity including Grade II Registered Historic Park and Garden of Ribston Hall and Grade II* Listed Walshford Lodge.

044: Site Allocations

In order to demonstrate that the identification of this site as a Preferred Area is not incompatible with the requirements of the NPPF as part of the evidence base there needs to be an assessment of what contribution this area makes to these elements which contribute to the significance of the Listed Buildings and what effect the proposed development might have on them. An assessment of the contribution the site makes to designated heritage assets in the area is required.

Response to comment:

Noted. Further assessment of the potential impact of the sites on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP35 Q14 0795 The site falls within the statutory 91.4m height consultation zone surrounding RAF Linton on Ouse and development exceeding this height would need to consult the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restorations which include wetland creation or open water bodies will need to be referred to the DIO.

044: Site Allocations

Response to comment:

The DIO will continue to be consulted as the Plan progresses and would be consulted if a planning application were submitted as the site is within the statutory birdstrike safeguarding zone or if a structure exceeding 91.4m high were to be proposed, (which it is not).

MJP35 Q14 0558
044: Site Allocations

The proposed site is bisected by the A1(M) and located to both the eastern and western sides of the carriageway to the south of Walshford. Only the part of the site to the west of the A1(M) would be quarried but it is strongly advised that a suitable buffer zone between the site and the A1(M) will need to be in place prior to this site being deemed as suitable.

The first point of contact with the SRN is likely to be at the A1(M) Junction 46. The TA states that 50% of SRN traffic are expected to use the A1 south towards Leeds and Bradford. Assuming 9 working hours per day this would equate to approximately 5 vehicles per hour impacting upon Junction 46 and this level of traffic is not of concern to Highways England.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

474 Cattal, Hunsingore & Walshford Parish Council

O

MJP35 Q14 1628
044: Site Allocations

Object to the site, and would like it to be removed for the following reasons: more emphasis should be placed on secondary and recycled aggregates; the site would impact on local amenity. Concerned about: flooding, pollution, historic assets, and SSSIs.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2197 CPRE (Harrogate)

DNS

MJP35 Q14 0823
044: Site Allocations

Loss of BMV agricultural land. Potential ecological impacts including impact on SAC, river and watercourses and loss of habitat for protected species. Also concerned about impacts on landscape and additional heavy traffic.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

119 Natural England

O

MJP35 Q14 1030
044: Site Allocations

The HRA provided in support of this consultation determines a likely significant effect with regards to hydrological impacts on Kirk Deighton Special Area of Conservation (SAC). If the Appropriate Assessment determines that development at this site will lead to adverse effects on the integrity of the SAC and there are no Imperative Reasons of Overriding Public Interest (IROPI) the allocation should not be included in the Plan.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

120 Historic England

S

MJP37 Q14 0148
044: Site Allocations

Support the proposal not to identify this site as a preferred area.

The mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including Grade II Historic Park and Garden of Allerton Park, Marton cum Grafton Conservation Area, Little Ouseburn Conservation Area and Great Ouseburn Conservation Area.

Given the proximity of the site to the line of the Roman road there is also a high likelihood of important archaeological remains in this area which may be of national importance.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

2192 Local Access Forum

DNS

MJP37 Q14 0967
044: Site Allocations

Should this site be reconsidered the sensitive access measures should be agreed before any permission is considered.

Response to comment:

Noted. If the site was reconsidered the issues raised would be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1114 Woodland Trust

DNS

MJP37 Q15 0879 Has ancient woodland within the site boundary.

044: Site Allocations

Response to comment:

948 West Tanfield Parish Council

S

MJP38 Q14 0182 Supports the decision not to include this site as a preferred area. Previously objected to the proposal for quarrying this site.

044: Site Allocations

Response to comment:

670 North Stainley-with-Sleningford Parish Council

S

MJP38 Q14 1666 Support the discounting of the Site.

044: Site Allocations

Response to comment:

120 Historic England

S

MJP38 Q14 0145 Support the proposal not to identify this site as a Preferred Area.

044: Site Allocations

The mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including nationally-important archaeological remains from the Mesolithic, Bronze Age, Roman and Medieval periods. It is near Thornborough Henge, the Scheduled East Tanfield deserted medieval village, West Tanfield Conservation Area and Sleningford Mill which has a Grade II Listed Building.

Response to comment:

MJP38 Q14 0508 Why is this site discounted when MJP14 Manor Farm West is preferred.
044: Site Allocations

The Plan states that MJP38 is only capable of providing a small contribution to requirements, but if combined with nearby MJP39 then these will have the same estimated reserve of 800,000 tonnes as MJP14.

Vehicle access onto U1531 road is not to be allowed for MJP38, but light vehicles from Ripon Quarry already use it.

Response to comment:

The Manor Farm West site has been withdrawn by the submitter so is no longer preferred.

It is considered the MJP38 site would be likely to have significant adverse impacts, particularly on the historic environment to the south-west of West Tanfield and on local amenity. The site is only capable of making a small contribution to requirements and other options are more appropriate.

2192 Local Access Forum

O

MJP38 Q14 0968 The site has a short life, would not unduly impact on the local roads or rights of way, and should have been one of the preferred sites.
044: Site Allocations

Response to comment:

It is considered the site would be likely to have significant adverse impacts, particularly on the historic environment to the south-west of West Tanfield and on local amenity. The site is only capable of making a small contribution to requirements and other options are more appropriate.

2192 Local Access Forum

DNS

MJP39 Q14 0969 Any reconsideration of this site should ensure that the rights of way are preserved together with mitigation measures for the loss of tranquillity and habitat.
044: Site Allocations

Response to comment:

Noted. If the site was reconsidered the issues raised would be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

670 North Stainley-with-Sleningford Parish Council

S

MJP39 Q14 1665 Support the discounting of the Site.

044: Site Allocations

Response to comment: *Noted.*

948 West Tanfield Parish Council

S

MJP39 Q14 0183 Supports the decision not to include this site as a preferred area. Previously objected to the proposal for quarrying this site.

044: Site Allocations

Response to comment: *Noted.*

2763

DNS

MJP39 Q14 0509 Why is this site discounted when MJP14 Manor Farm West is preferred.

044: Site Allocations

The Plan states that MJP39 is only capable of providing a small contribution to requirements, but if combined with nearby MJP39 then these will have the same estimated reserve of 800,000 tonnes as MJP14.

Response to comment:

The Manor Farm West site has been withdrawn by the submitter so is no longer preferred.

It is considered the MJP39 site would be likely to have significant adverse impacts, particularly on the historic environment to the south-west of West Tanfield and on local amenity. The site is only capable of making a small contribution to requirements and other options are more appropriate.

MJP39 Q14 0149 Support the proposal not to identify this site as a preferred area.

044: Site Allocations

The mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including West Tanfield Conservation Area, Tanfield Bridge, the Scheduled Monument at Thornborough Henges and East Tanfield medieval village.

In addition this site lies in an area of known archaeological importance containing remains from the Mesolithic Bronze Age, Roman and Medieval periods.

Response to comment: *Noted. Issues raised will be considered through the Site Assessment process where relevant.*

2192 Local Access Forum

DNS

MJP41 Q14 0980 No problem with access or rights of way.

044: Site Allocations

Response to comment: *Noted.*

120 Historic England

S

MJP41 Q14 0150 Support the proposal not to identify this site as a preferred area.

044: Site Allocations

The mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including the Grade II Park and Gardens at Ribston Hall, the Grade II* Historic Park and Gardens at Plompton Rocks, Plompton Conservation Area, Goldsborough Conservation Area and Knaresborough Conservation Area.

Response to comment: *Noted. Issues raised will be considered through the Site Assessment process where relevant.*

1114 Woodland Trust

DNS

MJP41 Q15 0880 Has ancient woodland within the site boundary.

044: Site Allocations

Response to comment:

Respondent subsequently confirmed that the representation reference to an ancient woodland within this site was identified in error, rather the woodland is across the B6164 from the site.

3758

O

MJP43 Q14 1371 Concerned about the impact of traffic, the adverse impact on the environment due to noise and pollution and visual intrusion on the landscape.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3778

O

MJP43 Q14 1527 Questions if the yield of sand and gravel on the site is viable. Concerned about public safety risk and aircraft flying of the site (to RAF Leeming). Concerned about traffic impact access onto the by-pass and proximity to the new elevated railway bridge.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1392 Object to the Preferred Site.

044: Site Allocations

Agricultural land on the site should be conserved, in line with objective 9. Increased flood risk as a result of minerals extraction is a concern. The site will have an environmental effect for little return. We are yet to be convinced that assessments of mineral quantity and whether this site is the best option are accurate. The site will have 'unacceptable effects on local amenity' including those people who live and work nearby, which goes against Policy D02.

As it stands I am not convinced that sufficient research, clarification and liaison with other agencies (e.g. Highways) has been undertaken to justify this as a preferred site.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1514 Object to this Site.

044: Site Allocations

This site should be discounted for the following reasons: existing sites should be extended; unacceptable demands on C road; noise and dust pollution leading to health problems; environmental impacts; impact upon the water table; bird strike risks to planes from RAF Leeming; increased risks to other roads users; loss of Grade 1 Agricultural Land; impact upon nearby villages and a conservation area; landscape impacts; cumulative impact from MJP21 and MJP33.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43

Q14

1845

Object to the site.

044: Site Allocations

The reserves are estimated at 2-3mt, but there does not appear to be any proof to back this up, an independent study suggests that the reserves may be of little commercial value. If the site were to be restored to agriculture and limited wetland large amount of material would need to be imported onto the site, otherwise the whole site would become a wetland due to the high water table. Having a large quantity of water will encourage wildfowl and birds. The site is in the flight path of Leeming airfield so if are large amounts of birds could be a risk of birdstrike. Further investigation into the quality and quantity of reserves is required before a final decision is made.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1434
044: Site Allocations

The site will adversely impact on residents properties, the general community and the rural agricultural environment. The site will provide a low yield in terms of quality and quantity.

A report has been commissioned which provides an evaluation of the amount of sand and gravel that may be extracted from the site. The conclusion of the report is that the majority of the resource in the site is clayey fine sand and this cannot be used as commercial aggregate for concrete or mortar due to its high fines content. A copy of the report has been provided along with this submission. Further assessment of the commercial viability of the site needs to be undertaken.

The site would adversely impact on the Wensleydale Railway and tourism related to this. There will be a loss of agricultural land. The site is not expected to be required until 2025 which provides uncertainty for local residents. It would have an unacceptable impact on local amenity such as loss of visual, environmental and agricultural amenity and an increase to public safety. Mitigation measures for the site are not included.

If the access is not via the Bedale Bypass, then it will use small rural roads, which is unacceptable and would have an adverse impact on other road users. The site would allow encroachment of the industrial estate and A1 on residents.

Further details regarding restoration proposals are required to take account of airfield safeguarding, restoration to agriculture, historic environment, native woodland and recreation.

The original site has been part preferred and part discounted, there appears to be no clear justification for this apart from impact on visual landscape. The discounted area appears to have more economically viable resource.

An Ethylene Pipeline runs under the site which will limit the area which can be excavated.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1500
044: Site Allocations

Object to this site being preferred.

There would be a loss of BMVL and a bridleway. The land might hold large bodies of water and attract birds, which could pose a bird strike risk to the nearby airfield. Residents would be impacted by dust and noise pollution which may impact on health. There is an ethylene pipeline crossing the site. The Wensleydale Railway which runs alongside the site will be affected. The increase in traffic would adversely impact on other road users.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2173 CPRE (North Yorkshire Region)

MJP43 Q14 0736
044: Site Allocations

This site is shielded from the village of Scruton by trees, but it will still impact on the landscape and damage the amenity of several properties.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

53 Hambleton District Council

MJP43 Q14 1412
044: Site Allocations

The original size of the site has been reduced due to potential landscape impacts from the working on the site. The current document has reduced the reserve but it is not clear what this reduction means in terms of traffic movements. Concerned about the impact the volume of HGV movements will have on the existing road network and residential amenity to local residents.

Response to comment:

Improvements will be made to the clarity of the information provided regarding the site. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1401 Objects to the proposal on the grounds that it is concerned that proposals that have previously discounted will be re-introduced. The site would have a detrimental impact on the economy and wellbeing of the area. There has been a lot of development in the area recently (A1 upgrade, BALB) any further development should be avoided. Agricultural land would be lost, residential amenity would be impacted and lost. The views of Scruton Parish Council are also supported.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1454 Object to this Preferred Site because there has been insufficient communication by the site landowners with the community. Public safety in the safeguarding area of RAF Leeming and in relation to the ethylene pipe which crosses the site. Access is via narrow lanes. NYCC policy states that proposed sites should lie within close proximity to existing sites, this is not the case for this Site. Unacceptable levels of dust, noise, vibration and odour leading to health problems. Visual and cumulative impacts. Increased risk of flooding and land stability issues causing unknown future risks. The proposal will not improve the economic, social or environmental conditions of the area. Consider the independent evaluation of the site by FWS.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 0480 The infrastructure is inadequate in this area. The roads and fields are susceptible to flooding and traffic seeking alternative routes use the already narrow unsuitable country roads (station road) there is concern that quarrying in this area will only add to the vulnerability of the area to flooding. The site is located in a high velocity wind area and is susceptible to sandstorms, quarrying would only exacerbate this problem. Bridleways and tourism would be affected. Concern about the health of local residents (particularly the elderly). The site is within an RAF flight path and additional birds attracted as a result of the development would restrict training. There is also a major ethylene pipeline running through the site which would cost the tax payer to divert.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3418

O

MJP43
044: Site Allocations

Q14 1518

Objects to the site on the following grounds: inadequacy of the highways network as the narrow roads are unsuitable for HGVs; impact on historic environment, landscape and tranquil areas as the quarrying would impact on quality of life and tranquillity; the site is in close proximity to a children's playground, football and cricket pitches which would no longer be used because of harmful dust particles; the local pub would be negatively affected; loss of agricultural land. An independent review on expected resources shows much smaller quantities than stated so is the development viable. What protection is there to ensure restoration is done as to not to destroy the countryside. The potential of the quarry in the area is distressing to local residents. There is an ethylene pipeline crossing the site - which is a public safety issue. Breaking the water table would create pond which attract birds; birds within an aerodrome safeguarding area of RAF Leeming could be hazardous.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3765

O

MJP43
044: Site Allocations

Q14 1436

More information about the access to the site is required, the increase in traffic will add pressure to local roads and there will be an increase in noise and pollution. There is uncertainty about the site restoration, not suitable for landfill and also in aerodrome safeguarding area. Concerned about the impact the site will have on the water table. Uncertainty regarding quantity and quality of material in the site.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2848

O

MJP43
044: Site Allocations

Q14 1472

Objects to the site on the following grounds: the accuracy of the claims for the amount of aggregates to be yielded. There are access issues and transport issues especially large HGVs on country roads, the impact on the new relief road and the railway. Wildlife would be affected, and potential problems for the RAF base. Concerned about the impact on the high-water table in the area, which is made worse in a time of rainfall. The site would be visible and hard to screen due to the flat open nature of the area.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1400
044: Site Allocations

Object to the site on the following grounds. Public safety as the site is within the RAF Leeming Safeguarding Area, increased water lagoons in this area would attract bird and could cause potential problems for the aircraft. Potential safety risk from the A1 and the by-pass. An ethylene pipeline runs through the site, retaining the site would limit the use of the area unless the pipeline is diverted. Boreholes from the area have shown the area not to provide high quality mineral. Transport because the by-pass road will be elevated above the level of the site. Access to the site is a concern as this would be on narrow country lanes.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 0669 Do not support the proposed allocation of the site.

044: Site Allocations

The Plan is considered not to be 'sound' in its current form with regard to the proposed allocation of site MJP43. Whilst we understand the requirement to ensure availability of an adequate supply of sand & gravel, the proposed allocation of MJP43 is premature when considered in the context of Policy M02 and Para. 5.15 which states that a mid-term review will be needed to consider the level of further provision needed in order to maintain a 7 year landbank at 2030, based upon updated evidence in the annually updated Local Aggregate Assessment.

There is no requirement in the NPPF for authorities to plan beyond the plan period, nor provide safeguarded sites for minerals. The NPPF requires authorities to ensure that landbanks do not stifle competition.

The proposed allocation of the site to act as a safeguarded site for aggregates beyond the plan period is premature. The proposed site allocations contained in Part 1(i) together with existing sites provide a steady and adequate supply in accordance with NPPF. Additional sites required for supply post 2025 should be considered at the mid term review proposed.

The proposed Plan does not represent the most appropriate strategy and the site assessments do not provide a robust assessment on which to discount a site or not.

MJP43 is not suitable for mineral workings and should be discounted. The assessment of this site has been considered against the discounted site MJP60 which are similar in terms of mineral type, size, current use and key sensitivities identified. However, the reasons for selecting/discounting the sites are not clear and the information does not provide sufficient justification for the decision. The reduced area of site MJP43 remains an irregular shape and the linear nature results in a greater impact on the landscape which has not been properly considered in relation to the reduced estimate of minerals available. In comparison MJP60 has been discounted for significant adverse landscape impacts, although further information on what this impact is and how it differs from MJP43 is not available, nor is information regarding whether part of the site could be discounted and part allocated as with other sites. MJP43 is estimated to have a life of 32 years compared to MJP60 with an estimated life of 20 years. It is presumed the estimated life of MJP43 is based on the larger original area and it is therefore impossible to consider the impact of the reduced area on the community.

The site assessments present a confused case and the decisions are not robust and cannot be justified from the evidence, contrary to the NPPF. Site assessments should provide strengths and weaknesses of each site and be based upon on the amended site areas following the initial assessment.

Response to comment:

Whilst it is possible that sites such as MJP43 could potentially fulfil a role of longer term supply (post 2030) it is considered prudent to allocate them now in order to ensure that sufficient reserves have been identified through to the end of the plan period as required by government. It is not considered that this identification will stifle competition.

3777

O

MJP43 Q14 1544 The volume of proposed traffic is excessive for the area. The extraction period should be reduced to 5 years to minimise the impact on residents. There will be an industrialisation of the scenic landscape.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3775 Stonebridge Fishing Lakes

O

MJP43 Q14 1558 Object to this site on the grounds of noise and dust pollution which will affect public safety; adverse impact from the increase in traffic; adverse impact on tourism and local businesses.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1519
044: Site Allocations

Object to this Part Preferred Site.

The proposed reserves in the area are substantially lower than the 2-3mt detailed in the Plan, technical evidence of how this figure has been calculated should be made available to the public to demonstrate transparency. Our estimate, derived from an independent study, suggests sand and gravel reserves to be 245,000t with the remainder being clay and sand, which demonstrates that it is not a viable site. Considers there is confusion over the proposed start date of the Site, 2025 or 2017.

Proposed access to the site is via the new Bedale Bypass. However, the disruption to the project is questioned as is the amount of additional traffic generated and the suitability of the road, which often floods. Queries whether: access between two sections of the site via third party land has been considered in the assessment process; if the removal of Grade 2/3 Agricultural Land be justified and if the cost of re-routing the Ethylene Pipe has been considered.

There are excessive quantities of water in the area which will lead to ponding when extraction begins, leading to nesting of birds in an MoD Safeguarded Zone. This is a danger for jets, as is dust from the Site which would be an issue as it is located in a high velocity wind area.

The loss of bridleways through the Site and Fence Dyke Lane will reduce the recreational areas for people in the surrounding villages. The Site would seriously affect tourism in the area. Proximity of the Site to the Villages will also lead to reduction in quality of life of local residents.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1432
044: Site Allocations

Cannot restore site to wetland as near RAF base and restoring to agricultural land will mean importation of inert material. It is a risk to health and safety to have a site close to an airfield and if a planning application for the site comes forward the MoD will object to it. The site is small and more sustainable to use larger sites further north. Proposed access to the site via the Bedale Bypass will add pressure to the road. Flooding often occurs in the area, when this happens traffic is diverted onto minor roads combined with site traffic this will cause unacceptable impacts on local roads and residents. Site not expected to get planning permission until 2025, this provides a level of uncertainty for residents.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3776

O

MJP43 Q14 1549 Object to this Part Preferred Site.

044: Site Allocations

Concerned regarding increased levels of heavy traffic, noise and dust pollution affecting the local environment, wildlife and quality of life for local residents.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2817

O

MJP43 Q14 1623 Object to the proposal. May be left with artificial wetlands which may be worth it, but unlikely close to RAF Leeming. There should not be an industrial site built once extraction is complete or a waste landfill.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2825

DNS

MJP43 Q14 1439 The water table in the area lies at 1.5m and the area is susceptible to flooding. Quarrying would increase the risk of flooding and increase HGVs on to narrow country roads. There is an Ethylene Pipeline crossing the site. The pipe would need to be diverted or risk rupturing from vibrations from the quarrying- for example the high pressure leak in Antwerp harbour.

044: Site Allocations

It is understood that engineers working on the By-pass are unaware of the quarry proposals and the new bridge proposals to cross the Wensleydale railway have not been specified to accommodate the volume or type of traffic generated by the quarry.

Concerned about public safety and considers the following issues cannot be mitigated: aerodrome Safeguarding Zone - dust generated for the site would be a massive risk to jets and on public safety. Bird life that would be attracted to the site from ponding water could increase the risk of local disaster, similar to that of the Shoreham air disaster 2015.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3766

O

MJP43 Q14
044: Site Allocations

1440

The site is not expected to be needed until 2025, this poses uncertainty for residents. Uncertainty about quality and quantity of economically viable material in the site, as shown by report commissioned by Scruton PC. Information about access to the site needs to be clearer as the increase in traffic will impact on local roads. Resitting of the ethylene pipeline which runs across the site will be costly and dangerous. The site is within an aerodrome safeguarding area so may be a risk to aircraft. The site should be discounted.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3797

O

MJP43 Q14
044: Site Allocations

1437

There is uncertainty about the quantity and quality of the mineral in the site, the amount of material available may not justify the disruption which would be caused during extraction. There will be an adverse impact on amenity in terms of increased dust, pollution, traffic and noise and a loss of green field land. If the site went ahead there would be a loss of best and most versatile agricultural land and wildlife habitats. This site should be discounted.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2845

O

MJP43 Q14
044: Site Allocations

1526

Objects to the site as it would create noise pollution, additional traffic, it would blight the area, it would impact upon the local village and make it a less desirable area to live. Concerned about the public safety of the proximity of the site to the RAF Leeming airfield and concerned about increased flood risk of the area.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1459 Object to this site.

044: Site Allocations

The area to the west of Low Street has been discounted for visual impact reasons, this should also apply to the preferred area due to the longitudinal shape of the site and its relationship to the village of Scruton. There is not enough detail regarding the level of reserves and independent tests have indicated that they are of intermittent quality.

The disruption and amenity impact of the site is not worth it for the small amount that will be gathered. The access to the site is poor and the water table is high which could lead to lakes and attracting birds, leading to a birdstrike hazard.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2910

O

MJP43 Q14 1478

044: Site Allocations

This site needs removing as a preferred option from the Plan. The water table is very high and the area is susceptible to flooding, extraction at the site could make the situation worse. The site is in the flight path of RAF Leeming and there may be a risk of birdstrike. The local community has not been consulted about this site, further engagement is needed. The operations on the site will impact on the local amenity of the area. More information and plans regarding access to the site should be provided, will it be from the by-pass or local roads. Either one will cause increased congestion. The quantity and quality of the deposit in the preferred section of the site is less than what is stated in the proposal, this needs further assessment. There is an ethylene pipeline crossing the site. There would be a loss of agricultural land, PROW and bridleway. The Wensleydale Railway and Bedale by-pass run alongside the site and it would have a visual impact.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2915

O

MJP43
044: Site Allocations

Q14 1499

Objects to the site. Transport issues are problem, specifically the existing road network and the increase of HGVs and safety of other road users (pedestrians, horse riders, cyclists) access on to the new by-pass could be difficult and hazardous. Concerned about dust and dust storms and the potential impact upon RAF Leeming. There would be significant impact upon local villages, quality of life for residents, noise, dust and pollution.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2922

O

MJP43
044: Site Allocations

Q14 1540

Site should be discounted as it is close to homes which will be affected by noise and dust.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2926

O

MJP43
044: Site Allocations

Q14 1466

An assessment of the site has shown that there is a shallow seam of sand and gravel which is of low quality. Reportedly silica sand present at this site. Additional traffic will cause noise and dust pollution. Concerned that extraction from the site will not be until 2025 if goes ahead. Access to the site needs clarifying, unsuitable to use local roads for increase in HGV traffic. There will be a potential danger to aircraft at RAF Leeming.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2927

O

MJP43
044: Site Allocations

Q14 1470

Object to the site on the following grounds: impact upon local highways network, and potential risk to other road users (including cyclists and walkers) from HGVs; public health issues, dust noise and pollution; blight of the area as a result of the long period of time between now and the date the development will take place; proximity to RAF Leeming and the potential for birdstrike if restoration includes water bodies; the quality of the resource is questioned.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2933

O

MJP43
044: Site Allocations

Q14 1435

The site should be discounted completely. The site is close to an RAF base and could have an impact on aircraft safety. There is an ethylene pipeline running under the site. There could be an adverse impact on residents' health due to increased noise, dust and pollutants. Uncertainty about amount and quality of economic resource available in preferred part of site. Uncertainty about start date, submitters 2017, Plan 2025. Uncertainty about access to the site and the proposed increase in site traffic and its impact. Concerned about the impact on the water table, countryside, woodland, local habitat for wildlife. More information about the restoration of the site needs to be provided. There would be a reduction in recreational land and an impact on the visual landscape.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2945

O

MJP43
044: Site Allocations

Q14 1497

This site should be discounted as the productive yield of the site is less than is reported in the Plan which is shown by an independent report commissioned by the Parish Council. Public safety will be put at risk due to pollution from additional traffic, dust and noise. The site is close to RAF Leeming airfield and within the airfield safeguarding zone and may pose a risk to aircraft. If the site is not allowed until 2025 then this will cause uncertainty for residents.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2947

O

MJP43 Q14 1405
044: Site Allocations

Need to prove how much economic aggregate is available before proceeding with the site. There are safety concerns with this site being located so close to an MoD Airfield, low flying helicopters will cause an increase in dust and the restored site will attract birds which will pose a hazard to aircraft. The access to the site has not been thought through properly and needs to be resolved. An Ethylene pipeline runs under the site. There is doubt about the proposed start date, landowners state 2017, council state 2025. The MoD will not object to the site at this stage, but once reaches planning application stage the MoD will object and the site will not go ahead.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2962

O

MJP43 Q14 1441
044: Site Allocations

The site is not expected to be needed until 2025, this poses uncertainty for residents. Uncertainty about quality and quantity of economically viable material in the site, as shown by report commissioned by Scruton PC. Information about access to the site needs to be clearer as the increase in traffic will impact on local roads. Resitting of the ethylene pipeline which runs across the site will be costly and dangerous. The site is within an aerodrome safeguarding area so may be a risk to aircraft. The site should be discounted.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2909

O

MJP43 Q14 1477
044: Site Allocations

The site is in the flight path for RAF Leeming, if there is any bodies of water could lead to risk of birdstrike. The prevailing winds will carry dust into the village. The local residents will be subject to increased noise pollution. The local roads are not suitable for the increase in HGVs caused by the site, if the access to the site is to be off the bypass then the plans need to be clear. The site is adjacent to the Wensleydale Railway line and so will have a visual impact on this. The economic viability of the mineral on the site needs to be further assessed and weighed up against the disruption it will cause. There is an ethylene pipeline crossing the site. There would be a loss of agricultural land and a bridleway.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3767

O

MJP43
044: Site Allocations

Q14 1446

Not a sustainable site as small, extraction would be costly and new transport infrastructure would be required. The location is inappropriate for the creation of connecting wetland habitats which is the proposed restoration, also in aerodrome safeguarding area.
Uncertainty about when the site is required. Will be a negative impact on leisure users in the area and adverse impact from the increase in traffic. With the preferred area size being reduced the proposal is less cost effective.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2904

O

MJP43
044: Site Allocations

Q14 1474

The impact on the landscape, noise and dust would greatly impact upon the natural beauty of the area. Tourism would be lost impacting the visitor economy.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3575

O

MJP43
044: Site Allocations

Q14 1416

Further details regarding the amount and quality of mineral deposits available in the site should be provided before progressing the site. More details about the proposed restoration is also required. The uncertainty about whether the site will be worked also gives uncertainty to residents. Good quality agricultural land will be lost and this will impact on wildlife, air quality and the environment. Minerals extraction will cause large amounts of dust and additional traffic impacting on health and the environment. The high water table may cause problems for the operator and residents. The site is close to an RAF base so there is a risk to the aircraft using the base.

Response to comment:

The submitter is providing more information about the site. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 0543
044: Site Allocations

There is a 450mm treated water main laid down within the site running SE to NW below Carriage Road Plantation. The water main is protected via a deed of easement. It may be possible for the pipe to be diverted or if appropriate, it could remain in place and be controlled by the Water Industry Act. YW are of the opinion to maintain the position of the infrastructure. The phasing and restoration scheme should account for the presence of the pipe as damage to the pipe may result in lack of water supply to parts of North Yorkshire. It is not clear if the reference to "impact upon pipeline" in the key sensitivities refers to the water main or some other form of pipeline, this should be clarified. There is also an abandoned water main within the site which may need to be capped off and/or removed. See response for map of infrastructure in proximity to the Site.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2215 CPRE (Hambleton Branch)

DNS

MJP43 Q14 0516
044: Site Allocations

The area of the site submission has been reduced since the Issues and Options stage, and has been further reduced by part of the site being discounted so reducing the estimated reserves.

The reduced site is far less damaging to the Village and its residents but it will still impact on the landscape and the amenity of several properties. There is uncertainty about the level and quality of reserves in the site so verification should be required for the site to stay on the Preferred sites list otherwise the Authorities could be accused of being reckless. If the reserves are found to be considerably lower than estimated then based on the reason why MJP62 and MJP39 were discounted, i.e. only capable of making a small contribution to requirements, then it should follow that MJP43 should be discounted as well. The site is in the flight path for RAF Leeming and within the aerodrome safeguarding zone so this would limit water based restoration at the site. If the site progresses then mitigation proposals should be drawn up by the submitters.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 0555 The first point of access onto SRN is likely to be at the Leeming Bar junction onto the A1(M).
044: Site Allocations

Assuming an equal spread of vehicles across a working day of 9 hours, this would equate to a maximum of 14 vehicles per hour travelling on the A1(M) north through Leeming Bar junction and less than one vehicle per hour travelling on the A1(M) south. This level of traffic is not of concern to Highways England at this location.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3466

O

MJP43 Q14 1408 Object to the Preferred Site.
044: Site Allocations

Concerned about the impact of heavy traffic on the main road through Scruton, the impact upon my nearby property and the uncertainty created by the amount of time the planning process will take.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2978

O

MJP43 Q14 0604 Do not support the Proposed Site.
044: Site Allocations

Doubt exists regarding the amount of sand and gravel available, the economic viability of the site with respect to the cost of new infrastructure e.g. access to the Bedale Bypass, and the suitability of existing roads for large volumes of heavy traffic.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3751 Messrs Stubbs, Dennison, Barker and Raine

O

MJP43 Q14 0554
044: Site Allocations

Object to this site as it has been modified. The areas which have been excluded would be the most productive mineral bearing land (east of Low Street). The reduction in land would result in between 850,000 and 900,000 tonnes of mineral. This tonnage would not support the establishment of an economic free standing operation. Indeed the operator who expressed an interest in the land has confirmed that the reduced reserve would not justify the set up costs.

It is understood that the area has been discounted on account of visual impact and the existence of the ridgeline. It is considered that, given the existing topography, the existing break in slope could be realigned to the west thus allowing working of the lower most fields adjacent to Low Street without breaking the ridge. Working this section would increase reserves to approximately 4.2mt over 33ha and would make the site economically viable.

A plan including indicative locations of the various elements of infrastructure has been submitted with this representation.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3500

O

MJP43 Q14 1443
044: Site Allocations

There is a discrepancy between the proposed level of sand and gravel and the findings of the report commissioned by Scruton PC. Further assessment is needed. If the quantities in the PC report are correct then the site is not viable. Concerned about proposed access from the Bedale Bypass, the increase in traffic will impact on local roads. Will have to move the ethylene pipeline which runs under the site. Site in flight line for RAF Leeming and within aerodrome safeguarding zone so have to be aware of birdstrike risk.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3499

O

MJP43
044: Site Allocations

Q14 1442

There is a discrepancy between the proposed level of sand and gravel and the findings of the report commissioned by Scruton PC. Further assessment is needed. If the quantities in the PC report are correct then the site is not viable. Concerned about proposed access from the Bedale Bypass, the increase in traffic will impact on local roads. Will have to move ethylene pipeline which runs under the site. Site in flight line for RAF Leeming and within aerodrome safeguarding zone so have to be aware of birdstrike risk.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2983

O

MJP43
044: Site Allocations

Q14 1453

Object to the Preferred Site. Scruton Parish Council have undertaken an independent survey of the quality of sand and gravel at the site and it appears to be of low-level and therefore not easy to extract or financially viable. The site will increase the risk of pollution and impact on the health of village residents.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3015

DNS

MJP43
044: Site Allocations

Q14 0512

The exact location is not known, two options are provided. States 2 way daily HGV movements to be 90 average, 130 maximum, does this mean between 180 to 260 actual movements? There is no detailed restoration design so further information is required. In terms of mitigation requirements identified there is a lot of vague language such as 'suitable' and 'appropriate' which do not mean anything. The access is supposed to be going to be onto the Bedale - Aiskew - Leeming Bar Bypass. Any problems on the A1 or A684 result in traffic being directed onto the surrounding roads which are not suitable for the increased volume of traffic.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 0601 Support this Part Preferred Part Discounted Site and should be 4th priority.

044: Site Allocations

Response to comment: *Noted.*

MJP43 Q14 1431 Have not clearly demonstrated that the production quantities from the site make it viable. Access to the site needs to be clarified.

044: Site Allocations

Close to RAF airbase so potential hazards if build up of water attracts birds. High winds will blow sand into the village. There will be a loss of amenity in terms of bridleway and non road users will be deterred from using local routes. Will impact on usage of the Wensleydale railway.

Will impact on residents amenity. There is confusion over the proposed start date, 2017 or 2025?

Response to comment: *Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

MJP43 Q14 0970 The applicants will not be aware that NYCC propose to make a non motorised route north of the bypass, almost parallel with the bypass from Hamhall Lane to Low Street, using an existing farm track and the access to the balancing pond just east of Low Street. This is part of the plans for building the bypass.

044: Site Allocations

The site application incorporates this proposed route at the eastern end of the proposed workings, just north west of the railway line. One of the suggested accesses is off the bypass, there should be some recognition and allowance made for the NMU route, if this is not done would not approve of the application.

The total area of the proposed site will dramatically alter the landscape because of its size, there will be an environmental impact on current users of the area. Detailed discussions should be required so the NMU track is not jeopardised.

Response to comment: *The 7 engineering layout drawings that identify for the non-motorised route adjacent to the bypass are public documents accessible on the NYCC online planning register within case reference NY/2010/0126/ENV. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

3723

O

MJP43
044: Site Allocations

Q14

0505

Object to the site due to proximity to RAF Leeming flight path and the potential public safety. The site also contains a ethylene pipeline. Main concerns of the site relate to local amenity and cumulative impacts.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2827

DNS

MJP43
044: Site Allocations

Q14

0463

The land of MJP43 provides a natural buffer zone between the industrial estate, motorway and the village of Scruton. The development of the site would destroy farmland and tranquillity of the area.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2827

DNS

MJP43
044: Site Allocations

Q14

0467

There is an Ethylene Pipeline going across part of MJP43 which poses a safety risk if damaged.

Response to comment:

The issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1438
044: Site Allocations

Concerned about the suitability of the roads for HGVs. The roads are narrow and there appears to be no plans for a connecting road to the site off the new by-pass. The lanes are used by horse riders for recreation. Concerned that the site, once extraction has taken place, will become a landfill site. An alternative restoration would be to water, neither is suitable in this area as they attract birds and these are a hazard to aircraft and the site falls within the Aerodrome Safeguarding site for RAF Leeming. The site is also crossed by an ethylene pipeline which is costly to relocate further investigation should be taken to see if this development is economically viable especially now part of the site has been excluded and the buffers needed to protect the pipeline. Part of the site is adjacent to the Wensleydale railway, has consideration been given to preventing erosion and providing buffers to protect the railway which could further reduce the potential area of extraction. Concerned about proximity to residential properties and local businesses.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 0466
044: Site Allocations

Residents in Scruton are confused why MJP43 has been included as a preferred option when land further to the west (east of the A1) has been excluded on grounds of loss of visual amenity. MJP43 contains a shallower seam of sand and gravel of low quality, so less economically viable. There is no specific justification for its inclusion other than vague references to expanding the workings at Killerby. This would be justifiable if there were good quantities of sand and gravel, but this does not appear to be the case. The site should be excluded on the grounds of economic unsuitability, loss of public amenity, loss of agricultural land, potential traffic/noise/dust pollution and subsequent health hazards, potential danger to aircraft. The Parish Council has undertaken an independent survey of ecological deposits which does not match the figures provided in the Plan.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2834

O

MJP43 Q14 0469
044: Site Allocations

Object to this development.

The high quality agricultural land contains many species of wildlife. The amount of mineral to be extracted is of low volume but will cause a lot of disruption. The prevailing wind carries dust into the village. It is not clear where the access road will link to the bypass and what disruption it will cause.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2835

O

MJP43 Q14 1463
044: Site Allocations

Object to the site.

Will be an increase in dust and pollution which could impact on health.

Increase in traffic will increase noise and fumes, the roads in the area are too narrow for the HGVs. The water table is high and area subject to flooding. The site would be detrimental to the village.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3449

O

MJP43 Q14 1535
044: Site Allocations

This site would impact on the local amenity as there is a public bridleway running through the site, the proposed route is unsuitable for site traffic, BMVL will be lost and there will be an impact on visual amenity and dust will blow onto nearby properties. A report commissioned by Scruton Parish Council shows that the deposits in the site are shallow and of poor quality. The site is close to RAF Leeming and the water table is high so standing water may attract birds and pose a risk to aircraft. There is an ethylene pipeline running under the site, this should be shown on the map.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2837

O

MJP43 Q14 1517 Object to Part Preferred Site.

044: Site Allocations

An independent survey of the quality of mineral resource commissioned by Scruton Parish Council differs from that stated in the Plan, suggesting the justification does not exist to destroy prime agricultural land. The amenities of the village will be threatened by the proximity of the quarry workings, including noise and dust pollution and HGV use on inadequate roads. The Site will affect leisure facilities and other businesses in Scruton which are used widely. Dust and birds nesting at the site could affect planes from the nearby RAF Leeming and the Chemical/Gas pipeline running through the Site could also be affected, so queries if any safeguards in place for these two risk factors.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2838

DNS

MJP43 Q14 0477 The proposal is to use the Bedale - Aiskew - Leeming Bar bypass to transport minerals from the site with 90 to 130 HGVs per day.

044: Site Allocations

This would cause congestion and pollution. It seems unnecessary when there is a working railway adjacent to the site. The total estimated reserves for the site is too high, a proper survey is required to ensure the site is commercially viable before the site is adopted, if the figure is incorrect it could lead to a shortfall in the sand and gravel landbank. The site is on the flight path for Leeming Airfield. Any pools of water which occur after extraction has started will attract water birds and create a risk of birdstrike, so the site should be discounted.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2839

O

MJP43
044: Site Allocations

Q14

2065

This site is linked to policy M07, where it states that it will not be required until 2025, unless there is a shortfall in sand and gravel. This will have an adverse impact on local residents and businesses. There is an ethylene pipeline crossing the site which poses an hazard. There will be public safety issues including post development risks to RAF Leeming and their aircraft, increase in transport volume and environmental issues to both human health and wildlife disturbance. There will be a loss of grade 2 farmland.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3770

DNS

MJP43
044: Site Allocations

Q14

1471

Concerned about local businesses including equestrian businesses. The increased noise, dust and traffic on the roads will result in a loss of custom in the area, the site would result in the loss of the only remaining bridle path. Concerned about the site being restored using landfill and the associated risks including risk of bird strike on the RAF aircraft.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2844

O

MJP43
044: Site Allocations

Q14

0012

Objects to the site as is inappropriate development for the edge of a village (Scruton). Concerned about noise, traffic disturbance having a detrimental effect on quality of life. The local roads are very narrow and additional HGVs would cause severe problems. There are 2 'pinch-points' one on the corner of Silver Street and the other on the stretch of road near the Coore Arms. Many roads don't have pavements and increased vehicles would present a hazard to pedestrians using these routes.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2826

O

MJP43 Q14
044: Site Allocations

1495

Report produced for Parish Council demonstrates that actual amount of resource in the preferred area is less than stated in the Plan and would not be economically viable to extract. The loss of BMVL would not be worth the amount of resource extracted. The access to the site needs clarifying. Will have an adverse impact on residential amenity.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2846

O

MJP43 Q14
044: Site Allocations

1524

Object to this Part Preferred Site.

The Site is not viable as it is insignificant in the context of identifying future resources. The harm caused by the potential of the Site outweighs any benefit. The proposal lacks substantive detail and the estimate of reserves appears to be spurious, according to an independent Report which suggests the Site is not commercially viable. The Site's proximity to Scruton is in conflict with Objective 10 - Protecting Local Communities and proximity to RAF Leeming is likely to raise objections from the MOD. All policies which can be interpreted to allow the inclusion of MJP43 are opposed.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3017

O

MJP43 Q14
044: Site Allocations

1525

The site is 85% grade 2 agricultural land which would be lost. The ethylene pipeline would be a public risk hazard if it were to be disturbed, a detour of the route would result in a loss of extractable material. Restoration would involve infill, where is the material coming from? Concerned about proximity to RAF Leeming and danger of birdstrike and loss of amenity.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3377

O

MJP43 Q14 1537 Object to this Part Preferred Site.

044: Site Allocations

The Site would have a negative effect on the local environment and landscape and lead to increased noise and dust pollution with potential health risks. Inadequate local roads will lead to hazards for other road users. The Site will also threaten local wildlife and horses. Existing sites should be expanded rather than opening new sites.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2853

O

MJP43 Q14 0102 Agree with discounting the selected area, but object to the rest of the reduced site area being preferred.

044: Site Allocations

Response to comment:

Noted.

3774

O

MJP43 Q14 1516 Object to this Part Preferred Site.

044: Site Allocations

The Site map is not up-to-date as it doesn't show the new link road, the ethylene pipeline or clearly show the discounted area of the Site. Lack of detail regarding reasons for decreasing the Site size, the narrowing of the bands of material and the quality of the material. The amount of reserve at the updated site is a guestimate, as it should be closer to 23% of the original estimate. Bird strike resulting from restoration of the Site is a an issue for RAF Leeming. The water table at the Site is very high and water courses will have increased runoff leading to environmental pollution. A junction from the Site to the Bypass has bot been considered. The lack of a decision before 2025 is an abuse of process. Inadequate road network for use by HGVs. The process appears to fulfil government requirements rather than practical considerations. Noise and dust pollution, habitat and landscape damage and loss of grade 2 agricultural soil will be among the impacts.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2858

O

MJP43 Q14 1538
044: Site Allocations

Pleased that the area proposed has been reduced, but the rest of the site should also be discounted. There would be a loss of Grade II agricultural land. There would be an impact on the environment, public safety and leisure activities such as walking, cycling and horse riding.

The yield will be small and of poor quality and there is a high water table which could contribute to flooding in the area.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3773

O

MJP43 Q14 1501
044: Site Allocations

There needs to be a reassessment of the amount of viable sand and gravel available in the preferred area of the site. A study has indicated that there is a high level of clayey sand which is present which is not suitable for aggregate use. It should not be assumed that the mineral extracted within the Plan area is going to be exported, neighbouring authorities should try and fulfil their own needs before looking to import from elsewhere. If the site went ahead there would be a risk to public safety as there is an airfield nearby which could be impacted by dust, and future possibility of bird strike if large bodies of water develop. If the site remains preferred then it could take many years before the site is worked which provides a level of uncertainty for residents. There needs to be clarification about the access to the site, the local roads are not suitable for the increase in HGVs which will be generated by the site. There will be a loss of BMVL, so need to decide if the loss of land is worth the small amount of resource which will be extracted.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2860

O

MJP43 Q14 1545
044: Site Allocations

Object to this Part Preferred Site.

The Site will disrupt the environment, transport infrastructure (which is inadequate for the additional traffic), wildlife and farming. Dust and noise pollution will add to the impact from RAF Leeming.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1530
044: Site Allocations

Site will pose a risk to public health due to dust pollution. The site will adversely impact on the environment and green infrastructure and affect the high water table increasing the likelihood of flooding. The amount of deposit in the site should be reassessed as a report has found that what is present is small in quantity and poor in quality. The delay in extracting the site will leave uncertainty for residents and the works will adversely impact on their quality of life. Safeguarding buffer for silica sand is 500m, this will impact on residents properties and allotments. There will be an impact from noise and dust and the transport infrastructure is unsuitable for the proposed increase in traffic. The proposed site forms an environmental buffer between the A1 and the industrial expansion of Leeming Bar, if this was destroyed it would affect tourism in the area, especially on the Wensleydale Railway. Reclamation proposals need to be formalised with the operator/landowner providing funding for the work to be done. Being close to RAF Leeming is an issue both during extraction and reclamation stages with a risk of birdstrike and dust affecting the aircraft. The area floods regularly and extraction from the site may make this worse. There is an ethylene pipeline running under the site.

The sand and gravel are river deposits, if a programme of dredging were to take place then sand and gravel would be a by-product so the site would not be needed.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP43 Q14 1529
044: Site Allocations

Concerned that there are insufficient safeguards in place to minimise development on the local area. The quantity of material to be extracted is relatively small but would result in a loss of Grade 2 Agricultural land. There is insufficient information provided to make informed comments on, for example the plan doesn't identify the BALB on it. The proposal will blight the area for many years for a resource that isn't needed until 2025. This will significantly impact on the lives and future of the area. The area is flat with open view and would lead to visual, agricultural and environmental and amenity intrusion of the site on the area with mitigation been difficult. Access on to the site is uncertain and either option (onto the By-pass or Fence Dyke Lane) is unsuitable. Restoration of the site, if involving water bodies, would be a hazard for aircraft at RAF Leeming. The exclusion of part of the site which yields the highest reserve on the basis of visual intrusion, and leaving the remaining part of the site in seems bizarre.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The route of the Bedale-Aiskew Leeming Bar bypass will be on the next published map and no access is proposed onto Fence Dike Lane.

2897

O

MJP43 Q14
044: Site Allocations

1489

Aerodrome safeguarding doesn't appear to have been considered as the water level is high in this area there is almost certainly going to be an increase in water bodies which will attract a large number of birds. If the site is to be restored via landfill this would also increase the volume of gulls. Birds within an aerodrome safeguarding area are a potential hazard.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2898

O

MJP43 Q14
044: Site Allocations

1490

Objects to the site as it does not address transport and public safety matters appropriately. Concerned about the volume of traffic using local roads (narrow roads). There is a lack of pavements so the roads (in Scruton) are used by pedestrians, cyclist and horse riders which would become hazardous if there was to be an increase in HGV's.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2842

O

MJP43 Q14
044: Site Allocations

1531

Object to this Part Preferred Site.

Environmental and aesthetic impact from the Site including unacceptable damage to the rural landscape, impact upon the bridleway currently crossing the Site, increased risk of flooding. Confusion over the proposed start date of the Site, 2017 or 2025.

Risk to public health from dust pollution, increased traffic both during construction of the access to the Site and extraction, and risk to aircraft within the Airfield Safeguarding Zone for Leeming Bar via dust and potential birdstrike from wildfowl nesting on Site.

Efficacy of the site is in question due to the potentially speculative reserves which need to be corroborated. An independent Survey by the Parish Council found that the Site contains low-yield sand mixed with clay, with a likely output of 10% that estimated in the proposal suggesting the Site is not viable. Loss of Grade 2/3 Agricultural Land. Impact upon tourism in the area.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

120 Historic England

O

MJP43 Q16
044: Site Allocations

0166 Support the exclusion of the western half of this site from the Preferred Area. Mineral development in the Discounted Area could have resulted in harm to the significance of a number of Listed Buildings in the vicinity.

Development of the Preferred Area could still impact upon a number of designated heritage assets including Leases Hall which is Grade II Listed, a Grade II listed Ice House and Grade II Listed Scruton Grange.

Response to comment:

Noted. Further assessment of the potential impact of the site on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2978

O

MJP43 Q16
044: Site Allocations

0605 The proposed site is too near RAF Leeming, as the extraction area will fill with water and attract flocks of birds. The site could also impinge on the nearby gas pipeline. Would tree planting be utilised as a screen to absorb noise and dust?

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

57 Plasmor Ltd

S

MJP44 Q14
044: Site Allocations

1002 Support the allocation of this site.

Response to comment:

Noted.

57 Plasmor Ltd

S

MJP45

Q14

1003

Support the allocation of this site.

044: Site Allocations

Response to comment:

Noted.

119 Natural England

S

MJP45

Q15

1039

Note the proximity of the site to the River Derwent SAC and welcome the general identification of ecological issues and impacts on SSSIs etc. but would like to see specific reference to potential hydrological impacts on River Derwent SAC in the site brief.

044: Site Allocations

Response to comment:

Reference to potential hydrological impacts on the River Derwent SAC can be made.

2812 Trans Pennine Trail Office

S

MJP45

Q16

1253

Support the Preferred Site.

044: Site Allocations

Screen the Trans Pennine Trail and the National Cycle Network from any proposed works.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

114 Ministry of Defence / Defence Infrastructure Organisation

DNS

MJP46 Q14 0791 The site falls within the statutory safeguarding consultation zone of RAF Leeming. Any development exceeding 91.4m above ground level would need to consult the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restorations which include wetland creation or open water bodies will need to be referred to the DIO.
044: Site Allocations

Response to comment:

The DIO will continue to be consulted as the Plan progresses and would be consulted if a planning application were submitted as the site is within the statutory birdstrike safeguarding zone or if a structure exceeding 91.4m high were to be proposed, (which it is not).

2192 Local Access Forum

O

MJP46 Q14 0971 Do not support the discounting of this site as there would be a large community benefit of having the connecting bridge.
044: Site Allocations

Response to comment:

No bridge was proposed in connection with the MJP46 site.

120 Historic England

S

MJP46 Q14 0155 Support the proposal not to identify this site as a preferred area.
044: Site Allocations

Mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including a number of Listed Buildings to the north east of the area, Grade I Listed Kiplin Hall, Grade II Listed cow byre and a Scheduled Monument (Castle Hills medieval motte and bailey castle and 20th century airfield defences.)

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

286 Scarborough Borough Council

S

MJP49 Q14 0590 Support the discounting of this proposed site.
044: Site Allocations

Concerned about the potential adverse impact upon Cayton and Flixton Carrs, Burton Riggs SINC and the public rights of way.

Response to comment:

Noted.

1161 James Stockdale Ltd

O

MJP49 Q14 0471 Object to the site being discounted.

044: Site Allocations

Do not agree with the reasons for discounting the site, particularly impact upon archaeological remains and the A64.

The site has the potential for a long period of extraction, there are no other similar sites in close vicinity and it would contribute to meeting the increase in demand for Sand and Gravel.

Response to comment:

The objection is noted & it is acknowledged that the site has a potential resource. The nearest active sand and gravel quarry is at Wykeham Quarry approximately 2.5km to the west which is permitted until 2025. Historic England considers that the development of this site could harm elements which contribute to the significance of the Scheduled Monument at Start Carr, which is one of the most important Early Mesolithic settlement sites in Europe. Therefore it is considered that to allocate the site would not be in accordance with the conserving of the historic environment required in Section 12 of the National Planning Policy Framework.

2192 Local Access Forum

DNS

MJP49 Q14 0972 Need clarification regarding how the public rights of way will be protected with the quarry planned to operate both sides of this footpath as a diversion is not possible.

044: Site Allocations

Response to comment:

Noted. If the site was reconsidered the issues raised would be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

120 Historic England

S

MJP49 Q14 0158 Support the proposal not to identify this site as a preferred area.

044: Site Allocations

Mineral development at this site could harm elements which contribute to the significance of the Scheduled Monument at Star Carr, which is one of the most important Early Mesolithic settlement sites in Europe.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

120 Historic England

S

MJP50

Q14

0156

Support the proposal not to identify this site as a preferred area.

044: Site Allocations

Mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including the Grade II* Registered Park and Garden at Scampston Hall, Grade II listed Deer Park House, the boundary of Wintringham Conservation Area, Grade II Listed Church of St Edmund and a Scheduled dyke on Knapton Wold.

In addition there is a high likelihood of important archaeological remains in this area some of which may, potentially, be of national importance. The Vale of Pickering area exhibits evidence of human habitation from the early prehistoric periods through the Roman period and up to the present day.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

116 Ryedale District Council

S

MJP50

Q14

1128

Support the discounting of this site.

044: Site Allocations

The issues of Keld Head Spring within the site is not fully stated in the site assessment, but the discounting of the site is welcomed. Should the site be reconsidered for allocation, the Council would reiterate previous comments regarding the potential for jeopardising the water supply for East and West Knapton.

Response to comment:

Noted.

1351 Newby Hall Estate

S

MJP51 Q14 1182 Support the Preferred Site.

044: Site Allocations

The site continues to have landowner support as a preferred site for the development of a sand and gravel extraction operation.

Response to comment:

Noted.

114 Ministry of Defence / Defence Infrastructure Organisation

DNS

MJP51 Q14 0794 The site falls within the statutory 45.7m height consultation zone surrounding RAF Topcliffe and Dishforth Airfield. Any development exceeding this height would need to consult the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restorations which include wetland creation or open water bodies will need to be referred to the DIO.

044: Site Allocations

Response to comment:

The DIO will continue to be consulted as the Plan progresses and would be consulted if a planning application were submitted as the site is within the statutory birdstrike safeguarding zone or if a structure exceeding 45.7m high were to be proposed, (which it is not).

2197 CPRE (Harrogate)

DNS

MJP51 Q14 0822 Concern over potential gypsum related subsidence and lack of mitigation measures. The site will impact on rights of way and a moat.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP51 Q14 0140
044: Site Allocations

Concerned about the impact which mineral development in this location might have upon the significance of the Registered Historic Park and Garden at Newby Hall.

National policy guidance makes it clear that Grade I and II* Listed Buildings are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.

In order to demonstrate that the identification of this site as a Preferred Area is not incompatible with the requirements of the NPPF as part of the evidence base there needs to be an assessment of what contribution this area makes to these elements which contribute to the significance of the Listed Buildings and what effect the proposed development might have on them. An assessment of the contribution the site makes to designated heritage assets in the area is required.

Response to comment:

Noted. Further assessment of the potential impact of the sites on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP52 Q14 1092
044: Site Allocations

Site is in Green Belt with no noise or air pollution. Landfilling cannot be allowed. It will affect the Green Belt for years to come. There will be a noise and visual impact on properties and an impact of the environment (buzzards, owls, deer, etc.). It will affect water and flooding. The A59 is over saturated with queues. The park and ride and new development at the roundabout already causes queues. This will put off tourists. The extra vehicles to the site will cause mud on the road and accidents.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3736

O

MJP52
044: Site Allocations

Q14 1114

Refer to watercourse as River Foss, but it is Foss Dike. Owners of Kettlewell Lane and will not allow it to be used for non-agricultural purposes nor will they allow it to be upgraded. Previous clay extraction caused dust which damaged crops. Kettlewell Lane is a CFE VI conservation area and we object to any disturbance. The site includes a lake (not a pond) which rises and falls when Foss Dike in flood and is a good flood plain compensatory storage.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3713 Nether with Upper Poppleton Neighbourhood Plan Committee

O

MJP52
044: Site Allocations

Q14 1119

The current access is unsuitable for HGVs and the site access is onto a narrow track lane with limited passing places. Concern that if the access from the single track on to the A59 (as suggested) is widened then there would be an increase in vehicle movements along the road increasing the potential risk of accidents. The junction with the A59 is on an unlit blind bend. It should be imposed that no vehicles can turn left at this junction.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3735 Parker Brothers

O

MJP52
044: Site Allocations

Q14 1116

Refer to watercourse as River Foss but it is Foss Dike. Owners of Kettlewell Lane and will not allow it to be used for non-agricultural purposes nor will they allow it to be upgraded. Previous clay extraction caused dust which damaged crops. Kettlewell Lane is a CFE VI conservation area and we object to any disturbance. The site includes a lake (not a pond) which rises and falls when Foss Dike in flood and is a good flood plain compensatory storage.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP52 Q14 0374 The current access is unsuitable for HGVs and the site access is onto a narrow track lane with limited passing places. Concern that if the access from the single track on to the A59 (as suggested) is widened then there would be an increase in vehicle movements along the road increasing the potential risk of accidents. The junction with the A59 is on an unlit blind bend. It should be imposed that no vehicles can turn left at this junction.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP52 Q14 0023 The landowner supports this allocation.

044: Site Allocations

Response to comment:

Noted.

MJP52 Q14 1350 Appears to be an error in the grid reference, suggest 454010, 454102.

044: Site Allocations

The site also contains high risk Flood Zone 3, the draft site constraints summary only makes reference to Flood Zones 1 and 2.

Response to comment:

The grid reference will be corrected. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP52 Q14 2265
044: Site Allocations

The current access is unsuitable for HGVs and the site access is onto a narrow track lane with limited passing places. Concern that if the access from the single track on to the A59 (as suggested) is widened then there would be an increase in vehicle movements along the road increasing the potential risk of accidents. The junction with the A59 is on an unlit blind bend. It should be imposed that no vehicles can turn left at this junction

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP52 Q16 0179
044: Site Allocations

Upper Poppleton Conservation Area could be affected by this proposal, it also lies in the York Green Belt and could also impact upon elements which contribute to the special character and setting of the historic City of York.

The Plan needs to make it clear that any development proposals for this area would need to demonstrate that these elements which contribute to the significance of the Conservation Area and the special character and setting of the historic City of York would not be harmed.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP53 Q14 0315 The site would be visually intrusive on the landscape and give rise to adverse effects on SSSI, SINIC, trees and hedgerows. Concerned about the proximity and impact on the registered battlefield site and its archaeological remains. Concern about ground water supply and the underlying aquifer, as well as flood risk and surface drainage. Additional concerns include: impacts on PROW and their users; Increase in HGVs, Safety and frequency of vehicle movements.

044: Site Allocations

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

2760 White Quarry Farm

O

MJP53 Q14 1285 Does not agree with the decision to discount this site. There are concerns regarding the location of sites which have been allocated within the Plan and their capacity to meet requirements for aggregate over the plan period. In order to address these concerns this site MJP53 should be allocated.

044: Site Allocations

The preferred options identify three new sites (MJP23, MJP28 and MJP29) along site existing commitments to provide for Magnesian Limestone over the Plan period. It is considered that these allocations do not provide sufficient supply or necessary flexibility to meet growing demands for high quality aggregates and crushed stone within the County.

Evidence suggests there is to be an increase in house building within the North Yorkshire area and as a result the Plan should look to provide additional reserves to meet the increased demand. This coupled with the aim to reduce transport distances the Plan should make sufficient allocations within the area to meet demand. As a result it is considered that MJP53 is ideally located to provide flexibility and meet demand for the area.

Furthermore the site is located within an 'Area of search' within the existing Minerals Local Plan, which clearly signifies the site is considered appropriate in principle.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

120 Historic England

S

MJP53 Q14 0160 Support the proposal not to identify this site as a preferred area.

044: Site Allocations

Mineral development on this site could harm elements which contribute to the significance of the Registered Battlefield at Towton.

National policy guidance indicates that Registered Battlefields are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.

Response to comment: *Noted. Issues raised will be considered through the Site Assessment process where relevant.*

1461 Samuel Smith Old Brewery (Cunnane Town Planning LLP)

S

MJP53 Q14 1020 Supports the discounting of this site.

044: Site Allocations

Response to comment: *Noted.*

2192 Local Access Forum

S

MJP53 Q14 0973 Negative impacts on NMUs too great to reconsider this site.

044: Site Allocations

Response to comment: *Noted.*

MJP53 Q15 1300
044: Site Allocations

The site has been discounted on the grounds of the impact upon the Registered Battlefield of Towton; impacts on local landscape; impact upon ground water; and the impact upon rights of way.

There is no evidence to suggest that the site is any archaeological significance. The site consists of open agricultural fields and doesn't contain any landform that would indicate the presence of archaeological remains. The site is c.300m away from the edge of the battlefield and is not visible from any designated heritage asset. It is considered that the same mitigation could be applied to this site as the authorities have identified the nearby Jackdaw Crag (MJP23).

In terms of impact upon local landscape both this site and Jackdaw crag (MJP23) are located within the same therefore there is little, or no, justification for saying that one would have a greater impact on the landscape than the other. It is considered that the impacts from this site can be mitigated in the same way as MJP23. This site (MJP53) could include extensive structural landscaping or native species, which would effectively screen the proposed development from the main sensitive visual receptors in the local area.

Impact upon groundwater- there is no reason to suggest the quarrying at this site would have greater impacts on the groundwater than the proposal at Jackdaw Crag (MJP23). Nevertheless, the scheme would include monitoring of the groundwater levels and surface water features to ensure there would be no detrimental impact in this regard.

It is considered that there would not be any detrimental impact upon Public Rights of Way.

In conclusion, it is considered that this site should be allocated as it can contribute to the provision of C. 5 million tonnes of Magnesian Limestone in a sustainable location. There are not considered to be any overriding constraints on this site, any constraints can be mitigated in the same way as for Jackdaw Crag (MJP23).

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

MJP54 Q14 1343
044: Site Allocations

The site is located within a groundwater Source Protection Zone 1,2 and 3 for a public drinking water supply. The proposal involves the extraction of sand from an existing quarry by deepening part of the site.

In accordance with GP3 object in principle if the depth of the quarry extension extends below the water table.

The information provided states that 'no overriding constraints have been identified at this stage through the site assessment process.' The site assessment should be updated to include the information about the groundwater Source Protection Zone.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

57 Plasmor Ltd

S

MJP54 Q14 1006
044: Site Allocations

Support the allocation of this site. The land within the proposed allocation has been previously disturbed by mineral operations or is woodland. It is not considered necessary to assess the potential impact on agricultural land as part of any future planning application.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP54 Q14 1921
044: Site Allocations

The Site is within a sensitive groundwater location and the south east corner of the Site is within Source Protection Zone 1 (SPZ1). The Site has benefit of an extant planning permission, no current operations are taking place but it is expected these may resume in the future.

The following measures should be reflected: quarrying or associated activities should be avoided in SPZ1; an appropriate quantitative hydrogeological risk assessment should be undertaken prior to operations resuming, and mitigation measures to protect groundwater supplies agreed with YW and EA; implementation of agreed mitigation measures.

The above measures are required due to the proximity of the Site to the Heck Borehole used for public water supply. There is a clear proven pathway between the Site and abstraction at Heck as shown by the quarry flooding caused when abstraction at Heck ceases. Minimal treatment is required at Heck WTW but quarry operations could potentially exacerbate turbidity issues. These factors are significant risks to the water quality at Heck and the ability of YW to meet legal requirements for the supply of drinking water.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

112 Highways England

DNS

MJP54 Q14 0560
044: Site Allocations

Due to existing routing restrictions traffic would be routed via the A645 and thus the first point of contact with the SRN would be the M62 Junction 34. Assuming a 9 hour working day if all vehicles were routed through this junction the impact would be circa 7 vehicles an hour which is not a concern.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP55 Q14 0974 Concerned no reference is made to the Trans Pennine Trail, which runs through the middle of this site, in the mitigation measures. The people who use the rights of way are not given consideration in minerals and waste applications. Protection of rights of way should be agreed prior to permission being granted.

044: Site Allocations

Response to comment:

The Trans Pennine Trail is the 'leisure route' referred to in the MP55 sensitivities and mitigation sections in Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP55 Q14 0999 Support allocation of this site.

044: Site Allocations

There are amendments to be made to the information. The grid reference for the site is 461919 440761. The number of two way daily HGV movements will be 100 (50 in 50 out). Have identified between 1.5 and 2 million tonnes additional clay reserves to the south west of the current preferred area, which may be suitable for use at the Plasmor Blockworks. Request that the additional area is included in the preferred area. The exact boundary of the clay extraction will be determined based on further site investigations and environmental assessment. The inclusion of the additional area will provide Plasmor with greater flexibility to extract the most suitable clay reserves at the site for the Plasmor Blockworks. The inclusion of the additional area will change the size of the site to 112ha. The maximum amount of mineral reserves may increase to 7,350,000 tonnes of clay subject to the results of further investigation. The anticipated rate of mineral extraction will remain at 200,000 tonnes per annum. Based on 7,350,000 tonnes of clay the proposed life of the site would change to 37 years extraction upon commencement with 31.5 years for completion of landfill (WJP06) based on infilling commencing 2 years after extraction commences.

Response to comment:

The proposed additional area to the site is noted and will receive consideration through the Site Assessment and policy development processes as to whether it is suitable for allocation or not. If considered suitable this will be followed by the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP55 Q14 1829
044: Site Allocations

The life span of the site (27 years at 2025) is at odds with the Plan period. The site should be reduced to provide the required 5 year period at 2025 to the end of the Plan period.

Protection and enhancement of biodiversity and geodiversity and improved habitat connectivity- the losses (some of which are protected species) in the short term would not outweigh the only vague possible benefits in the future.

Water- some potential impacts are noted in the assessment but compaction by vehicles on site may also be an issue on site which may create pathways for on-site run off.

Traffic- the A19 is already a heavily traffic road especially at peak times, vehicles leaving the site, combined with the additional vehicles associated with other recent development proposals would compound the issue of congestion. Sites closer to the highways network should be allocated before this site.

The site would impact upon local amenity (residential properties and Trans-Pennine Trail) as well as the local business park. There is a children's nursery near the site and there are concerns about environmental health issues (dust). The Trans Pennine Trail is also part of the National Cycle Network and the European walking route E8 and must be protected as it is the only route linking York and Selby away from the A19. The Northern area would significantly impact upon the local environment and the Trans Pennine Trail. Overall the area of land currently considered is too large and would result in a significant change to the landscape and an assessment of a smaller parcel of land should be undertaken. The amenity value of Escrick Park estate and the TPT has been ignored and under-valued. The site would result in a loss of BMV land, which would result in a loss of food production and local employment. There would be a complete loss of archaeological remains. An assessment of the impact upon the local conservation area should be considered.

There is no guarantee that the bricks from the site would be used in the local area. Limited jobs would be created at the expense of agricultural jobs.

A smaller parcel of land to the west of Glade Farm would be an extension to existing operations, would fit within the plan period and could potentially be supported. Any allocation of land would need to ensure that all necessary safeguards are in place to protect local amenity of residents and local businesses. A S106 agreement to ensure that the site is restored to a suitable high environmental standard must be insisted upon.

Development would impact on causes of climate change by extraction of clay (affecting local hydrology) and import of waste material for restoration. Concerned about the impacts of flooding.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1398 CPRE (York & Selby Branch)

O

MJP55 Q14 1788 The proposed extraction site will have adverse impacts on the environment.

044: Site Allocations

Response to comment:

Issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2173 CPRE (North Yorkshire Region)

O

MJP55 Q14 0760 The site is located to the west of the Trans Pennine Cycle Trail and the noise and dust from the site may impact on the users of the trail. Any archaeology in the area may be damaged.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

112 Highways England

DNS

MJP55 Q14 0559 This proposal would reopen a former clay quarry located to the west of the Escrick Business Park. The site is not currently operational and thus the 10 light vehicle trips and 50 HGV trips per day would be additional to the network. The site is not located in proximity to the SRN and is therefore not of concern.

044: Site Allocations

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3833

DNS

MJP55 Q14 1760 Concerned about traffic and the detrimental impact upon the quality of life of local residents. Objects to the site being restored using landfill. Concerned about the proximity of the site to a children's nursery and the possible health impacts this would have.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

MJP55 Q14 1341 There appears to be an error in the grid reference given for this site. Suggest it should be 462004, 440780.
044: Site Allocations

Response to comment: *The grid reference will be corrected.*

3823
MJP55 Q14 1626 Objects to the site due to impact upon quality of life and traffic impact on the A19.
044: Site Allocations

O

Response to comment: *Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

O

MJP55 Q14 0142 Concerned about the impact which mineral development in this location might have upon the significance of Escrick Conservation Area, which contains a number of Listed Buildings.
044: Site Allocations

The Council has a statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay 'special attention' to 'the desirability of preserving or enhancing the character or appearance' of its Conservation Areas.

In order to demonstrate that the identification of this site as a Preferred Area is not incompatible with the requirements of the NPPF as part of the evidence base there needs to be an assessment of what contribution this area makes to these elements which contribute to the significance of the Listed Buildings and what effect the proposed development might have on them. An assessment of the contribution the site makes to designated heritage assets in the area is required.

Response to comment: *Noted. Further assessment of the potential impact of the sites on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

2173 CPRE (North Yorkshire Region)

O

MJP55 Q14 0741 Concerned that the allocated site MJP55 which is located to the west of the Trans Pennine Cycle Trail will cause noise and dust for users of this trail for a projected period of time. There may be potential damage to any archaeological remains in the area. There may be an impact on residents.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1114 Woodland Trust

DNS

MJP55 Q15 0882 Has ancient woodland within the site boundary.
044: Site Allocations

Response to comment:

Respondent subsequently confirmed that the representation reference to an ancient woodland within this site was identified in error, rather the woodland is adjacent to the site.

2812 Trans Pennine Trail Office

DNS

MJP55 Q16 1254 Site is visible from the Trans Pennine Trail (TPT) and mitigation measures should be addressed. Wet restoration might have benefits for the landscape, such as a country park linked to the TPT. Support would be given to enhance biodiversity along the TPT. Evaluate impact upon Escrick Conservation Area and Escrick Park. TPT and Sustrans should be consulted.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The Trans Pennine Trail Office and Sustrans are both consultees on the development on the Minerals and Waste Joint Plan.

3710

O

MJP57

044: Site Allocations

0250 Concerned about the impact upon the great crested newts in the area. The site is within a Nitrate Vulnerable Zone. Nearby residential properties use bore holes as their main source of supply and there is concern about the impact on these (contamination/reduction or loss of supply). Concerned about traffic impacts on local roads and through villages as well as noise, dust and agricultural/animal and personal welfare and safety. Concerned about the proximity to the AONB. Agricultural land is farmed adjacent to the site and there is a risk of contamination to soil and crops as well as potential risk to livestock.

Response to comment:

The MJP57 site was withdrawn prior to the publication of the Preferred Options consultation in November 2015.

2192 Local Access Forum

DNS

MJP57

Q14

0981

This site has disappeared from Appendix 1.

044: Site Allocations

Response to comment:

The MJP57 site was withdrawn prior to the publication of the Preferred Options consultation in November 2015 so was not included in the consultation document.

1461 Samuel Smith Old Brewery (Cunnane Town Planning LLP)

S

MJP58

Q14

1021

Supports the discounting of this site.

044: Site Allocations

Response to comment:

Noted.

120 Historic England

S

MJP58

Q14

0161

Support the proposal not to identify this site as a preferred area.

044: Site Allocations

Mineral development on this site could harm elements which contribute to the significance of the Registered Battlefield at Towton.

National policy guidance indicates that Registered Battlefields are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

2192 Local Access Forum

S

MJP58

Q14

0982

Negative impacts on NMUs too great to reconsider this site.

044: Site Allocations

Response to comment:

Noted.

2022

DNS

MJP58

Q14

0316

The site would be visually intrusive on the landscape and give rise to adverse effects on SSSI, SINC, trees and hedgerows. Concern about the proximity and impact on the registered battlefield site and its archaeological remains. Concern about ground water supply and the underlying aquifer, as well as flood risk and surface drainage. Additional concerns include: impacts on PROW and their users; increase in HGVs, safety and frequency of vehicle movements.

044: Site Allocations

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

MJP58 Q14 1279 Object to the discounting of the Site.

044: Site Allocations

Concerned that the site has been discounted due to risk to water resources and the Council's opinion that there are sufficient reserves of hard rock. However, it has been recognised by NYCC that there is a shortage of Magnesian limestone in the plan area which supplies a different market to carboniferous limestone.

The site is a despoiled quarry, originally permitted in 1968, and a Review of Mineral Permission limited the restoration date to 2008. However, due to the operator going into liquidation the site remains unrestored.

It is not accepted that the proposed site would have a detrimental impact upon the nearby Towton Battlefield. The landscape will be enhanced by the restoration of the site to calcareous grassland and woodland, with impact minimised by ensuring restoration is undertaken progressively.

The limestone would be worked inline with the sustainable use of resources policy and the product enhanced.

There is no evidence that the groundwater resources in Tadcaster would be derogated by quarrying, as there has been no evidence of this in the past when quarrying and tipping took place at sites on Old London Road.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

MJP59 Q14 0163 Support the proposal not to identify this site as a preferred area.

044: Site Allocations

Mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including the Scheduled Monument at Ayton Castle, West and East Ayton Conservation Area which contains a number of Listed buildings and Low Yemandale Farmhouse which is a Grade II Listed Building.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

3019

O

MJP59 Q14 1828 Object to the discounting of the Site.

044: Site Allocations

The Site is close to the A170, allowing access for HGVs. Claims of water contamination would be no less applicable to those that apply to Whitewall Quarry.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1157 W Clifford Watts & Co Ltd

O

MJP59 Q14 0818 It is not identified that the site could contribute to the supply of building stone. The stone is of suitable colour to be used in the repair and restoration of local buildings, especially in the National Park. The site should be considered in terms of contributing to the supply of building stone and reference included in the policy.

044: Site Allocations

Response to comment:

The MJP59 table in Appendix 1 to the Preferred Options Consultation does refer in the 'other information' section to the stone being used for building stone.

2192 Local Access Forum

DNS

MJP59 Q14 0975 Rights of way issues to be fully resolved and detailed if this site is to be reconsidered.

044: Site Allocations

Response to comment:

Noted. If the site was reconsidered the issues raised would be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1114 Woodland Trust

DNS

MJP59 Q15 0886 Has ancient woodland within the site boundary.

044: Site Allocations

Response to comment:

Respondent subsequently confirmed that the representation reference to an ancient woodland within this site was identified in error, rather the woodland is adjacent to the site.

3411

O

MJP60 Q14 0521 Support the discounting of this site. The site is surrounded by country lanes which are narrow and poorly drained and not suitable for HGVs. There are also no footpaths for other road users. The site would create dust which would be carried to the villages. The working of the site would be reduce the groundwater level. The Carr Lake to the west is a sanctuary for wild birds which would be adversely impacted by the site workings.

044: Site Allocations

Response to comment:

Noted.

3761

O

MJP60 Q14 1402 Concerned that the site would have a major detrimental impact on quality of life including health and mental wellbeing, increase in traffic, highways safety, noise, dust and pollution, impact upon wildlife and conservation, increased flood risk, loss of local landscape character (industrialisation) and exporting the resource to areas outside NY Plan Area.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3769 Ward Member Hambleton District Council

S

MJP60 Q14 1460 Support discounting of this site.

044: Site Allocations

Response to comment:

Noted.

3768

S

MJP60
044: Site Allocations

Q14

1451

Support the discounting of the site, concerned this decision may be reversed in the future.
The site is close to villages so would be loss of amenity. The access to the site is via unclassified roads and these would not support the proposed number of HGVs. The site is small compared to other sites in the area and there is no 'need' for it.

Response to comment:

Noted.

3420

S

MJP60
044: Site Allocations

Q14

1528

Support discounting of this site.
There should be no development on this site now or in the future due to proximity to local village, vehicular impact on local roads, noise and air pollution and cumulative impact of a series of quarries around the village. The number of quarries proposed in the area is disproportionate to the size of the communities. If the site is to be considered further assessment of the mineral reserve is required.

Response to comment:

Noted.

3400

S

MJP60
044: Site Allocations

Q14

1554

Support the discounting of this site.
Agree with the key sensitivities identified by the site assessment. There would likely to be significant adverse impacts including on local amenity, BMVL and the local landscape. Other sites are considered more appropriate to meet the requirements of the Plan.

Response to comment:

Noted.

3771

O

MJP60
044: Site Allocations

Q14

1473

Object to the proposal on the following grounds: the high number of applications for mineral extraction in the Kirkby Fleetham area, particularly the west side. Proximity to conservation area, impact on local wildlife, excess traffic pollution and destruction of the beautiful area.

Response to comment:

Noted.

3421

S

MJP60

Q14

1523

Supports the discounting of MJP60.

044: Site Allocations

Information reports the access road to be 8m wide , careful survey would confirm that it is only 5m wide in places. This would create hazards (mud/dust) and cause problems for the local communities.

Response to comment:

Noted.

3395

S

MJP60

Q14

0513

Support the discounting of this proposed site.

044: Site Allocations

The site will have been detrimental to the village, its residents and surrounding environment. Concerned about cumulative impact from other nearby proposed sites.

Response to comment:

Noted.

3426

S

MJP60

Q14

1534

Support discounting of this site due to adverse impacts on local amenity, BMVL and local landscape. The cumulative impact of other preferred sites around Kirkby Fleetham needs highlighting as an issue. The access route along Lumley Lane is and Low Street is unsuitable as are narrow and difficult for vehicles to pass in places. There is uncertainty regarding the proposal having the landowners permission. There has been no liaison between operators and the community, and this is identified as a key issue in the Plan's Vision and Objectives.

044: Site Allocations

Response to comment:

Noted.

3431

S

MJP60 Q14 1513 Support the discounting of this Site.

044: Site Allocations

This site should continue to be discounted for the following reasons: existing sites should be extended; unacceptable demands on C road; noise and dust pollution leading to health problems; environmental impacts; impact upon the water table; bird strike risks to planes from RAF Leeming; increased risks to other roads users; loss of Grade 1 agricultural land; impact upon nearby villages and a conservation area; landscape impacts; cumulative impact from MJP21 and MJP33.

Response to comment:

3414

S

MJP60 Q14 0520 Support the discounting of this site.

044: Site Allocations

If the site were to go ahead there would be an impact on local amenity in terms of noise pollution, dust, light pollution. The village is a conservation area and this designation might be undermined. There would be an increase in traffic which would impact on other road users. The local wildlife would be affected and the stream through the site may become polluted.

Response to comment:

MJP60 Q14 1488 Support the discounting of the Site.

044: Site Allocations

The Site should continue to be discounted from the process. Objections to the proposal at the Site include: the Local Aggregate Assessment identifies a need for aggregates in the Northern Distribution Area to 2030 of 18.9mt, of which 6.8mt is provided by existing reserves and the shortfall of 12.3mt is made up from sites MJP21 and MJP33. This leaves a surplus of 2mt to carry forward beyond 2030. The planned commencement of MJP21 and MJP33 takes them beyond 2030, and with the addition of the two preferred sites MJP17 and MJP43, the requirements for meeting both the demands for aggregates to 2030 and an additional landbank are met well beyond 2036. Therefore, MJP60 is not required within the timespan of this Plan to 2036. Supported by Policy M07.

The Site is in close proximity to Kirkby Fleetham, Great & Little Fencote, a conservation area and twenty houses are immediately adjacent to the Site. Approximately 1000 people will be directly impacted by the noise and dust pollution created by the Site leading to health problems. Cumulative impact from MJP21 and MJP33, which if combined with MJP60 would cover 513ha, producing 21.7mt of sand & gravel over the next 20-30 years. Supported by policies D01, D02, D06 and D10.

The Site would lead to a loss of Grade 2 Agricultural Land, which cannot be restored. Supported by Policy D02 and D12.

The working of the Site would destroy a valuable amenity area used by walkers and horse riders, and of landscape value including three locally important sites: Moorhills Plantation, The Bog and The Carr. These three wet areas home to a variety of wildlife, would be at risk from any lowering of the water table. Supported by Policy D01, D02, D06, D07 and D10, and Objective 9.

The associated traffic movements seem to be a significant under estimate. The intended access to the site, specifically C40 and C114, are inadequate to handle the increase in traffic and there would be considerable impact upon other road users from HGVs. In addition, MJP21 and MJP33 also propose using similar access roads (specifically the north end of Low Street) leading to a combined total of 585 HGV and 81 light vehicle two way daily movements. The inadequacy of Low Street to cope with only the traffic from MJP21 is acknowledged in a Transport Statement (see full response) which states 'the existing width of Low Street is not sufficient for regular 2-way use by HGVs'. As the width of Low Street between MJP21 and MJP60 is no wider than the section referred to above it is clear that the proposed access road for MJP60, in addition to the poor sight lines and the width of the junction, is inadequate to cope with HGV traffic. Therefore, MJP60 needs to be discounted on serious accessibility issues. Supported by Policy D03.

It is assumed that the working depth of the site will be between 10-13m. The water table in the area is 2-3m below ground level, therefore significant pumping would be required. This will lead to the detriment of the three nearby wetland sites and may impact the complex pattern of perched water tables in the area reducing the productivity of adjacent grade 2 arable land. Supported by Policy D07, D09 and D12.

The volume of washings plus overburden is inadequate to restore the site to its original topography, either the site will be 8-10m below the original ground level or large quantities of fill material will be imported. This will result in an extensive water body rather

than a return to agricultural land which will attract wildlife leading to potential birdstrike threats to planes from RAF Leeming. Supported by Policy D10 and D12.

The Site would severely affect a proposal for affordable housing to the west of the village and the status of Kirkby Fleetham as a recognised Service Village and a village cluster for future housing development, as defined by Hambleton District Council in 'Settlement Hierarchy and Housing Development in Rural Areas'.

Response to comment: *Noted.*

3384

S

MJP60 Q14 0494 Support the decision to discount this site.
044: Site Allocations

Reasons for this include: Proximity to residential dwellings in Kirkby Fleetham, Great Fencote and Little Fencote negatively impacting quality of life. Noise and dust pollution effecting Kirkby Fleetham and Great Fencote due to prevailing winds (W/SW) and local wildlife, especially birds. The volume of HGV traffic generated by the site on inadequate local roads would be unacceptable, including the potential debris left on the road from the site which is difficult to monitor and the danger to other road users such as pedestrians, cyclists and horse riders. Loss of BMV Agricultural Land and the existing agricultural character of the area. It is understood that a recent sale of part of the site was for the purpose of continuing agricultural use. Restoration proposals to water and agriculture seem unrealistic due to the high water table in the area and the location of the site under the flight approach to RAF Leeming increasing the risk of aircraft encountering waterfowl.

Response to comment: *Noted.*

3387

S

MJP60 Q14 1557 Support discounting of this site. The site should remain discounted and not be reintroduced at some later stage. The access roads are too narrow for heavy lorries and the increase in traffic will affect other road users. The noise pollution would affect residents, animals and birds.
044: Site Allocations

There would be a loss of farmland, hedges and habitat. Local amenity would be impacted. Other sites in the area will provide enough sand and gravel for requirements of the Plan. The River Swale should be assessed for possible dredging for sand and gravel supplies which will also lessen flooding. Restoration to lakes will increase the potential for birdstrike for aircraft at RAF Leeming.

Response to comment: *Noted.*

MJP60 Q14 0501 Support the decision to discount this site.

044: Site Allocations

Reasons for this include: proximity to residential dwellings in Kirkby Fleetham, Great Fencote and Little Fencote negatively impacting quality of life. Noise and dust pollution effecting Kirkby Fleetham and Great Fencote due to prevailing winds (W/SW) and local wildlife, especially birds. The volume of HGV traffic generated by the site on inadequate local roads would be unacceptable, including the potential debris left on the road from the site which is difficult to monitor and the danger to other road users such as pedestrians, cyclists and horse riders. Loss of BMV Agricultural Land and the existing agricultural character of the area. It is understood that a recent sale of part of the site was for the purpose of continuing agricultural use. Restoration proposals to water and agriculture seem unrealistic due to the high water table in the area and the location of the site under the flight approach to RAF Leeming increasing the risk of aircraft encountering waterfowl.

Response to comment: *Noted.*

MJP60 Q14 0609 Support the discounting of the site and the reasons given for doing so.

044: Site Allocations

Response to comment: *Noted.*

MJP60 Q14 0976 The cumulative impact of yet more quarrying in the locality could be justified if one of the nearby application sites is withdrawn due to loss of habitat, landscape features, safety on Low Lane and recreational pleasure will far outweigh the gain from mineral extraction. No mention is made of the bridleway running right through the site.

044: Site Allocations

Response to comment: *Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The right of way through the site is a footpath, not a bridleway.*

3763

O

MJP60
044: Site Allocations

Q14 1419

Support the discounting of the site.

The site is close to several villages. Access to the site is by unclassified roads which would not support the proposed number of HGVs. It is close to other sites which have been preferred to provide sand and gravel. Loss on amenity for local villages would be severe.

Response to comment:

Noted.

3402

S

MJP60
044: Site Allocations

Q14 1556

Support the discounting of this site.

Agree with the key sensitivities identified by the site assessment. There would likely to be significant adverse impacts including on local amenity, BMVL and the local landscape. Other sites are considered more appropriate to meet the requirements of the Plan.

Response to comment:

Noted.

3396

S

MJP60
044: Site Allocations

Q14 1445

Support the discounting of this site.

It is close to residential properties and would have had an adverse impact on the residential amenity. Tourism and recreation in the area would have been affected and tranquillity destroyed.

Response to comment:

Noted.

3409

S

MJP60
044: Site Allocations

Q14 0504

The discounting of this site is supported.

Response to comment:

Noted.

3377

S

MJP60 Q14
044: Site Allocations

1536

Support the discounting of this Site.

The Site would have a negative effect on the local environment and landscape and lead to increased noise and dust pollution with potential health risks. Inadequate local roads will lead to hazards for other road users. The Site will also threaten local wildlife and horses. Existing sites should be expanded rather than opening new sites. Proximity of the Site to Kirkby Fleetham.

Response to comment:

Noted.

3016

S

MJP60 Q14
044: Site Allocations

0602

Support the discounting of this site.

Concerned that if the site was developed it would have an adverse visual impact on the landscape, it would result in a significant loss of good arable farmland, and road connections would not be suitable for HGV access and other increased traffic.

Response to comment:

Noted.

3422

S

MJP60 Q14
044: Site Allocations

0611

Support the discounting of the site.

The currently preferred sites of MJP21 and MJP33, without MJP60, would have a detrimental impact upon good agricultural land, increased traffic, dust and noise, and proximity to local dwellings. The cumulative impact if all sites in the area were to be developed would have an excessive impact upon the Parish of Kirkby Fleetham with Fencotes. The planned exit road for MJP60 is inadequate for the purpose and only 5 metres wide in places leading to uncomfortable passing space, damaged grass verges (dust in dry weather, muddy in wet weather) and delay to local traffic entering and leaving the parish which is unacceptable.

Response to comment:

Noted.

3401

S

MJP60 Q14
044: Site Allocations

1555

Support the discounting of this site.

Agree with the key sensitivities identified by the site assessment. There would likely to be significant adverse impacts including on local amenity, BMVL and the local landscape. Other sites are considered more appropriate to meet the requirements of the Plan.

Response to comment:

Noted.

3434

S

MJP60
044: Site Allocations

Q14

1475

Support the discounting of this site.

Concerned that this site was proposed by a commercial operation without the consent of the landowner, if the landowner had been consulted the site would not have been put forward. Queried if all planning applications dealt with in this way.

Response to comment:

Noted. The site was submitted by a mineral company, which was subsequently asked to confirm whether the site had the support of landowner(s). Different regulations apply to making planning applications: applicants are required to serve notice on landowners (if the site is not owned by the applicant) which provides the opportunity for the landowner to comment on the application.

3762

S

MJP60
044: Site Allocations

Q14

1429

Support the discounting of the Site.

Concerns regarding this site include: proximity to, and impact upon the amenity of, Kirkby Fleetham and Great & Little Fencote, elevation of the site and within clear view of the villages, unsuitable local roads for HGVs, cumulative impact with other preferred sites i.e. MJP21 & MJP33 and the lack of need for the site in terms of required landbanks.

Response to comment:

Noted.

3575

O

MJP60
044: Site Allocations

Q14

1417

Such a large development close to a village is not acceptable, the effect of the site on the environment, village and local residents should be minimised.

Response to comment:

Noted.

3482

S

MJP60
044: Site Allocations

Q14 1457

Support the discounting of this site.

The site is close to a conservation village. If the site went ahead there would be an adverse impact on air quality and health risks. There would be a loss of high quality agricultural land and an impact on wildlife. Restoration to a lake would possibly lead to a birdstrike risk for aircraft. Concerned that there will be increased noise. There is no 'need' for the sand and gravel from this site.

Response to comment:

Noted.

3474

S

MJP60
044: Site Allocations

Q14 1468

Support the discounting of this site.

The site is located close to a couple of villages, one of which is a conservation village. If went ahead along with nearby quarries would be a cumulative impact on the area. Local roads would not be able to support the increase in traffic and would pose a hazard to other road users. Would be an increase in noise, dust and airborne pollution. The site will impact on the water table. There will be a loss of agricultural land.

Response to comment:

Noted.

2922

S

MJP60
044: Site Allocations

Q14 1541

Support discounting of the site as too close to villages and road access is unacceptable. Agricultural land would be lost and wildlife would be affected.

Response to comment:

Noted.

3478

S

MJP60
044: Site Allocations

Q14 1456

Support the discounting of this site.

The site is close to a conservation village. If the site went ahead there would be an adverse impact on air quality and health risks. There would be a loss of high quality agricultural land and an impact on wildlife. Restoration to a lake would possibly lead to a birdstrike risk for aircraft. Concerned that there will be increased noise. There is no 'need' for the sand and gravel from this site.

Response to comment:

Noted.

3446

S

MJP60
044: Site Allocations

Q14 1476

Support discounting of this site.

Local roads would not cope with the increase in traffic generated by the site. There would be an increased risk of birdstrike due to laying water and water restoration. Should extract gravel from rivers rather than from land. If other sites in the area are also developed would be a cumulative impact of noise pollution.

Response to comment:

Noted.

3479

S

MJP60
044: Site Allocations

Q14 1458

Support the discounting of this site.

The site is close to a conservation village. If the site went ahead there would be an adverse impact on air quality and health risks. There would be a loss of high quality agricultural land and an impact on wildlife. Restoration to a lake would possibly lead to a birdstrike risk for aircraft. Concerned that there will be increased noise. There is no 'need' for the sand and gravel from this site.

Response to comment:

Noted.

1450

S

MJP60
044: Site Allocations

Q14 1498

The discounting of the site is supported.

The site is located in very close proximity to the villages of Kirkby Fleetham and Fencotes. Kirkby Fleetham would be surrounded by quarries. Local roads are not suitable for quarry vehicles. The site would create noise, dust and pollution. Extraction could cause flooding, loss of agricultural land, significantly impact on the life of local residents, result in loss of amenity

Response to comment:

Noted.

3481

S

MJP60
044: Site Allocations

Q14 1455

Support the discounting of this site.

The site is close to a conservation village. If the site went ahead there would be an adverse impact on air quality and health risks. There would be a loss of high quality agricultural land and an impact on wildlife. Restoration to a lake would possibly lead to a birdstrike risk for aircraft. Concerned that there will be increased noise. There is no 'need' for the sand and gravel from this site.

Response to comment:

Noted.

MJP60 Q14 0797 Following discussions with landowners concerning two parcels of land at Kirkby Fleetham we will be in a position to make instructions for detailed assessment work to take place including access, archaeology, soil quality, hydrogeology and ecology. We will also seek a scoping opinion under the EIA regulations for mineral extraction.

044: Site Allocations

Response to comment:

3484

S

MJP60 Q14 1469 Support the discounting of the Site.

044: Site Allocations

The Site is unsuitable for the proposed use for the following reasons: inadequate access roads for HGVs and unable to mitigate due to proximity of existing dwellings; an increase in traffic presenting hazard to walkers, cyclists and horse riders; loss of footpaths and bridleways; loss of grade 2 agricultural land, which would be impossible to restore; impact upon Moors Hill Wet Woodland and Bog; pollution impacts upon Mill Beck which runs through the Site; Increased risk of flooding and bird strike to RAF Leeming; proximity to a conservation village; noise and dust pollution leading to health problems; visual impact upon Kirkby Fleetham; cumulative impact upon Kirkby Fleetham, Great and Little Fencote and Scruton.

Response to comment:

3526

S

MJP60 Q14 1467 Support the discounting of the site.

044: Site Allocations

The site is close to residents and is a risk of pollution. There would be a loss of agricultural land and local amenity. The access would be from minor roads and there would be increased traffic on the roads. The working will impact on the water table. There is uncertainty regarding the restoration proposals. There is no 'need' for the sand and gravel from this site, there is enough provided by other sites.

Response to comment:

2853

S

MJP60 Q14 0103 Support the discounting of this site.

044: Site Allocations

Response to comment:

3568

S

MJP60 Q14 1414 Support the discounting of the Site.

044: Site Allocations

The reasons for this include: existing sites, totalling 39mt, meet future demands; inadequate local access roads for HGVs; increase in local traffic presenting a hazard to other road users and loss of footpaths and bridleways (NCN Route 71); loss of Grade 2 agricultural land, which would be impossible to restore; impact upon nearby Moors Hill Wet Woodland and Bog and Mill Beck which runs through the site; Increased flood risk; increased risk of bird strike to planes from RAF Leeming; proximity to and impact upon a Conservation area and a school via noise, dust, landscape and visual impact (noise from the A1 upgrade, which is 3 miles away, can be heard at times); cumulative impact from numerous mineral extraction sites near to Kirkby Fleetham, Great and Little Fencote and Scruton.

Response to comment:

3577

S

MJP60 Q14 1397 Support the discounting of this site.

044: Site Allocations

The roads in the area unsuitable for increased HGV traffic. If quarry went ahead would be an increase in pollution from traffic, noise and dust and residents quality of life would be adversely affected as well as local amenity. There would be a loss of BMVL. Archaeological remains could be destroyed. If the site was to go ahead more details would need to be provided in terms of working methods, dealing with the water table and restoration.

Response to comment:

3574

S

MJP60 Q14 1496 Support the discounting of this site.

044: Site Allocations

Concerned about air and noise pollution from the site. The local roads are not suitable for a large number of HGVs. There would be an adverse impact on local and residential amenity and an impact on the environment.

Response to comment:

2215 CPRE (Hambleton Branch)

S

MJP60 Q14 0519 Support the discounting of this site, it would have had an adverse impact on the nearby villages and affect their quality of life and would be contrary to Objective 9. Such a large development is not appropriate so close to significant areas of settlement.
044: Site Allocations

Response to comment: *Noted.*

1505

S

MJP60 Q14 1550 Support the discounting of this site.
044: Site Allocations There is no 'need' for the mineral in this site within the Plan period. The site is close to Kirkby Fleetham, which is a conservation area, there would be environmental pollution in terms of noise, dust and lighting. There would be a loss of Grade II agricultural land and there would be an increased risk of flooding which could lead to an increased risk of birdstrike for RAF Leeming. The access is unsuitable and there would be an adverse impact from the increase in traffic.

Response to comment: *Noted.*

3461

S

MJP60 Q14 1406 Support the discounting of the Site.
044: Site Allocations Agree that there is likely to be significant adverse impacts on local amenity, best and most versatile agricultural land and local landscape from this proposal. Also consider that other options are more appropriate to meet requirements. Requests that the site be removed from any future proposals for the following reasons: prevailing winds would lead to noise and dust pollution leading to health related issues; traffic impact on unsuitable local roads; cumulative impact of numerous mineral extraction sites in vicinity of Kirkby Fleetham; excessive amounts of aggregate currently available so no additional immediate requirement for mineral extraction; proximity of the site to a conservation area; impact upon wildlife and agricultural land; has the extension of existing sites being considered as opposed to the creation of new sites; consideration should be given to importing required minerals rather than developing new extraction sites.

Response to comment: *Noted.*

3459

S

MJP60 Q14 1464 Support the discounting of this site. There is no need for this sand and gravel.
044: Site Allocations

Response to comment:

3457

S

MJP60 Q14 1465 Support the discounting of the site.
044: Site Allocations

The site should not be considered again as it was purely a monetary application within no supporting evidence. The site would have greatly affected the whole of Kirkby Fleetham in terms of health, social, psychological, physical and emotional sense.

Response to comment:

3456

S

MJP60 Q14 1502 Support the discounting of the site.
044: Site Allocations

If the site was approved then it would have a cumulative impact along with other sites in the area. There would be a loss of agricultural land.

The access is along narrow country roads which is unsuitable for HGVs. Local residents will suffer noise, dust and light pollution. The village is a conservation area and so this will be adversely impacted. There will be an impact on local business and local amenity and loss of a public footpath.

Response to comment:

120 Historic England

S

MJP60 Q14 0146 Support the proposal not to identify this site as a preferred area.
044: Site Allocations

The mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including nationally-important archaeological remains including Kirkby Fleetham Conservation Area, the remains of the motte and bailey castle and medieval settlement earthworks within Hall Garth, Friars Garth and potentially important archaeological remains in the site area.

Response to comment:

MJP60 Q14 1448 Support the discounting of the Site.

044: Site Allocations

The reasons for this include: existing sites, totalling 39mt, meet future demands; inadequate local access roads for HGVs; increase in local traffic presenting a hazard to other road users and loss of footpaths and bridleways (NCN Route 71); loss of Grade 2 agricultural land, which would be impossible to restore; impact upon nearby Moors Hill Wet Woodland and Bog and Mill Beck which runs through the site; increased flood risk; Increased risk of bird strike to planes from RAF Leeming; proximity to and impact upon a Conservation area and a school via noise, dust, landscape and visual impact (noise from the A1 upgrade, which is 3 miles away, can be heard at times); cumulative impact from numerous mineral extraction sites near to Kirkby Fleetham, Great and Little Fencote and Scruton.

Response to comment:

Noted.

2192 Local Access Forum

DNS

MJP61 Q14 0978 Planning permission was granted in July 2015, how have the rights of way on this site have been protected and what mitigation has been provided.

044: Site Allocations

Response to comment:

The MJP61 site submission was withdrawn prior to the Preferred Options Consultation in November 2015. The presence of the footpath was taken into account in the determination of the planning application NY/2014/0204/FUL. Details of the mitigation measures can be found within the application details and decision notice.

MJP62 Q14 0154 Support the proposal not to identify this site as a preferred area.

044: Site Allocations

Mineral development on this site could harm elements which contribute to the significance of a number of heritage assets in the area including Manor Cottage a Grade II Listed Building; and the Scheduled Castle Hills Medieval Motte and Bailey Castle.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

3023 Chas Long & Son (Aggregates) Ltd

O

MJP62 Q14 1210 It appears the site has been discounted based on the perceived landscape and visual impact. Additional information on the landscape impact has been prepared, and submitted along with this representation. The reports considers the site to be in area that has medium-high level of change and considers the proposal to only result in moderate levels of impact at worst, with the potential for long term beneficial effects. It is requested that in light of the additional information of the key sensitivities and mitigation, that the site be re-considered for allocation within the plan.

044: Site Allocations

Response to comment:

The objection is noted and the provision of additional information. Issues raised will be considered through the Site Assessment process where relevant.

MJP62 Q15 1049
044: Site Allocations

Doesn't support the authorities decision not to allocate MJP62. Supplementary information is submitted in relation to the key sensitivities.

Ecological Matters: information provided confirms the wider context of ecological sensitivity, but identifies limited interest or significance on the site. Wet extraction would reduce the scope for impact upon nearby designated assets and potential cumulative effects. It is recognised that there are other "preferred sites" within the Plan that fall within aerodrome safeguarding zones and are proposing restoration to open water features.

BMV Land: soil resources on site are both freely draining acid loamy soil and freely draining flood plain soil. It is considered that these are unlikely to be BMV resource.

Heritage Assets: the supplementary information provided identifies the landscape and cultural context impact to be minor or negligible in significance.

Landscape and Visual: there are no designated assets of any landscape value in close proximity to the site which results in a moderate- slight effect. Appropriate management and mitigation these effects could be reduced.

Water: wet working would reduce the impacts.

Traffic: the use of the B6271 should be considered acceptable both in terms of the use of the road hierarchy and in capacity and safety terms.

Amenity- the site is over 200m away from the nearest residential and business receptors, thus the scope for impact is minor. Appropriate management and design would reduce these impacts to a point where it should no longer be considered a key sensitivity.

Response to comment:

The objection is noted and the provision of additional information. Issues raised will be considered through the Site Assessment process where relevant.

3023 Chas Long & Son (Aggregates) Ltd

DNS

MJP62 Q16 1050 Consideration of the key sensitivities identified has identified that there are wide range of mitigation techniques available to the operator of the site to reduce the scope for environmental impact and increase the sustainability merits of the proposal.
044: Site Allocations

Response to comment: *Noted.*

121 Environment Agency

DNS

MJP63 Q14 1831 Site is located on the Corallian Limestone Principal aquifer (Jurassic Limestone). The Site is not within a Source Protection Zone and therefore no comments other than highlighting that development should adhere to 'Groundwater Protection: Principles and Practice (GP3) August 2013.'
044: Site Allocations

Response to comment: *The issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

116 Ryedale District Council

DNS

MJP63 Q14 1147 Work has been progressing with the Local Geological Panel on the identification of potential Local Geological Sites for designation. The Plan sets out that minerals and waste sites will be permitted where there are no demonstrated unacceptable impacts on biodiversity and geodiversity, etc. It is considered that the latest information regarding Local Geological Sites shows a conflict with some sites identified in the Joint Plan as follows:
044: Site Allocations

Brows Quarry, Malton - Local Geological Interest - Bridesall Grit 11m Hambleton Oolite UL, Geological status - Candidate 1.

Response to comment: *The issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

120 Historic England

S

MJP63 Q14 0157
044: Site Allocations

Support the allocation of this site as a preferred area for the supply of building stone. Stone from the adjacent site has been used for the construction of a number of important buildings in the local area and stone from this site would help the maintenance and repair of the heritage assets in the local area.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

116 Ryedale District Council

DNS

MJP63 Q14 1131
044: Site Allocations

Concerned about the allocation of this site in policy M15. Particularly in relation to the proximity of existing dwellings and the need for technical hydrology work not yet undertaken to determine that there are no significant impacts on the River Derwent SAC. The nature of the minerals operation will need to be carefully controlled through conditions.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

119 Natural England

DNS

MJP63 Q15 1040
044: Site Allocations

Note the proximity of the site to the River Derwent SAC and welcome the general identification of ecological issues and impacts on SSSIs etc. but would like to see a specific reference to potential impacts on River Derwent SAC in the site brief.

Response to comment:

Reference to potential hydrological impacts on the River Derwent SAC can be made within the identification of development management matters to be considered in any future application where appropriate.

MJP64 Q14 0819 It is identified that the site represents a significant risk of contamination of groundwater source protection zone and that there would be significant amenity impacts associated with traffic. The site is located in Groundwater Protection Zone 2 (GPZ2) Groundwater Protection Policy does not preclude quarrying activities in GPZ2 and there will not be any potentially contaminative land uses other than those which are associated with any quarrying operation.

044: Site Allocations

The site would be an extension to an existing dormant quarry so the highway network has already been subject to quarry traffic and could be controlled by a planning condition. Limestone could be used as building stone.

The site should be considered in terms of its contribution to the supply of building stone and allocated in the Plan.

Response to comment: *Noted. Issues raised will be considered through the Site Assessment process where relevant.*

MJP64 Q14 1827 Object to the discounting of the Site.

044: Site Allocations

The Site will produce building quality stone, which is more versatile than that extracted at MJP12. The site is close to the A170, lies outside the North York Moors National Park and will create less disruption to local amenity than MJP12. The claim 'there would likely to be a significant potential risk of contamination of groundwater source protection zone' is no more applicable to Cropton Quarry than Whitewall Quarry, which is also a primary aquifer.

Response to comment: *Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

MJP64 Q14 1601 Note this is a discounted site and confirm that the site falls within SPZ 2 for Yorkshire Water's drinking water abstraction at Pickering. Groundwater should be protected from pollution or harmful disturbance of flow. In accordance with 'Groundwater Protection: Principles and Practice (GP3)' August 2013, development posing an unacceptable risk of pollution or harmful disturbance of flow would be objected to. Development proposals at this Site should be accompanied by a hydrogeological risk assessment and the implementation of mitigation measures to reduce risks to groundwater quality and groundwater resources to an acceptable level.

044: Site Allocations

Response to comment: *Noted.*

116 Ryedale District Council

S

MJP64 Q14 1129 Support the discounting of this site.

044: Site Allocations

Response to comment:

727 Leyburn Town Council

O

WJP01 Q14 2268 Object to the proposal as the size and location of the site is unsuitable for the volume of waste that would be recycled there.

044: Site Allocations

Response to comment:

WJP01

Q14

1220

Support the Preferred Site.

044: Site Allocations

The site contributes to Policies W01, W02, W04 and W11. Understands that there are no waste management facilities in the Yorkshire Dales NP and it is vital that waste is managed as close to where it arises as possible for environmental and sustainability reasons. This site is a few kilometres outside the Yorkshire Dales NP and is located on the A684, a major road network for the Northern Dales.

The site is of a suitable size for a Transfer Station and all of the land is currently used as a scrap yard. The site also holds a number of licences for other operations which would terminate were a transfer station to be constructed. This would result in the potential number of traffic movements being extremely reduced, which is beneficial to a number of sustainability objectives (further info provided in the response). The site is located outside the village boundary and traffic to and from the site does not need to pass through the village.

Mature trees with TPO's on two site boundaries would not be affected or undermined by the proposed Transfer Station. The existing trees are higher than the proposed building and would provide natural screening, as would a mature section of woodland on a third side. The site boundary on the A684 has an existing stone wall which would provide partial screening and it is expected that any future planning permission would involve a comprehensive screen of planting on this boundary.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP01

Q14

2233

Object to the site as will have an impact on tourism due to increased traffic and pollution.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3987

O

WJP01
044: Site Allocations

Q14

2232

Object to the site as the development is inappropriate so close to residential property and there will be dust and odour. It will have a visual impact from the road. The waste would be transported from a considerable distance.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3990

O

WJP01
044: Site Allocations

Q14

2235

Object to the site.

There would be an impact on visual amenity which would deter tourists.

The noise, dust and odours will increase and be detrimental to residents. There will be an increase in HGVs from the site and will pose a hazard to motorists and pedestrians. Water run-off from the proposed site could cause pollution in the local beck.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3989

O

WJP01
044: Site Allocations

Q14

2234

Object to site as will be a detriment to the area and there would be an increase in noise and nuisance and will impact on local residents.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3986

O

WJP01 Q14 2231 Object to the Preferred Site.
044: Site Allocations

The proposal is unsuitable for the following reasons: the location of the site is unsuitable and too far from the A1; the likely increase in HGV traffic in the Yorkshire Dales is unnecessary; odours from the site will negatively affect local residents; the proposed building would not be in keeping with the surrounding area.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3718

O

WJP01 Q14 0475 Opposes the proposed waste site.
044: Site Allocations

Concerned regarding proximity to residential houses and potentially dangerous access due to increased HGV traffic on a busy road. Other areas of concern include environmental impact of noise, dust and odour, negative impact on the village including the visual effect of siting a large industrial building in a rural landscape and the possible complications of providing necessary utilities. Queries if it is guaranteed this site will only manage local waste.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3985

O

WJP01 Q14 2228 Object to the change of use on the site.
044: Site Allocations

The current site is well concealed, the erection of the proposed building will not be adequately screened. Concerned about potential smell and rubbish blowing about. The site is on a main road and close to a beauty spot. The site is close to residential properties, other industry and a new proposed development, which may not go ahead if this site does. There would be an increase in HGVs which would impact on the roads. It is not clear which minerals would be involved.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. No minerals related development is proposed in connection with this site submission.

3716

O

WJP01

Q14

0474

Opposed to the Site.

044: Site Allocations

Concerned about proximity to residential properties, noise, odour, dust and pollution impacts. In addition, potential adverse impact upon tourism in the local village and the wider Upper Dales area. Waste facilities should be discreetly situated away from local communities on industrial estates to support their requirements.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3715

DNS

WJP01

Q14

0468

Oppose the proposal, the area is wrong for this proposed business.

044: Site Allocations

Response to comment:

Issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3714

O

WJP01

Q14

0435

The site is not suitable for a Waste Transfer Station: it is in close proximity to the village of Harmby, the visual impact of a building on the site would not be in keeping with the village. Concerned about noise, dust and odour as well as risk of pollution. The access on the site is directly on to the busy A684 and increased HGV movements would add to congestion problems. The site is located away from the main transfer corridor of the A1, and its inclusion is unusual and wrong.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP01 Q14 2229
044: Site Allocations

Object to the change of use on the site.

The current site is well concealed, the erection of the proposed building will not be adequately screened. Concerned about potential smell and rubbish blowing about. The site is on a main road and close to a beauty spot. The site is close to residential properties, other industry and a new proposed development, which may not go ahead if this site does. There would be an increase in HGVs which would impact on the roads. It is not clear which minerals would be involved.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. No minerals related development is proposed in connection with this site submission.

WJP01 Q14 0308
044: Site Allocations

Object to this proposal.

The site is on the main road into Leyburn, many tourists use this road and the surrounding area is rural and unspoilt. Concerned about noise, dust, odours and heavy traffic from the site having an impact on local amenity and tourism. Should identify a better site for this type of operation.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP01 Q14 0228
044: Site Allocations

Object to the proposed waste site.

The proposed building is too large and will cause visual intrusion on the rural landscape, it would also be close to Harmby beck. There would be an increase in noise, dust, smell and traffic. There is no need for another transfer site when there is already one locally which is well run and no delays when visiting.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3984

O

WJP01 Q14 2230
044: Site Allocations

Object to the change of use on the site.

The current site is well concealed, the erection of the proposed building will not be adequately screened. Concerned about potential smell and rubbish blowing about. The site is on a main road and close to a beauty spot. The site is close to residential properties, other industry and a new proposed development, which may not go ahead if this site does. There would be an increase in HGVs which would impact on the roads. It is not clear which minerals would be involved.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. No minerals related development is proposed in connection with this site submission.

3814

O

WJP01 Q14 1596
044: Site Allocations

Object to the proposed site.

There is already a waste transfer site in Leyburn so this one is not required. It is close to houses and a caravan park and will impact on tourism and business in Leyburn.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3794

O

WJP01 Q14 1573
044: Site Allocations

Objects to the site on the following grounds: ecological impact; visual intrusion and impact upon local landscape (gateway to the Dales); water issues; traffic impact; noise, dust and odour.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3719

O

WJP01 Q14 0473 Object as development is close to residents. Any waste disposal facility needs to be as far away from residents as possible.
044: Site Allocations

Response to comment:

Issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3795

O

WJP01 Q14 1574 Objects to the site on the following grounds: ecological impact; visual Intrusion and impact upon local landscape (gateway to the Dales); water issues; traffic impact; noise, dust and odour.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3811

O

WJP01 Q14 1593 Object to the proposed site.
044: Site Allocations The proposed building will be an eyesore and not blend in with the landscape. Access is onto a busy road with other junctions and footpaths nearby. Concerned about water runoff from the site and the risk of pollution. Will be noise, dust and odour pollution which cannot be eliminated.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3812

O

WJP01 Q14 1594 Object to the proposed site.
044: Site Allocations It is near residential properties, the site will produce an odour and traffic on the roads will increase.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3796

O

WJP01 Q14 1575 Objects to the site on the following grounds: ecological impact; visual intrusion and impact upon local landscape (gateway to the Dales); water issues; traffic impact; noise, dust and odour.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3813

O

WJP01 Q14 1595 Object to the Preferred Site.
044: Site Allocations Concerns regarding: an existing waste transfer Site already operates in Leyburn; visual impact in a scenic area; proximity to residential area and other facilities in the Village; impact on tourism and local businesses.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

734 Kirby Hill, Little Ouseburn & Thorpe Underwood Parish Council

O

WJP01 Q14 1717 Object to the site.
044: Site Allocations

Response to comment:

Noted.

3798

O

WJP01 Q14 1581 Object to the site.
044: Site Allocations It is close to residential housing and there would be an increase in traffic.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3792

O

WJP01 Q14 1571 Objects to the site on the following grounds: proximity to Harmby village; noise, dust and odour. Concern about operational hours, number of vehicles as the current site is operated at a low level and the proposed level of vehicles is greater than that currently access the site.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3816

O

WJP01 Q14 1580 Object to the site.
Concerned about increase in HGV traffic and them using the poorly designed access onto the site as would create a hazard. There would be an impact on tourism and risk of pollution.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3810

O

WJP01 Q14 1592 Object to the site.
The scale of the proposed building is too large and would provide an unacceptable visual impact. Could be health implications from noise, dust and odours as close to residential housing. Would be safety implications due to increased traffic on the main road.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3996

O

WJP01 Q14 2267
044: Site Allocations

The site would be an eyesore on the main route into the National Park and may deter tourists. There will be an increase in traffic and increased impact on the single lane bridge. Views would be obscured.
A waste site would be best located close to the A1 so away from residential properties and does not affect views.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3817 District Councillor Leyburn & Harmby

O

WJP01 Q14 1578
044: Site Allocations

Object to the site.
There are two other waste sites in the area. The businesses in Leyburn and the Dales could not produce enough waste to make this site viable. The proposed building would be visually intrusive and the site is in close proximity to local dwellings and the waterfall.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3818

O

WJP01 Q14 1579
044: Site Allocations

Object to the Preferred Site.
Concerns regarding: the position of the Site is unsuitable and will have a detrimental visual impact; increased hazards from HGV traffic on local roads; proximity to residents and detrimental to the environment.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3819

O

WJP01 Q14
044: Site Allocations

1577

Object to the Preferred Site.

The site will have an impact on tourism; noise and dust pollution will affect the health of local residents; there will be increased HGV traffic on local roads.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3820

O

WJP01 Q14
044: Site Allocations

1576

Object to the Preferred Site. Concerns regarding traffic impact upon local roads; impact upon tourism (Gateway of the Dales) blighting the area, including increased HGV; noise and dust pollution and odour affecting residential properties; close proximity to Harmby waterfall, impact on local amenity.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3809

O

WJP01 Q14
044: Site Allocations

1591

Object to the site.

The size of the building, noise, dust and odour would affect residents in Harmby. There is a risk the beck could be polluted. There could be an adverse impact on tourism. Traffic on the main road would be increased. A better located site could be found.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3789

O

WJP01 Q14
044: Site Allocations

1568

Object to the Preferred Site.

Concerns regarding: proximity to residents and other facilities in the Village; noise and odour pollution affecting local residents; visual impact as the design and layout of proposed building is too big and located on the hill crest; impact on tourism; increased HGV traffic on inadequate local roads.

[Response to comment:](#)

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3787

O

WJP01 Q14
044: Site Allocations

1564

Object to the site and fully support the views of Harmby Parish Council. Waste developments should be on industrial estates.

[Response to comment:](#)

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3786

O

WJP01 Q14
044: Site Allocations

1563

Object to the site due to proximity to residential properties.

[Response to comment:](#)

Issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3785

O

WJP01 Q14
044: Site Allocations

1565

Object to the Preferred Site on the following grounds: visual impact; impact on tourism; increased HGV traffic on local roads; noise and dust pollution. The site would be more suited to a small housing development.

[Response to comment:](#)

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3784

O

WJP01 Q14 1562
044: Site Allocations

Object to the Preferred Site.

Concerns regarding: increased HGV traffic on inadequate local roads will reduce road safety; visual impact from the Site which currently has inadequate screening; design and layout of proposed building is too big; noise/dust pollution and odour affecting the health of local residents; proximity to residents; mitigation measures indicated are not sufficient to outweigh the detriment caused.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3859

O

WJP01 Q14 2069
044: Site Allocations

The site would create an increase in noise and odours and impact on residential and visual amenity. Other sites should be considered where the site would not be visible.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3783 Richmondshire Ward Member- Leyburn

O

WJP01 Q14 1598
044: Site Allocations

Object to the proposed site.

It is close to residential properties. There would be increased smell, traffic noise and number, pollution from hazardous substances stored there and potential impact on residents' health.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP01 Q14 1599
044: Site Allocations

Object to the proposed site.

The proposal is not in keeping with the proposed location, the visibility at the access to the site is poor and other junctions are nearby. There have been accidents here in the past and the increase traffic will add to the potential for accidents. The watercourse could be polluted from run off from the site. There will be an increase in noise pollution which will impact on residents. Tourism will be adversely affected. There are better locations around Leyburn for the site such as in one of the quarries. The current operation is small in scale and does not impact on residents.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

594 Harmby Parish Council

WJP01 Q14 1561
044: Site Allocations

Objects to the proposed site. Concerned regarding proximity to residents; increased HGV traffic on local roads; noise and dust pollution; odour affecting local residents; visual impact; impact on tourism; design and layout of proposed building is too big; water runoff and drainage; inadequate screening; waste development is better suited on industrial estates not in close proximity to a scenic area and village.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP01 Q14 1560
044: Site Allocations

Object to the Preferred Site. Concerns regarding proximity to residents; increased HGV traffic on local roads and proximity to a blind spot on the road; noise and dust pollution; litter and odour affecting health of local residents; visual impact; tourism; design and layout of proposed building is too big; water runoff and drainage; inadequate screening.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3793

O

WJP01
044: Site Allocations

Q14

1572

Objects to the site on the following grounds: ecological impact; visual intrusion and impact upon local landscape (gateway to the Dales); water issues; traffic impact; noise, dust and odour.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3779

O

WJP01
044: Site Allocations

Q14

1559

Object to the Preferred Site.

Concerns regarding proximity to residents; proposed building is too big; increased HGV traffic on local roads; noise pollution; litter and odour affecting local residents; potential for vermin; potential future expansion of the Site; visual impact; a recycling facility is located in nearby Leyburn.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3722

O

WJP01
044: Site Allocations

Q14

0492

Object to the proposed waste site.

It is considered that additional traffic from the site will increase the risk of accidents on the busy road through Harmby. Also concerned about the environmental impacts resulting from increased noise levels, dust and odours. The scenic value of the Dales should be protected for residents and tourists.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3721

O

WJP01 Q14 0481 Object to the proposed waste site.

044: Site Allocations

The proposal will have a detrimental effect upon local residents and is an inappropriate industrial development on the site. Other objections include noise from HGVs, dust and odours effecting quality of life, including possible health concerns, and the potentially unsafe access to the site.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3808

O

WJP01 Q14 1590 Object to this site.

044: Site Allocations

Not suitable as close to residential properties, there will be an increase in traffic, the size if the proposed building will be intrusive and the local residents will be affected.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3860

O

WJP01 Q14 2070 Harmby should not be considered suitable for a waste disposal site. There are already a high volume of lorries passing through the village and this site would increase the noise, pollution and danger from the increase in lorries and the site. Concerned about the type of industrial waste that may be stored there. No sense in transporting waste long distances to the site as not environmentally or economically viable.

044: Site Allocations

'Minor negative impact' has been identified, any negative impact should not be allowed.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3790

O

WJP01
044: Site Allocations

Q14 1569

Objects to the site on the grounds of visual intrusion of proposed building (too large for the area; noise, dust and odour. The site would be better suited to housing development (particularly affordable housing). Concerned that the proposal for the site has only recently been made publically available and considered the idea of such a proposal to be wholly unsuitable.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The site submission was initially published in the Issues and Options Consultation in February 2014, and was also referred to in the Supplementary Sites Consultation in January 2015.

3791

O

WJP01
044: Site Allocations

Q14 1570

Object to site.
Design and layout of proposed building is too big; increased HGV traffic on local roads; concerns regarding proximity to residents; vermin; housing would be more appropriate on this site.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3799

O

WJP01
044: Site Allocations

Q14 1582

Object to this site.
It is too close to residential properties and will have an adverse visual impact. There would be an increase in pollution. The site should be used for housing rather than as a waste site.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3781

O

WJP01 Q14 1600
044: Site Allocations

Object to this proposed site, it should be located outside the town.

The amenity of many residents will be affected, the amount of HGVs will increase dramatically, the size of the proposed building is very large, there will be noise pollution and there are residential properties and a caravan site nearby.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3804

O

WJP01 Q14 1603
044: Site Allocations

Object to the site, it should be removed from the Plan.

A site 'Land North of Harmby Road, Leyburn' was identified in the Fairhurst report, this has been replaced with WJP01 Hillcrest, Harmby. The reason why this has happened is not clear. Concerned hazardous waste to be dealt with at WJP01. There are two other waste transfer stations nearby so WJP01 is not needed.

The site will be intrusive as the existing use is considered to be ongoing in addition to the proposed new building. The site is not screened from the wider landscape and can be seen by local residents. The precise nature of the site including vegetation, wildlife and protected species has not been assessed and must be subject of further investigation. If existing trees are removed this will have a significant impact. Dust and increased traffic noise will have a significant impact on residents who live in close proximity to the proposed site. If the scrapyards activity continues then the vehicle activity increase will be significant. The speed limit will need to be reduced and the bend at the pub widened to provide pedestrian safety.

The site is on a hill so leachate, rain or flood water and construction run-off will need to be contained in a closed system. The assessment states that there would be no significant benefits to local communities, if the existing facility is removed then it will increase the additional journeys made by local residents. If the site goes ahead it will have an impact on existing facilities and attractions in the area, so is unsuitable. Tourism will be affected.

Response to comment:

Whilst site to the north of Harmby Road was mentioned in the Fairhurst report, no site submission has been received in connection with that land, whereas one was received in connection with the WJP01 site. The WJP01 is not proposed as a replacement for the north of Harmby Road site. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3802

O

WJP01 Q14 1583
044: Site Allocations

Objects to the site and the location is unsuitable as it is in close proximity to a village, residential housing and tourist accommodation, attractions, local and tourist facilities. It is located on the main route into Leyburn and would create a visual eyesore on the landscape. Concerned about the increase in HGVs on an already busy route. Concerned about noise, dust, pollution, odour and waste run off. The wellbeing of local residents will be detrimentally affected. There are other more suitable location e.g. disused quarries.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3993

O

WJP01 Q14 2238
044: Site Allocations

Object to the Preferred Site.
Concerns regarding proximity to residents; industrial nature of the proposal; design and layout of proposed building is too big; impact on tourism; potential for runoff to Harmby Beck and waterfall damaging the local ecology; increased HGV traffic on inadequate local roads; noise and dust pollution affecting the health of local residents, a large proportion of which are elderly and therefore susceptible to respiratory disorders; litter and odour affecting local residents. A site closer to the A1 would be more viable from a logistical perspective.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3726

O

WJP01 Q14 0534
044: Site Allocations

Object to the site for the following reasons: risk of odour and dust and the impact upon health as a result of airborne irritants. There is a waterfall adjacent to the site which is enjoyed by walkers and offers biodiversity. The site is in close proximity to the local pub and a caravan park and the site would detrimentally effect these local businesses and local tourism. A WTS would be inappropriate in this location and would blight the lives of local residents and prevent people moving to the area in the future.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3725

O

WJP01 Q14
044: Site Allocations

0522

Opposed to this proposed waste site.

The proposal would be worse than what currently occupies the site. Concerned about noise, dust and odour detrimentally affecting nearby residential buildings. It is accepted that there is need for waste sites but they should not be provided on a main road at the entrance to a village, but rather should be on sites away from residential buildings e.g. disused quarries.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3992 Lower Wensleydale Ward Member- Richmondshire District Council

O

WJP01 Q14
044: Site Allocations

2062

Concerned about the potential for a waste transfer site at Harmby. Reasons include: visual impact at the 'gateway to the dales'; noise, dust and odour; impact on tourism; size and scale of the proposal and traffic impacts.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3998

O

WJP01 Q14
044: Site Allocations

2277

Object to the waste transfer station proposed at Hillcrest, Harmby.

The impact of dust, odour and noise as well as inconvenience and disruption caused on the main road will be unacceptable. The site will have an adverse impact on the setting of Harmby.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3815

O

WJP01
044: Site Allocations

Q14

1597

Object to the proposed site.

It is an inappropriate site close to residential properties. It will have an impact on the environment and the approach to the village. The level of traffic appears to be very low. There will be wind at the site and noise pollution.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3801

O

WJP01
044: Site Allocations

Q14

1584

Objects to the site on the following grounds: potential for water pollution; visual impact, the proposed building being too large at the "Gateway to the Dales"; adverse impact upon tourism; traffic impacts, currently virtually no HGVs use the site, the entrance is close to 3 road junctions can could create road hazards; and proximity to residential dwellings.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3800

O

WJP01
044: Site Allocations

Q14

1585

Objects to the site on the following grounds: noise, dust and odour; proximity to residential properties and the adverse impact upon quality of life and the village; concerns about health impacts; visual intrusion of the site at the 'Gateway to the Dales'. The site would ideally be suited for housing development, preferably affordable housing. Consider looking at alternative sites, for example a disused quarry.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3803

O

WJP01 Q14
044: Site Allocations

1586

Object to the Preferred Site.

Concerns regarding: an industrial development in close proximity to a residential area; noise/dust pollution and odour affecting local residents quality of life; visual impact from the large industrially designed proposed building; increased HGV traffic on unsuitable local roads will be dangerous; other suitable sites should be considered, such as out of town disused quarries.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3805

O

WJP01 Q14
044: Site Allocations

1587

Object to proposed site.

It will affect local residents and business, especially tourism. Will be pollution from odours and possibility of vermin. Local watercourses could become polluted. Access to the site is poor for HGVs and could lead to an accident at the turning in point.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3724

O

WJP01 Q14
044: Site Allocations

0511

Opposed to the site and agree with the comments provided by Harmby Parish Council.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3995

O

WJP01 Q14
044: Site Allocations

2063

Object to the site.

The site is on the A684 which is the main gateway into the Yorkshire Dales, an industrial park would be a more suitable location.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3806

O

WJP01 Q14 1588
044: Site Allocations

Object to the site.

The size of the building with all the noise, odour and dust will have a detrimental effect on residents and tourists. The location is inappropriate. Will be an increase in HGV traffic on the main road. Risk of pollution into surrounding watercourses. May have an impact on health.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3807

O

WJP01 Q14 1589
044: Site Allocations

Object to the site, it is inappropriate development for the location. It is located on the main road and will increase the traffic using the road. The site overlooks residential properties. Residents could be impacted by noise and pollution and mitigation may not solve the problem. If the site is to go ahead financial penalties should be built into the conditions of the planning application. The taking forward of this site does not inspire confidence in the Plan as a whole.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3858

O

WJP01 Q14 2068
044: Site Allocations

The building would have a visual impact and the increase in heavy vehicle movements will create a hazard on the road at the site. This type of operation should be on an industrial estate.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2285 R & I Heugh

S

WJP01

Q15

1221

The right issues have been identified.

044: Site Allocations

Response to comment:

Noted.

2285 R & I Heugh

S

WJP01

Q16

1222

The right mitigation requirements have been identified. However, Rights of Way should not be included on this.

044: Site Allocations

Response to comment:

Noted. The site is visible from parts of footpaths to the west and south of the site. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP02 Q14 0806
044: Site Allocations

Object to the exclusion of this site from the site assessment process.

Paragraph 6.60 and 6.65 of the plan recognise the sites strategic importance of the site in the Plan in terms of its ability to meet future capacity requirements and also provide flexibility to take account of imports of waste into the Plan area. The strategic importance of the site is reiterated in Policy W04 criterion 1 iii. Failure to deliver this site could lead to a shortfall in provision, or a need to identify other sites to meet the identified needs.

It is noted that the Plan identifies the site for safeguarding, however the approach to safeguarding as adopted by the authorities appears to be inconsistent with the National Planning Policy for Waste. The NPPW specifically relates to "existing waste management facilities, and on sites and areas allocated for waste management". Safeguarding doesn't mean the site will be developed. The identification of the site as a 'committed site' does nothing more than highlights its recent permitted status, again the grant of permission does not guarantee development. It is important that key sites are identified in the plan in order to safeguard the Plans aspirations for them. The current approach adopted by the Authorities fails to accord with the plans vision and objectives and could prejudice the delivery of the plan.

Response to comment:

Further assessment of the capacity required to meet the allocation requirements to 2030 is taking place.

WJP03 Q14 0807
044: Site Allocations

Object to the exclusion of this site from the site assessment process.

Paragraph 6.60 and 6.65 of the plan recognise the sites strategic importance of the site in the Plan in terms of its ability to meet future capacity requirements and also provide flexibility to take account of imports of waste into the Plan area. The strategic importance of the site is reiterated in Policy W04 criterion 1 iii. Failure to deliver this site could lead to a shortfall in provision, or a need to identify other sites to meet the identified needs.

It is noted that the Plan identifies the site for safeguarding, however the approach to safeguarding as adopted by the authorities appears to be inconsistent with the National Planning Policy for Waste. The NPPW specifically relates to "existing waste management facilities, and on sites and areas allocated for waste management". Safeguarding doesn't mean the site will be developed. The identification of the site as a 'committed site' does nothing more than highlights its recent permitted status, again the grant of permission does not guarantee development. It is important that key sites are identified in the plan in order to safeguard the Plans aspirations for them. The current approach adopted by the Authorities fails to accord with the plans vision and objectives and could prejudice the delivery of the plan.

Response to comment:

Further assessment of the capacity required to meet the allocation requirements to 2030 is taking place.

120 Historic England

S

WJP04 Q14 0162
044: Site Allocations

Support the proposal not to identify this site as a preferred area.

Mineral development on this site could harm elements which contribute to the significance of the Registered Battlefield at Towton.

National policy guidance indicates that Registered Battlefields are regarded as being in the category of designated heritage assets of the highest significance where substantial harm to their significance should be wholly exceptional.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

2760 White Quarry Farm

DNS

WJP04 Q14 1286
044: Site Allocations

The purpose of the importation of the inert material is to support the faces of the former quarry, restoration of this former site will remain incomplete if no material is imported. The western part of the quarry previously had permission for restoration but this has expired and was not completed due to the previous company ceasing to trade. Allocation of this site would facilitate the completion of restoration on this site. There are unnatural and potentially hazardous features on the site and restoration would help produce a more natural gradient, and improve safety of the public right of way. Restoration on the site could be a mixture of limestone grassland, deciduous woodland and agricultural land, resulting in a significant improvement to the local landscape and improve local amenity, ecological and conservation benefits. The importation of inert CD&E waste at this site is therefore considered appropriate and would contribute to the provision of significant environmental, conservation and landscape benefits.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

2781 Cromwell Wood Estate Co Ltd

O

WJP04 Q14 1280
044: Site Allocations

Object to the discounting of the Site.

The Site would add to the overall reserve of Magnesian Limestone in the Plan and would be a natural extension to a quarry that has been restored but is an engineered topography that could be improved.

There is no evidence that the groundwater resources in Tadcaster would be derogated by quarrying, as there has been no evidence of this in the past when quarrying and tipping took place at sites on Old London Road.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

1461 Samuel Smith Old Brewery (Cunnane Town Planning LLP)

S

WJP04 Q14 1022
044: Site Allocations

Supports the discounting of this site.

Response to comment:

Noted.

WJP04 Q14 0317 The site would be visually intrusive on the landscape and give rise to adverse effects on SSSI, SINCR, trees and hedgerows. Concern about the proximity and impact on the registered battlefield site and its archaeological remains. Concerned about ground water supply and the underlying aquifer, as well as flood risk and surface drainage. Additional concerns include: impacts on PROW and their users; increase in HGVs, safety and frequency of vehicle movements.

044: Site Allocations

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant.

3713 Nether with Upper Poppleton Neighbourhood Plan Committee

O

WJP05 Q14 1120 The current access is unsuitable for HGVs and the site access is onto a narrow track lane with limited passing places. Concern that if the access from the single track on to the A59 (as suggested) is widened then there would be an increase in vehicle movements along the road increasing the potential risk of accidents. The junction with the A59 is on an unlit blind bend. It should be imposed that no vehicles can turn left at this junction.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3697

S

WJP05 Q14 0024 The landowner supports this allocation.

044: Site Allocations

Response to comment:

Noted.

3737

O

WJP05 Q14 1091 Site is in Green Belt with no noise or air pollution. Landfilling cannot be allowed. It will affect the Green Belt for years to come. There will be a noise and visual impact on our property. And an impact of the environment (buzzards, owls, deer etc.). It will affect water and flooding. The A59 is over saturated with queues. The park and ride and new development at the roundabout already cause queues. This will put off tourists. The extra vehicles to the site will cause mud on the road and accidents.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

918 Upper Poppleton Parish Council

O

WJP05 Q14 2266 The current access is unsuitable for HGVs and the site access is onto a narrow track lane with limited passing places. Concern that if the access from the single track on to the A59 (as suggested) is widened then there would be an increase in vehicle movements along the road increasing the potential risk of accidents. The junction with the A59 is on an unlit blind bend. It should be imposed that no vehicles can turn left at this junction

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3374

O

WJP05 Q14 0019 Once Allerton Park is built there will be no need for this site in the York area.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant.

3736

O

WJP05 Q14 1115
044: Site Allocations

Refer to watercourse as River Foss but it is Foss Dike. Owners of Kettlewell Lane and will not allow it to be used for non-agricultural purposes nor will they allow it to be upgraded. Summary of effects on air quality seem only for human impact and not for adjacent crop production. Kettlewell Lane is a CFE VI conservation area and we object to any disturbance. In addition the site itself is a private wetland conservation and wildlife area. Any landfill is objected to as the site is used as a flood storage area.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1096 Nether Poppleton Parish Council

O

WJP05 Q14 0373
044: Site Allocations

The current access is unsuitable for HGVs and the site access is onto a narrow track lane with limited passing places. Concern that if the access from the single track on to the A59 (as suggested) is widened then there would be an increase in vehicle movements along the road increasing the potential risk of accidents. The junction with the A59 is on an unlit blind bend. It should be imposed that no vehicles can turn left at this junction.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3735 Parker Brothers

O

WJP05 Q14 1117
044: Site Allocations

Refer to watercourse as River Foss but it is Foss Dike. Owners of Kettlewell Lane and will not allow it to be used for non-agricultural purposes nor will they allow it to be upgraded. Summary of effects on air quality seem only for human impact and not for adjacent crop production. Kettlewell Lane is a CFE VI conservation area and we object to any disturbance. In addition the site itself is a private wetland conservation and wildlife area. The site includes a lake that is used as a flood storage area.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

121 Environment Agency

DNS

WJP05 Q14 1351 Appears to be an error in the grid reference, suggest 454010, 454102.

044: Site Allocations

The site also contains high risk Flood Zone 3, the draft site constraints summary only makes reference to Flood Zones 1 and 2.

Response to comment:

The grid reference will be corrected. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

112 Highways England

DNS

WJP05 Q14 2272 This Site is expected to generate extra traffic but is not expected to have a significant impact on the SRN.

044: Site Allocations

Response to comment:

Noted. Issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

120 Historic England

O

WJP05 Q16 0180 Upper Poppleton Conservation Area could be affected by this proposal,

044: Site Allocations

The Plan needs to make it clear that any development proposals for this area would need to demonstrate that these elements which contribute to the significance of the Conservation Area would not be harmed.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP06 Q14 1347 Appears to be an error in the grid reference for this site, suggest it should be 462004, 440780.

044: Site Allocations

Response to comment: *The grid reference will be corrected.*

WJP06 Q14 0143 Concerned about the impact which mineral development in this location might have upon the significance of Escrick Conservation Area, which contains a number of Listed Buildings.

044: Site Allocations

The Council has a statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay 'special attention' to 'the desirability of preserving or enhancing the character or appearance' of its Conservation Areas.

In order to demonstrate that the identification of this site as a Preferred Area is not incompatible with the requirements of the NPPF as part of the evidence base there needs to be an assessment of what contribution this area makes to these elements which contribute to the significance of the Listed Buildings and what effect the proposed development might have on them.

An assessment of the contribution the site makes to designated heritage assets in the area is required.

Response to comment: *Noted. Further assessment of the potential impact of the sites on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

WJP06 Q14 1787 The proposed extraction site will have adverse impacts on the environment.

044: Site Allocations

Response to comment: *Issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.*

WJP06

Q14

1005

Support the allocation of this site.

044: Site Allocations

The grid reference of the site is 461919 440761. The number of two way daily HGV movements will be 100 (50 in 50 out). If the additional land is added to MJP55 then this should also be added to WJP06, as they are the same area of land, just providing different functions. The waste annual import rate will remain at 200,000 tonnes per annum, the size of the site will change to 112ha. The proposed life of the site for the disposal of inert waste will be 31.5 years for completion of landfill based on infilling commencing 2 years after extraction commences.

Response to comment:

The proposed additional area to the site is noted and will receive consideration through the Site Assessment and policy development processes as to whether it is suitable for allocation or not. If considered suitable this will be followed by the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP06

Q14

1625

Objects to the site due to impact upon quality of life and traffic impact on the A19.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP06 Q14 1830
044: Site Allocations

The life span of the site (27 years at 2025) is at odds with the Plan period. The site should be reduced to provide the required 5 year period at 2025 to the end of the Plan period.

Protection and enhancement of biodiversity and geodiversity and improved habitat connectivity- the losses (some of which are protected species) in the short term would not outweigh the only vague possible benefits in the future.

Water- some potential impacts are noted in the assessment but compaction by vehicles on site may also be an issue on site which may create pathways for on-site run off.

Traffic- the A19 is already a heavily traffic road especially at peak times, vehicles leaving the site, combined with the additional vehicles associated with other recent development proposals would compound the issue of congestion. Sites closer to the highways network should be allocated before this site.

The site would impact upon local amenity (residential properties and Trans-Pennine Trail) as well as the local business park. there is a children's nursery near the site and there are concerns about environmental health issues (dust). The Trans Pennine Trail is also part of the National Cycle Network and the European walking route E8 and must be protected as it is the only route linking York and Selby away from the A19. The Northern area would significantly impact upon the local environment and the Trans Pennine Trail. Overall the area of land currently considered is too large and would result in a significant change to the landscape and an assessment of a smaller parcel of land should be undertaken. The amenity value of Escrick Park estate and the TPT has been ignored and undervalued. The site would result in a loss of BMV land, which would result in a loss of food production and local employment. There would be a complete loss of archaeological remains. An assessment of the impact upon the local conservation area should be considered.

There is no guarantee that the bricks from the site would be used in the local area. Limited jobs would be created at the expense of agricultural jobs.

A smaller parcel of land to the west of glade farm would be an extension to existing operations, would fit within the plan period and could potentially be supported. Any allocation of land would need to ensure that all necessary safeguards are in place to protect local amenity of residents and local businesses. A S016 agreement to ensure that the site is restored to a suitable high environmental standard must be insisted upon.

Development would impact on causes of climate change- extraction of clay (affecting local hydrology) and import of waste material. For restoration. Concerned about the impacts of flooding.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

112 Highways England

DNS

WJP06

Q14

2273

This Site is expected to generate extra traffic but is not expected to have a significant impact on the SRN.

044: Site Allocations

Response to comment:

Noted. Issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

1114 Woodland Trust

DNS

WJP06

Q15

0885

Has ancient woodland within the site boundary.

044: Site Allocations

Response to comment:

Respondent subsequently confirmed that the representation reference to an ancient woodland within this site was identified in error, rather the woodland is adjacent to the site.

2812 Trans Pennine Trail Office

DNS

WJP06

Q16

1255

Site is visible from the Trans Pennine Trail (TPT) and would require consultation with the TPT and Sustrans. Partial screening provided by hedgerows but landscape is relatively flat and open so impact needs addressing including views from tourism receptors at the Escrick Park Estate and the TPT. Visitor experience should be addressed.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2192 Local Access Forum

DNS

WJP07 Q14 0983 This site is missing from the assessments of site preferences.

044: Site Allocations

Response to comment:

Site WJP07 was withdrawn prior to the publication of the Preferred Options in November 2015 so was not included in the consultation document or the assessments. Assessment was however made separately of the WJP22 site submission.

474 Cattal, Hunsingore & Walshford Parish Council

O

WJP08 Q14 1633 Objects to the expansion of development at this site mainly, but not exclusively, on the grounds of local amenity and highways.

044: Site Allocations

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

120 Historic England

DNS

WJP08 Q16 0168 Some designated assets could be affected by the proposed extension of the existing quarry onto this site, these include Grade II Historic Park and Garden of Allerton Park, Grade II* Temple of Victory and Coneythorpe Conservation Area.

044: Site Allocations

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP09 Q14 1741 Would like to see a restriction on the growth of the recycling of materials due to concerns about noise, traffic volumes and monitoring of conditions already in place through an application.
044: Site Allocations

Response to comment:

Noted. If the site were to be re-considered the issues raised would be considered through the Site Assessment process where relevant.

WJP09 Q14 1825 Support the discounting of the Site.

044: Site Allocations

The reasons for this include: The stone is Jurassic and Corallian, not Magnesian Limestone and therefore aggregate from the Site is of limited strategic importance since it is widely available. The site is in close proximity to Norton-on-Derwent. It should be a priority to protect the sensitive environment and habitat for this town, its residents and core economy.

Topography - The Site lies between 70-80m above Norton. See Appendix A - Topography of Malton and Norton for further details.

Flooding - A Hydrology Report by Ashton Bennett states 'There are BGS Groundwater flooding susceptibility areas within 50m of the Site' 'The EA...indicate the superficial strata to the north of the site comprises a Secondary (A) Aquifer... capable of supporting water supplies at local rather than a strategic scale'. 'The bedrock beneath the site is classified by the EA as a principal aquifer' '[the Site] is classified by the EA as highly vulnerable to pollution... [but] it is imperative that it is protected from pollution'. The continuing removal of permeable limestone has caused significant increase in water flow to vulnerable flood points. Areas such as Bazleys Lane, Spring Cottage, Auburn Hill and Langton Road have seen severe flooding problems, photos provided demonstrate this. The continued removal of mineral will contribute to flooding in Norton and this cannot be mitigated. See the Report for further details.

Dust - An ongoing problem from the Site to the detriment of health of humans and racehorses which walk along Langton Road, parallel to the Site. Wheelwash facilities at the Site are not used, so mitigation measures have not worked, contributing to dust and dirt on the road and hedges.

Racehorse Training in Norton - The Town is a major centre of racehorse training, employing 400 direct and indirect people and contributing £20m annually to the local economy. See Appendix D - Map of Norton Racehorse Training Yards for further details.

Traffic Impact - A Norton Action Group Traffic Survey undertaken in 2014 has found 117 HGV vehicles went north on Welham Road in one day, not accounting for those travelling south from the Quarry. HGVs from the Site disturb local amenity throughout the day (before 7am) and in high volume generating large amounts of complaints contributing to the ongoing deterioration of this neighbourhood. Racehorse training yards along Welham Road have had to close down due to HGV traffic from the Site. The local roads and the route used by the HGVs from the Site is unsuitable as it is narrow and affects other road users and pedestrians. The potential plan to ban HGVs from Malton, forcing them to travel through Norton, will likely lead to only shifting the air quality issues. See the Report for further details.

Air Quality - Butchers Corner in Norton, which is on the route used by HGVs from the Site, has a chronic air quality management problem and is a AQM Zone. Attached information shows that the Site is responsible for 25-30% of HGV traffic along Commercial Street which is a large impact for one business that contributes little to the local economy. See Appendix F - 2014 Highways Authority Traffic Data (Commercial Street, Norton) and Appendix G - Calculation of Design Traffic for further details.

Noise and Blasting - The current noise permissions are continually breached which leads to local amenity suffering from noise pollution. The irreversible fracturing damage done to the strata is impossible to mitigate.

Response to comment:

Noted.

2824

S

WJP09 Q14 0499 Support the discounting of this site as is an ancillary operation which will not continue past the end of the current planning permission in 2023. The site should not be allowed to continue past 2023.
044: Site Allocations

Response to comment:

Noted.

116 Ryedale District Council

S

WJP09 Q14 1134 Support the discounting of this site as not suitable for a HWRC.
044: Site Allocations

Response to comment:

Noted. However, it should be recognised this site was proposed as a materials recycling facility to sort/treat household waste rather than as a HWRC facility where members of the public could bring material for onward transfer for recycling.

119 Natural England

DNS

WJP09 Q15 1041 Note that the Habitats Regulations Assessment identifies concerns regarding the proximity of the site to the River Derwent SAC. Welcome the general identification of ecological issues and impacts on SSSIs etc. but would like to see a specific reference to potential hydrological impacts on the River Derwent SAC in the site brief.
044: Site Allocations

Response to comment:

Noted. If the site were to be re-considered the issues raised would be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP10 Q14 0561
044: Site Allocations

The site is located in close proximity to the A1 junction with Wentedge Road which provides access to the southbound carriageway only. The B6474 provides access to the northbound A1 carriageway. The TA assumed that there was a 50/50 split between the A1 north and south, assuming a 9 hour working day this would equate to approximately 6 vehicles per hour.

Although the level of traffic would be low there may be a highway safety concern as the merge and diverge on the northbound A1 as the tapers appear to be below standard. This will require further consideration.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3585

O

WJP11
044: Site Allocations

2259 Any development must be restricted to within the existing permitted area. Any extension would encroach into Green Belt. Concerned about HGV's passing through the village, consideration should be given to moving the entrance to divert the traffic from the Village.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3994

O

WJP11

044: Site Allocations

2046 The current capacity of the site will be full by 2017. Any extension to the site should exclude landfilling of material from other area than currently utilising the facility. Consideration to diverting the Foss must be given, and the impacts of climate change. The strategic importance of the site is recognised but any future activity on the site should be confined to the existing operational site boundary. Any extension would intrude onto the greenbelt and development of this nature should not be permitted and it is not consistent with Green Belt policy. The land within the green belt should not be safeguarded for future waste development. A waste transfer station on site would significantly increase the number of vehicle movements. Currently traffic routing from the site is poorly managed. The capacity and safety of the round about at junction of B1224 and A59 is a concern, as is congestion on the A1237 and A59.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3517

O

WJP11

Q14

2240

044: Site Allocations

The allocation is partly in the Green Belt, the allocation should stay within the current footprint of the site and not impinge on the Green Belt, as this goes against the Green Belt policy in the Plan. A previous planning application for the site was called in base on Green Belt issues. There would be a large increase in HGV traffic, there are already concerns regarding the amount of HGVs passing through Rufforth village and this would make it worse. The information in the submission is related to a withdrawn planning application so the information should be considered invalid. Any new submission should exclude Green Belt land and prevent HGVs going through Rufforth Village, this will minimise the effects on the community. The site should be restored to its original form.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The information regarding the traffic was based on the details in the planning application as it indicated the numbers which might occur if the WJP11 development were to take place. Although the planning application was withdrawn, the WJP11 was not and so this did not invalidate the use of the figures as indicative values.

3527

O

WJP11

Q14

2239

Object to this allocation.

044: Site Allocations

The site should not be extended into the Green Belt, there are plenty of other areas where the waste site can be located. There is already a lot of HGV traffic going through the village when it is not supposed to, this will increase with the approval of the allocation. A better solution for traffic needs to be found.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3535

DNS

WJP11

Q14

0470

Do not agree with further development at the proposed waste site. The site has exceeded its original time limit and other brownfield sites are available. As originally agreed the site should be restored to agriculture. Greater weight should be given to the impacts from the site on air, traffic volume, pollution, ground water, soil quality, rural land and proximity to a rural village. The site's existence should not be used as justification for further development.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3557

O

WJP11

Q14

1121

Object to additional capacity by diversion of the Foss. Do not accept strategic importance of Harewood Whin. Logic says that waste transfer station should be on A59. No C&I should be accepted at Harewood Whin as landfill should stop in 2017. Waste water treatment should be for on-site water not imported. Object to safeguarding the 2 fields outside existing operations.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP11 Q14 1122
044: Site Allocations

Increasing capacity of site beyond 2017 would not be sustainable especially diverting the Foss. Future activity should be restricted within current boundary. Site is within Green Belt. It should remain so, especially 2 undeveloped fields currently shown as within the allocation boundary. Support waste being dealt with near point of origin and therefore Selby needs a waste transfer station. Harewood Whin should not accept any more hazardous waste.

Support safeguarding land for waste management facilities but think that buffer should be 400m, not 250m.

Huge issue is increased HGV movements especially through the village. Restoration of site: support biomass in principle but should also include public footpaths.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP11 Q14 0375 The current usable capacity at Harewood Whin will be full by 2017. Any extension would require the diversion of the Foss watercourse. The site should not be expected to take waste from the wider area.

044: Site Allocations

The site would change from largely a landfill operation to a waste transfer site, which immediately would increase the number of vehicles entering and leaving the site. HGVs already travel through Rufforth and this is a concern for residents. Draft Policy D03 (Transport of minerals and waster and associated traffic impacts) should apply to any further development at this site. It is considered essential to alter the site entrance to only allow traffic to and from the site in the direction of the A1237 ring road. Concerned about the capacity and safety of the roundabout at the B1224/A1237 junction in light of additional HGVs. Congestion on the A59 is still a problem.

Draft policy D05 (Development in the Green Belt) point viii should be applied to Harewood Whin. The proposal is outside the current footprint of the established waste site and any further operations must remain within this area.

The landscape and setting of the Historical city of York must be maintained (Policy D06). Therefore the two field outside the current operational boundary must be removed.

No further development on the site should take place and the site must be restored in accordance with agreed permission. Consideration of the inclusion of public footpaths across the land should also be made.

The site details in Appendix 1 refer to application 13/00041/FULM which was called in by SoS and withdrawn before a public enquiry could be held therefore it is considered that the details in this submission are invalid.

Concerns over impact upon local wildlife, traffic impacts, risk to water quality and odour should be addressed.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The information regarding the traffic was based on the details in the planning application as it indicated the numbers which might occur if the WJP11 development were to take place. Although the planning application was withdrawn, the WJP11 was not and so this did not invalidate the use of the figures as indicative values.

3536

O

WJP11 Q14 1786 Green Belt land should not be build on. Traffic in Rufforth is a major problem. The proposals would lead to an increase in traffic with potential of accidents. There should be routing which requires all traffic accessing and leaving the site to avoid the village of Rufforth. The site should close and move all activities to Allerton Park.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3555

WJP11 Q14 2236 The site currently proposed would encroach into Green Belt. The road infrastructure is unsuitable and traffic routing is inadequate- HGVs passing a chicane past a primary school. The site industrialises the area and detracts from the city scene of York Minster.
044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3696

S

WJP11 Q14 0022 Response listed WJP10 as the site, but WJP11 is the one near Poppleton.
044: Site Allocations
Close consultation with Poppleton residents is essential due to the dangers of water running off the site.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP11 Q14 1118 Object to any possibility of incinerator bottom ash being transported from Allerton Park to Harewood Whin. Should be dealt with at Allerton to save on transport. Plan states that Harewood Whin is in Green Belt - future development must be restricted to current operational footprint. Excluding the 2 fields adjacent to the B1224. The proposals would see an increase in HGV movements. HGVs must be precluded from travelling through village. Information relating to planning application 14/00041/FULM is invalid as it was withdrawn. The boundary plan shows Green Belt land adjacent to B1224 included. Activity should be restricted to within current operational area.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The information regarding the traffic was based on the details in the planning application as it indicated the numbers which might occur if the WJP11 development were to take place. Although the planning application was withdrawn, the WJP11 was not and so this did not invalidate the use of the figures as indicative values.

WJP11 Q14 2260 The site is within the Green Belt and must be consistent with Green Belt and must be consistent with Green Belt Policy. The Strategic significance of the site is acknowledge but development must be restricted to the current operational footprint and exclude green belt land. There would be a significant increase in traffic volumes as all the material going into site must come back out. HGVs passing through the village of Rufforth is already a problem. An alternative site entrance must be implemented. The information in the submission relates to a Planning Application which has been withdrawn as it was invalid. New information should be submitted, and exclude the Green Belt.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The information regarding the traffic was based on the details in the planning application as it indicated the numbers which might occur if the WJP11 development were to take place. Although the planning application was withdrawn, the WJP11 was not and so this did not invalidate the use of the figures as indicative values.

WJP11 Q14 1098
044: Site Allocations

Majority of residents accept that the site is likely to be used for waste transfer, however would like to see number of issues addressed. Land outside current site boundary should remain in Green Belt. Site entrance must be altered to prevent HGVs travelling through Rufforth. Concerns about proposals to treat Incinerator Bottom Ash on site - environmental grounds and impact on traffic. Concerns that further hazardous materials might come on site in future.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP11 Q14 0448 It is believed that the current capacity at Harewood Whin would be full by 2017 when if operations are to continue a application to divert the Foss watercourse will be required. Any additional capacity permitted should not take waste from the wider area that currently served by the site. In light of recent flooding the diversion of the Foss should be reviewed.

044: Site Allocations

Harewood Whin is within the Green Belt and any operations must remain within the existing boundary. Draft policy D05 of the MWJP recognises this and any proposal on this site must meet this criteria.

Development on this site must ensure that there is no unacceptable impact upon the landscape and the historic setting of York (Draft policy D06).

The site need to be quickly restored to the standards agreed. Understand from Yorwaste that they are considering growing biomass and solar energy on the reclaimed site. In principle this would be supported and consideration should be given to inclusion of public footpaths across the site.

Details in Appendix 1 relate to a previous planning application which called in by the SoS was withdrawn before a public enquiry could take place. The information is therefore considered to be invalid.

Access and the road network is insufficient. Concerned about the potential risk to water quality. Concerned about the potential increase in volumes being managed on site, any increase would result in additional traffic. Odour continues to be a problem

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The information regarding the traffic was based on the details in the planning application as it indicated the numbers which might occur if the WJP11 development were to take place. Although the planning application was withdrawn, the WJP11 was not and so this did not invalidate the use of the figures as indicative values.

3742

O

WJP11 Q14 2058
044: Site Allocations

Object to the Preferred Site.

The Harewood Whin information relates to planning application 14/00041/FULM which has been withdrawn and the information is therefore invalid. Development on Green Belt land should be prohibited and the site entrance should be modified to prevent any vehicular ingress or egress through Rufforth.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The information regarding the traffic was based on the details in the planning application as it indicated the numbers which might occur if the WJP11 development were to take place. Although the planning application was withdrawn, the WJP11 was not and so this did not invalidate the use of the figures as indicative values.

1519 York Outer MP

O

WJP11 Q14 1101
044: Site Allocations

Site entrance must be altered to prevent HGVs travelling through Rufforth. This increased traffic will have implications for B1224 creating severe congestion at the roundabout at the junction with A1237 and upgrades to the road network should be prioritised.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3374

O

WJP11 Q14 0020
044: Site Allocations

Once Allerton Park is built there will be no need for this site in the York area.

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant.

WJP11 Q14 1915 The proposal results in all material going in having to come back out again resulting a significant increase in traffic by at least 25%. Traffic is already a significant issue and an increase would need the site entrance to be physically changed. The submitted information related to a planning application which has been withdrawn. Any proposal should exclude land within the Green Belt.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate. The information regarding the traffic was based on the details in the planning application as it indicated the numbers which might occur if the WJP11 development were to take place. Although the planning application was withdrawn, the WJP11 was not and so this did not invalidate the use of the figures as indicative values.

WJP11 Q14 2258 Object to the Preferred Site.

044: Site Allocations

The information provided on this Site relates to Planning Application 14/00041/FULM which has been withdrawn and the information is therefore invalid. The map of the Site provided includes Green Belt land adjacent to the Site. Any new proposal must exclude any development on the Green Belt and alter the site entrance to prevent vehicles accessing the site through Rufforth.

Response to comment:

Noted. The information regarding the traffic was based on the details in the planning application as it indicated the numbers which might occur if the WJP11 development were to take place. Although the planning application was withdrawn, the WJP11 was not and so this did not invalidate the use of the figures as indicative values. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP11 Q14 1099 The land outside the current site boundary should remain as Green Belt for the long term future. The residents strongly object to the safeguarding of any land outside the existing perimeter for the future growth of the site and its operations.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

121 Environment Agency

DNS

WJP13 Q14 1337
044: Site Allocations

Site already holds Environmental Permit for those activities at this site which are subject to regulation under the Environmental Permitting Regulations 2010 as amended.

Response to comment:

Noted.

120 Historic England

DNS

WJP13 Q16 0165
044: Site Allocations

The following heritage assets could be affected by the intensification of use of this site as close to Halton East Conservation Area, Draughton Conservation Area and Eastby Conservation Area.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

552 Filey Town Council

S

WJP15 Q14 0476
044: Site Allocations

Supportive of the retention of the Seamer Carr recycling facility.

Response to comment:

Noted.

121 Environment Agency

DNS

WJP15 Q14 1340
044: Site Allocations

This is an existing site which is located in a groundwater source protection zone 1 for very important groundwater abstractions that supply the Scarborough area with drinking water. 'Protection of the aquifer' is included as a 'mitigation requirement' but particular reference should be made under 'Key Sensitivities' to the SPZ1 constraint at this site. It is very important that groundwater underneath the site is protected from pollution or harmful disturbance of flow. Any proposals for changes to the existing development will need to be accompanied by a hydrogeological risk assessment and the implementation of mitigation measures to reduce risks to groundwater quality and groundwater resources to an acceptable level.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

120 Historic England

DNS

WJP15 Q16 0173
044: Site Allocations

This site is close to the Scheduled Monument of Starr Carr Early Mesolithic settlement site.

Response to comment:

Further assessment of the potential impact of the site on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP16 Q14 0562
044: Site Allocations

The TA assumes that refuse brought to the site would be distributed according to population across Selby Borough, with all compacted refuse exported to AWRP facility. This is an acceptable approach.

It is stated that the vast majority of traffic to the site is expected to approach and depart from the north on the A19. The site is expected to have limited impact on the M62 at Junction 34 and the A1 at Junction 42.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

2812 Trans Pennine Trail Office

DNS

WJP16 Q16 1258
044: Site Allocations

Site is visible from the Trans Pennine Trail (TPT) which is a distance of 0.2km. Issues such as screening, noise, cumulative impact and landscape will need to be discussed with TPT and Sustrans. In the long term there is a need for a landscape strategy for the former Burn Airfield, including enhancements to the TPT, before further development takes place.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

121 Environment Agency

DNS

WJP17 Q14 1338
044: Site Allocations

Site already holds Environmental Permit for those activities at this site which are subject to regulation under the Environmental Permitting Regulations 2010 as amended.

Response to comment:

Noted.

2173 CPRE (North Yorkshire Region)

DNS

WJP18 Q14 0758 Concerned this allocation will lead to the re-excavation of the quarry below the water table and concerned how the quarry and the waste site would co-exist.
044: Site Allocations

Response to comment:

No proposals are made regarding re-excavation of the former quarry and there is no extraction taking place within the WJP18 site so there is no co-existence issue. The submission is for the retention of the waste transfer facility at the west end of the site which is currently time-limited to 2025, and the landfill area at the east end of the site which is currently time-limited to 2016.

121 Environment Agency

DNS

WJP19 Q14 1349 The site currently holds an Environmental Permit. Any proposal to increase waste quantities and extending the site would require a variation to this permit.
044: Site Allocations

For any variation to the Environmental Permit to be granted the applicant would need to demonstrate that existing odour and dust concerns at the site could be satisfactorily be addressed.

Response to comment:

Noted.

112 Highways England

DNS

WJP19 Q14 2274 This Site is expected to generate extra traffic but is not expected to have a significant impact on the SRN.
044: Site Allocations

Response to comment:

Noted. Issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

120 Historic England

O

WJP21

Q14

0144

This proposal could sterilise a potential source of stone for the future repair of York Minster.

044: Site Allocations

The site should be geologically/petrographically surveyed in order to assess the quality of the remaining stone before any further infilling is permitted.

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

462 Byram-cum-Sutton Parish Council

DNS

WJP21

Q14

0252

Concerned about the possible type of waste which is to be used and over the control of the material. Concerned about the number of vehicle movements which will result in pollution from emissions, giving rise to public health issues. Concerned about the impact upon rare and protected species, such as newts. Sufficient monitoring safeguards must be used to protect residents and habitats from pollution.

044: Site Allocations

Response to comment:

Issues raised will be considered through the Site Assessment process where relevant.

WJP22 Q14 1348 Site is located in a groundwater Source Protection Zone for groundwater abstractions that are used for public drinking water.
044: Site Allocations

The site appears to have planning permission.

These sites are located in a groundwater Source Protection Zone 1, 2 and 3 for two groundwater abstractions. One of these abstractions is used for drinking water.

It is important that groundwater is protected from pollution or harmful disturbance of flow. The proposals for development should be accompanied by a hydrological risk assessment and the implementation of mitigation measures to reduce risks to groundwater quality and groundwater resources to an acceptable level.

Response to comment:

Noted. Impacts on groundwater will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3076 Stobart Biomass Products Limited

DNS

WJP22 Q14 0679 It is anticipated that the long term use of the site will be waste transfer and treatment, but with the option for energy recovery by incineration. The eastern portion of the site will also be used for a solar farm as recently approved. This is indicated on the attached map.
044: Site Allocations

Response to comment:

Noted. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

WJP22 Q15 1257 Queries if the site is in close proximity to the Trans Pennine Trail in Pollington.

044: Site Allocations

Response to comment:

The WJP22 site is approximately 820m from the nearest point of the Trans Pennine Trail which lies to the north-east as the crow flies, but the WJP22 site is located on the south side of the MJ62. Whereas the nearest point of the trail to the WJP22 site on the south side of the M62 is approximately 1.5km to the east of the site.

121 Environment Agency

DNS

WJP23 Q14 1602 The site is located in groundwater source protection zone 1 and 2 for a groundwater abstraction that is used for drinking water. The abstraction is on the south west boundary of the site and the licence is in the name of Lightwater Farms Ltd. The groundwater must therefore be protected from pollution or harmful disturbance of flow. The subsequent planning application for development will need to be accompanied by a hydrological risk assessment and the implementation of mitigation measures to reduce risks to groundwater quality and groundwater resources at an acceptable level.

044: Site Allocations

Response to comment:

The WJP23 site has been withdrawn.

1135 Lightwater Quarries Ltd

DNS

WJP23 Q14 2270 Would still like to include Potgate as a recycling operation in the MWJP.

044: Site Allocations

Have withdrawn the WJP23 location and attached an amended drawing showing the revised location which is at the position of the old quarry processing plant on the quarry floor.

Response to comment:

The withdrawal of the WJP23 site is noted. The submission of the new area (reference to be WJP24) is noted and it will be considered through the Site Assessment process prior to the next consultation and this will include, if the site is considered to be appropriate the identification of the key sensitivities and identification of development management matters to be considered in any future application.

WJP23 Q14 0248 Concerned about the impact upon the great crested newts in the area. The site is within a Nitrate Vulnerable Zone. Nearby residential properties use bore holes as their main source of supply and there is concern about the impact on these (contamination/reduction or loss of supply).
044: Site Allocations Concerned about traffic impacts on local roads and through villages as well as noise, dust and agricultural/animal and personal welfare and safety. Concerned about the proximity to the AONB. Agricultural land is farmed adjacent to the site and there is a risk of contamination to soil and crops as well as potential risk to livestock.

Response to comment: *The WJP23 site has been withdrawn.*

2192 Local Access Forum

DNS

WJP23 Q14 0977 Has vanished from the site assessments.
044: Site Allocations

Response to comment: *Details of WJP23 were published on pages 81-83 of Appendix 1 to the Preferred Options Consultation, but the site has now been withdrawn and a new site submitted (to be referenced WJP24) which will be subject to consultation.*

112 Highways England

DNS

WJP23 Q14 2275 This Site is expected to generate extra traffic but is not expected to have a significant impact on the SRN.
044: Site Allocations

Response to comment: *The WJP23 site has been withdrawn.*

114 Ministry of Defence / Defence Infrastructure Organisation

DNS

WJP23 Q14 0792 The site falls within the statutory safeguarding consultation zone of RAF Leeming. Any development exceeding 91.4m above ground level would need to consult the DIO. The site falls within the statutory birdstrike safeguarding zone, and any restorations which include wetland creation or open water bodies will need to be referred to the DIO.
044: Site Allocations

Response to comment: *The WJP23 site has been withdrawn.*

3874

2147 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

3364

2215 The response form isn't user-friendly. Many of the policies are repeated and to respond to each separately would be tedious.

Response to comment:

719 Knaresborough Town Council

DNS

1744 Note that extraction and processing activities are mainly outside the Parish area and the main impact of the policies will be on air quality and road infrastructure.

Response to comment:

3864

2108 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

1462 Support in principle the preferred options consultation draft plan.

Response to comment:

3695

DNS

0010 The Plan is well balanced and addresses a lot of concerns. The Authorities need to place full weight on the environmental issues included and ensure that other responsible authorities have been able to complete full assessments.

Response to comment:

3686 Frack Free Kirkby Moorside

2098 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

3871

2198 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

1505

DNS

1553 The Minerals and Waste Plans Team have taken on board issues previously raised and tried to minimise the effect of the Plan on communities, this should continue into the future.

Response to comment:

1387 Cleveland Potash

S

1233 The majority of the Policies are acceptable to our business and as such are supported.

Response to comment:

3431

1515 The Response Form is not easy to complete and contains too many cross referencing.

Response to comment:

113 Howardian Hills AONB

DNS

0845 Glossary - AONB amendment

'...geology and landscape. Each AONB has a STATUTORY Management Plan.'

Response to comment:

3866

2225 The online Response Form is confusing to use.

Response to comment:

3873

2130 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

1219 The Plan is a comprehensive piece of work which has clearly taken a great deal of time, effort and expertise to bring to this high standard.

Response to comment:

Noted

2253

2205 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

Noted

3690 Friends of Ryedale Gas Exploration - FORGE

DNS

1877 Do not agree with the fact that Frack Free Ryedale and Frack Free North Yorkshire have published a completed template response on their website which anyone can add their name to and submit as a response to the Minerals and Waste Joint Plan without looking at the consultation document. It only deals with objecting to fracking and ignores the rest of the document.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3869 Frack Free Malton & Norton

2141 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

Noted

- 2192 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

Noted

- 1605 The Chapters of the Plan which I have read are sound and a huge amount of work has gone into it. However, the Plan is too big for the average person to assimilate.

Response to comment:

Minerals and waste policy and site matters are by their nature not simple and cover a range of topics and issues. It is acknowledged that a sizeable quantity of information was made available, however the authorities have to balance being concise with providing the detail which some people or organisations may require.

- 0846 There is some inconsistency throughout the document in relation to the use of acronyms/full organisation titles. This seems to reflect the different writing styles used in places, which is understandable due to the length of the document. A consistency check will need to be done at the next stage.

Response to comment:

Noted.

- 2181 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

Noted

1277 Would welcome the opportunity to discuss the content of the representations with the MWJP Team.

Response to comment: *Noted.*

0728 The North Yorkshire Moors Association has as its main purpose 'To preserve and enhance the characteristic beauty of the Yorkshire Moors for present and future generations'. Therefore, we are aligned to the statutory purpose of the National Park and our comments reflect this.

Response to comment: *Noted*

2119 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment: *Noted*

1301 The Council noted the following policies: M08, M09, M13, W03, W04, W05 and W09.
The discounting of sites MJP31, MJP53, MJP58 and WJP04 has been noted.
The inclusion of the following sites has been noted: MJP45, MJP55, MJP28, MJP23, MJP22, MJP44, MJP54, MJP09, MJP24, MJP27, MJP26 and Part of MJP23. The existence of the existing mineral/waste permission on these sites is also noted.

A key should be included along with the environmental and Historic Maps.

Response to comment: *An 'Environmental and historic maps key' was provided to accompany those maps on the online version of the Policies Map document and in the paper copy*

- 0506 Having the consultation over the Christmas period and drop in sessions in the lead up to Christmas is unsafe. It may be necessary to re-run/extend the public consultation to give respondents a better chance to express their views on matters which may impact on them.

Response to comment:

It is considered that the 8 week consultation period provided adequate opportunity for interested parties to review and provide comments and included a substantial period of time outside recognised holiday periods.

- 2066 The Plan document is too long for members of the public to read comprehensively and to be able to provide reasoned comments.

Response to comment:

Minerals and waste policy and site matters are by their nature not simple and cover a range of topics and issues. It is acknowledged that a sizeable quantity of information was made available, however the authorities have to balance being concise with providing the detail which some people or organisations may require.

- 0594 The recommendations of the Sustainability Appraisal should be incorporated into the Plan.

Response to comment:

Noted

- 1323 East Riding of Yorkshire Council and the City of Hull Council are working together to produce a Joint Minerals and Waste Plan. These representations are made on behalf of the two Councils.

The Councils generally support the content of the document and the progress made towards adopting a Joint plan.

Response to comment:

Noted

954 Whitby (Part) Town Council

DNS

1352 Supports the Policies and approach taken in the Plan.

Response to comment: *Noted*

2812 Trans Pennine Trail Office

DNS

1261 Ensure that the Trans Pennine Trail and Sustrans are consulted throughout the Plan making process.

Response to comment: *Noted. Both organisations are in the consultation database and so will be notified at each consultation stage.*

671 Northallerton Town Council

DNS

1725 Agree with the Preferred Options outlined in the Plan.

Response to comment: *Noted*

3880

2175 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment: *Noted*

3839

DNS

1860 The views of Friends of the Earth are fully supported.

Response to comment: *Noted*

3882

2187 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

Noted

3981 3895 - 3980, 2797, 2798, 2905, 2917, 3007, 3011, 3020, 3853

2082 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

Noted

3742

DNS

2060 Thank you for the informative planning exhibition that was held in Rufforth.

Response to comment:

Noted

3875

2153 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

Noted

3757

DNS

1396 Policies in the Plan would benefit from including a reference to the people who live close to proposed minerals and waste sites and where future generations will live.

Response to comment:

This is addressed in a number of locations in the Plan including in the sections dealing with local amenity and safeguarding of minerals and waste sites.

3762

DNS

1430 The consultation is not inclusive for many residents of the Plan area such as the elderly and those with disabilities, unable to travel or use the internet. Better communication with parish councils is encouraged so that they may be rewarded or supported in providing documents closer to local residents in paper or electronic format (perhaps by the authority loaning computers).

The Response Form is not easy to complete. A better option would be to prepopulate with the relevant questions, provide page numbers and allow headings to be carried onto each page. More thought and testing needs to be undertaken before issuing .

Response to comment:

Noted. Consideration will be given to these matters as part of any future consultation stages.

3763

DNS

1420 For residents who live in rural areas who do not have access to a computer and have mobility problems it is difficult to view the documents and attend Parish Meetings. More consideration needs to be given to these types of people.

Response to comment:

Noted

3740

S

1094 The preferred options appear to be reasonable and sensible in most cases

Response to comment:

Noted

391 Appleton-le-Moors Parish Council

2104 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment: *Noted*

499 Cropton Parish Council

DNS

0515 Concerned about the ongoing consultation process, especially as the discounted site MJP64 lies within the parish and the Parish Council had no previous knowledge of the proposed activity at this site.

Also opposed to fracking so would like to be kept informed about the progression of the Plan.

Response to comment: *All parish councils have been notified of consultation activity on the minerals and waste joint plan and will be informed at remaining key stages.*

359 North York Moors Association

S

0692 Generally support the preferred policies.

Responses are confined to minerals issues and those that impinge on the National Park. Issues concerning waste are generally matters outside of the National Park.

Response to comment: *Noted*

3804

DNS

1604 More Local Authorities need to be involved in the development of the Plan.
Cannot find a record of the Joint Members Working Group where the Fairhurst report has been approved.

Response to comment: *Consultation with other relevant local authorities has taken place throughout preparation of the Plan.*

3876

2159 The online Response Form is confusing to use and does not provide a copy of the submission which is essential. The Word version of the Response Form is laid out in an unhelpful manner restricting comments to a small column, making the document long and difficult to read.

Response to comment:

Noted

3768

DNS

1452 The consultation process is not fully inclusive and some of the community cannot access the documents. More innovative methods should be developed in order to provide a better service to the community. One suggestion is 'friends of the authority' who could be volunteers who could be loaned IT equipment and visit local communities. Parish Councils could be held more accountable and encouraged to engage with their communities more.

Response to comment:

Noted. Consideration will be given to these matters as part of any future consultation stages.

3731 Association of Greater Manchester Authorities

DNS

0784 No specific comments.

009: Crushed Rock

Welcome the recognition in the Joint Local Aggregates Assessment that exports of crushed rock from the Yorkshire Dales National Park Authority to the North West is identified.

Response to comment:

Noted

2860

S

1547 Support the Context Chapter.

002: Context

Response to comment:

Noted

1338 SABIC PETROCHEMICALS

DNS

0011 Maps indicating the route of the Trans-Pennine Ethylene Pipeline (TPEP) and the Teesside to Saltend Ethylene Pipeline (TSEP) which are classified as major accident hazard pipelines carrying high pressure ethylene have been provide for use within the evidence base.

002: Context

Response to comment:

Noted

3846 Ryedale Liberal Party

DNS

1951 NYCC Strategy for Climate change (2010) need to be taken into account, particularly hydrocarbon policies. CYC are committed to reducing carbon by 40% by 2020 and 80% by 2050 (of 1990 baseline figures). Ryedale also has a climate change commitment - how are these going to be reflected in the MWJP policies?

002: Context

The National Character Profile for the Vale of Pickering should be included in the evidence base.

Any further evidence used by the MWJP on Unconventional Hydrocarbons should be used as evidence when determining planning permissions (in the absence of adopted local policy).

Response to comment:

The Plan is limited in its scope to address this issue but contains objectives and policies which seek to reflect climate change objects whilst remaining generally consistent with national policy. Requirements for further evidence are noted and will be kept under review

2817

O

1616 Object

002: Context

Response to comment:

Noted

002: Context

- 1778 Broadly welcome the Plans and Policies. Concerned about the lack of integration with the ERYCC over the whole area of the Yorkshire Wolds, and the lack of acknowledgement of the Ryedale Plan and designation of the Wolds therein. Planning for unconventional hydrocarbons provides considerable challenge and a high degree of reliance on external agencies. Needs to be aware of these challenges and ensure that the concerns of local communities are heeded by planners.

Response to comment:

Noted. Consultation with East Riding Council and Ryedale District Council has taken place throughout preparation of the Plan. It is agreed that the local community issues and the role of other agencies should be reflected in the Plan.

002: Context

- 1758 Approves of the cooperation required for the plan.

Response to comment:

Noted

002: Context

- 0192 More focus is needed on water quality. The effects of climate change will raise the water table over time and is likely to increase the incidence of severe flooding in vulnerable areas. Any development in low lying areas or with traffic infrastructure which is liable to flood should be subject to new design and environmental criteria. Major flooding can contaminate groundwater source zones.

Principal aquifers should be listed or shown on a map, they need to be protected from development. Aquifers are at risk from fracking.

The final sentence needs strengthening.

Response to comment:

This is addressed in development management policies in the Plan

002: Context

- 0106 National Grid has nine high voltage overhead lines and seven high pressure pipelines within North Yorkshire County Councils administrative area.
Any High Pressure Major Accident Hazard Pipelines (MAHP) need to be taken into account when site options are developed in more detail.

Response to comment:

Noted. The issue raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3822

S

002: Context

- 1567 Support the Context Chapter.

The omission of biomass materials is an error, with particular reference to wood pellets and the management of woodland, forest and trees, the 'waste' removal for conversion to fuel and the future developments for biomass (wood pellets) is progressively increasing, and may be open to controversy. Raincliffe Wood Community Enterprise and the Woodland Trust are examples of a good investigative policy.

Response to comment:

Noted.

002: Context

- 1711 The height of the chimney at AWRP will adversely impact on the low lying landscape within the Vale of York. Concerned that Ousegill Beck and the source of the River Ure will not be protected from AWRP when it is operational. AWRP will also adversely impact on air quality in terms of emissions from the chimney and traffic emissions from lorries going to the site. The potentially negative effects of emissions from AWRP will not be in accordance with stated aims regarding air quality. Incineration is being used to divert waste from landfill, but this is contradicted in the sites document which states that landfill will continue to enable reclamation of a former quarry void. AWRP goes against the proximity principle. The composting target of 50% is too low. AWRP will have an adverse impact on communities, businesses and the environment. Paragraph 2.81 talks about cross boundary movement of waste and highlights that there are too many unknowns. Paragraph 2.84 states the adverse impacts of waste development and that these need to be minimised. The paragraph acknowledges the problems but it is too late to build the objectives into the Plan when AWRP is in the process of being built. Incineration on this scale is not the way to go.

Response to comment:

Noted. Permission for the AWRP facility has been granted

002: Context

- 2271 The Freight Advisory Group (FrAG) was set up in 2012 to develop draft policy on waterborne freight and the commercial waterways, taking account of the cost of making and maintaining the 10 commercial waterways 'fit for freight' (current statutory duty), current and prospective market demand for freight, the revenue it would generate and any wider public benefit. The resultant Report 'A Proposed Policy for Waterborne Freight' (Feb 2014) proposed 'a priority freight route approach to identify canals in Yorkshire that are linked to the Humber where investigative effort is required to test if there is freight to be won to commercial waterways. The Report recommended a 'sustainable policy for freight' including: adoption of the concept of the Priority Freight Route; the designation of the Aire and Calder main line from Goole Docks to Leeds (River Lock Tail), the Wakefield branch of the A&C to Wakefield Europort (Whitwood), the Ouse from Goole Railway Bridge to Barlby (Selby), and the SSYN (including the New Junction Canal) from the A&C to Rotherham Lock Tail as the First Priority Routes. The Trust has accepted these recommendations and set up a Freight Steering Group to deliver these.

The Aire & Calder Navigation and River Ouse, waterways within the Plan area, will be promoted for the sustainable transportation of freight, helping to reduce greenhouse gas omissions and reduce congestion on the local highway network. This is in line with Para. 30 of the NPPF. Para 143 of the NPPF supports the safeguarding of minerals infrastructure.

Response to comment:

Noted

3829

DNS

002: Context

P2.04 1794 Disagree with the portrayal of the North York Moors National Park, have experienced landscape damaged by burning of heather and concerned there may be pollution within the Park. All pollutants need to be listed as part of the evidence base and how the pollutants will be dealt with.

Response to comment:

This matter is beyond the scope of the Plan

3829

DNS

002: Context

P2.06 1795 Add 'PRE HISTORIC HERITAGE' an SSSI and major tourist attractions. Prehistoric monuments, cup and ring stones, circles, menhirs, tumuli, cairns, moats etc. need preserving as an intrinsically important heritage that future generations will need to know more about. Destroying them via over mining for short term profit would be short sighted.

Response to comment:

Agreed that the text should be changed to refer widen the scope

3829

DNS

002: Context

P2.09 1796 Major roads in the region often get flooding in heavy rain, the expansion of routes and increase in industrial traffic will add to the flooding problems. The potential for flooding needs to be assessed before development takes place both for industry and housing, as regular flooding would lead to high clean up costs.

Response to comment:

This matter is already addressed in policy in the Plan and taken into account in the allocation of land

3829

DNS

002: Context

P2.10 1797 Pre history and common land have not been mentioned. Much of the natural environment is being subjected to damage through development, some areas should have a 'forever policy' as with some parts of the NYMNPA. The scope of the Plan needs expanding.

Response to comment:

Noted. It is considered that the Plan strikes an appropriate balance between support for development and protection of the environment

3829

DNS

002: Context

P2.11 1798 Prevention of large scale development in the AONBs has been infringed as now allowed to have hydrocarbon development on the fringes. Better conditions to protect community health, safety and wellbeing and the environment needs stating here.

Response to comment:

This issue is addressed in oil and gas policies in the Plan where relevant

3849 Harrogate and District Green Party

O

002: Context

P2.12 1962 The Authorities should prevent development in protected areas, especially hydrocarbon development. The final sentence should also acknowledge the importance of 'the non-designated parts' for amenity and leisure purposes. Many of these are highlighted in Parish and Town Council Plans and are just as important as national parks AONBs and SSSIs.

Response to comment:

Agreed that this should be referred to in the text of the Plan

3829

DNS

002: Context

P2.12 1799 Industry may not respect protected areas The Plan needs to consider better protection of 'common land'. Government are changing the rules regarding use of boreholes for hydrocarbons and limiting the testing of them. Cannot control emission of gas into the atmosphere. This needs to be monitored effectively.

Response to comment:

This matter is outside the scope of the Plan. Other legislation and regulators are also involved in these matters.

3708

S

002: Context

P2.12 0379 Support the protection of designated areas and these should be protected against development especially hydro-carbon exploitation. The final sentence should also acknowledge the importance of 'non designated parts' for amenity and leisure purposes. Many of these are referenced in Parish and Town council plans.

Response to comment:

Agreed that the text should make reference to this matter

3709 Harrogate Greenpeace

S

002: Context

P2.12 0318 Support the protection of designated areas and these should be protected against development especially hydro-carbon exploitation. The final sentence should also acknowledge the importance of 'non designated parts' for amenity and leisure purposes. Many of these are referenced in Parish and Town council plans.

Response to comment:

Agreed that the text should make reference to this matter

362 Harrogate Friends of the Earth

S

002: Context

P2.12 0189 Support the protection of designated areas and these should be protected against development especially hydro-carbon exploitation. The final sentence should also acknowledge the importance of 'non designated parts' for amenity and leisure purposes. Many of these are referenced in Parish and Town council plans.

Response to comment:

It is agreed that the text in 2.12 should reflect this

2937

S

002: Context

P2.12 0253 Support the protection of designated areas and these should be protected against development especially hydro-carbon exploitation. The final sentence should also acknowledge the importance of 'non designated parts' for amenity and leisure purposes. Many of these are referenced in Parish and Town council plans.

Response to comment:

Agreed that this is reflected in text at 2.12

3849 Harrogate and District Green Party

DNS

002: Context

P2.13 1963 Green Belt areas need to be protected from further erosion.

Response to comment:

Noted. This is addressed in Green Belt policy in the Plan

3709 Harrogate Greenpeace

DNS

002: Context

P2.13 0319 Green Belt areas need to be protected from further erosion.

Response to comment:

Noted. This is addressed in Green Belt policy in the Plan

3708

DNS

002: Context

P2.13 0380 Green Belt areas need to be protected from further erosion.

Response to comment:

Noted. This is addressed in Green Belt policy in the Plan

2937

DNS

002: Context

P2.13 0254 Green Belt areas need to be protected from further erosion.

Response to comment:

Noted. This is addressed in Green Belt policy in the Plan

362 Harrogate Friends of the Earth

DNS

P2.13 0190 Green Belt areas need to be protected from further erosion.

002: Context

Response to comment:

Noted. This is addressed in Green Belt policy in the Plan

3849 Harrogate and District Green Party

DNS

P2.14 1964 Heritage sites should be protected against further development.

002: Context

Response to comment:

This is already addressed in development management policy in the Plan and other relevant policies

362 Harrogate Friends of the Earth

DNS

P2.14 0191 Heritage sites should be protected against further development.

002: Context

Response to comment:

This is already addressed in development management policy in the Plan and other relevant policies

3709 Harrogate Greenpeace

DNS

P2.14 0320 Heritage sites should be protected against further development.

002: Context

Response to comment:

This is already addressed in development management policy in the Plan and other relevant policies

2937

DNS

002: Context

P2.14 0255 Heritage sites should be protected against further development.

Response to comment:

This is already addressed in development management policy in the Plan and other relevant policies

3708

DNS

002: Context

P2.14 0381 Heritage sites should be protected against further development.

Response to comment:

This is already addressed in development management policy in the Plan and other relevant policies

2937

DNS

002: Context

P2.15 0256 More focus is needed on water quality. The effects of climate change will raise the water table over time and is likely to increase the incidence of severe flooding in vulnerable areas. Any development in low lying areas or with traffic infrastructure which is liable to flood should be subject to new design and environmental criteria.

Major flooding can contaminate groundwater source zones. Principal aquifers should be listed or shown on a map, they need to be protected from development. Aquifers are at risk from fracking.

☒

The final sentence needs strengthening.

Response to comment:

This matter is already addressed in the development management policies an other relevant policies

2968 York Green Party

S

002: Context

P2.15 1843 Strongly support this. Some areas in the Plan area have been designated Groundwater Source Protection Zones and most of the lower lying parts of the area are classified as Nitrate Vulnerable Zones, where water quality needs to be protected. In addition principal aquifers which usually provide a high level of groundwater storage, have been designated in some locations. These water resources are important for drinking supplies and the impact of flooding there should be a presumption against hydraulic fracturing well heads being located in these areas.

Response to comment: *Noted*

3829

DNS

002: Context

P2.15 1800 All groundwater and freshwater should be protected. New rules which allow fracking on the edges of AONBs endanger these. Liquid migrate unpredictably in the geology and this needs to be taken account of in the Plan especially if chemicals are used in the water used for fracking.
Fracking can trigger earthquakes so a better understanding of the links between groundwater and aquifers is needed and protection put in place.
The planners should engage fully with UK water industries, river management bodies and other public services to ensure all the protection required is needed.
This section should be redrafted to include these points.

Response to comment: *These matters are already referred to in relevant policies and text in the Plan*

3821

O

002: Context

P2.15 1507 Object to this Paragraph.

Fracking cannot be allowed in water source areas due to toxin contamination, especially if a well site is flooded. This paragraph should state that fracking will not be permitted in areas liable to flooding, Groundwater Source Protection Zones, Nitrate Vulnerable Zones nor Principal Aquifers.

Response to comment: *This issue is addressed in the oil and gas and development control policies where relevant*

3709 Harrogate Greenpeace

DNS

002: Context

P2.15 0321 More focus is needed on water quality. The effects of climate change will raise the water table over time and is likely to increase the incidence of severe flooding in vulnerable areas. Any development in low lying areas or with traffic infrastructure which is liable to flood should be subject to new design and environmental criteria. Major flooding can contaminate groundwater source zones.

Principal aquifers should be listed or shown on a map, they need to be protected from development. Aquifers are at risk from fracking.

The final sentence needs strengthening.

Response to comment:

These matters are already addressed in relevant policies including oil and gas policies and development control policies

3849 Harrogate and District Green Party

DNS

002: Context

P2.15 1965 Water quality needs a higher priority. Climate change effects may affect the water table and could increase the incidence of severe flooding in vulnerable areas. Flooding is likely to affect areas not currently regarded as vulnerable. Any development in relatively low lying areas or with traffic infrastructure under threat should be subject to new design and environmental criteria. Flooding can contaminate groundwater protection source zones. Aquifers need identifying on a map. The final sentence is too weak, aquifers need protection from risk as once contaminated they will never recover.

Response to comment:

These matters are already addressed in policies where relevant

3708

DNS

002: Context

P2.15 0382 More focus is needed on water quality. The effects of climate change will raise the water table over time and is likely to increase the incidence of severe flooding in vulnerable areas. Any development in low lying areas or with traffic infrastructure which is liable to flood should be subject to new design and environmental criteria. Major flooding can contaminate groundwater source zones.

Principal aquifers should be listed or shown on a map, they need to be protected from development. Aquifers are at risk from fracking.

The final sentence needs strengthening.

Response to comment:

This matter is already addressed in policies in the Plan

2968 York Green Party

S

P2.16 1844 Reference should be made here to the significance of diesel engines and notably HGV traffic as major contributor to poor air quality.

002: Context

Response to comment:

It is agreed that this should be referred to in the text

3829

DNS

P2.16 1801 It is known that emissions from Europe do get blown over the UK. A renewed list of emissions needs compiling to cover all known air pollutants, including air chemitrails from aircraft. Evidence of the emissions can be found in Europa - Air Quality in Europe 2014. Fracking is expected to increase the level of emissions and so air quality limits may be exceeded. This needs to be factored into the Plan to protect the health and well being of residents and to prevent a clean up bill if pollution does occur.

002: Context

Response to comment:

Noted. This matter is beyond the scope of the Plan as a strategic spatial plan. Other regulators have a role in these matters

3829

DNS

P2.17 1802 Add 'RESEARCH, recreation and leisure' as prehistory is of interest to visitors and students.

002: Context

Response to comment:

Agreed that the text should be amended to refer to this

3829

DNS

002: Context

P2.23 1803 Government is currently passing a bill which allows industry to use exploration boreholes for hydrocarbons without gaining permission first. This has not been detailed in the Plan so the document needs updating.

Response to comment:

Noted. No change required

3829

DNS

002: Context

P2.25 1804 The paragraph needs qualifying further to limit the over exploitation of land in the Plan area. Much of the land could be used for hydrocarbon extraction, how will 'inappropriate' development be prevented and the environment be protected.

Response to comment:

This matter is already addressed in the oil and gas and development control policies

3829

DNS

002: Context

P2.40 1805 The list of emissions needs updating. Need to consider how fracking will impact on the Plan area. The understanding of what constitutes a mineral is outdated. There is no measure of how conventional methods of mineral extraction have impacted on pollution to date. Fracking is likely to increase pollution.

Response to comment:

Where relevant to the Plan these matters are already addressed in policies including hydrocarbons policies and development control policies

3829

DNS

002: Context

P2.42 1806 The National Park should afford extra protection to their landscape by preventing grouse shooting and 4x4's going off roading. Army units and garrisons in the Plan area are not included when considering how the landscape is used.

Response to comment:

These matters are outside scope of the Plan

2968 York Green Party

O

002: Context

P2.46 1846 Strongly support account being taken of the need to mitigate and adapt to climate change. During the plan period both flooding and changes in energy policy will shift away from carbon intensive activity, including reducing reliance on fossil fuels and then this reflected in authorities and Governments climate change strategies.

Response to comment:

Noted

2937

DNS

002: Context

P2.46 0257 Dealing with climate change is important. The authorities strategies for climate change need to be followed. Measures to deal with climate change should be decided before decisions on development are made as the area is vulnerable to the effects of climate change.

Response to comment:

Noted

3821

O

002: Context

P2.46 1508 Object to this Paragraph.

With regard to addressing climate change, it must be stated that no new fossil fuel extraction will be permitted in North Yorkshire, including fracking, coal bed methane, underground coal gasification conventional gas, oil and coal extractions.

Response to comment:

Noted. Such an approach would not be consistent with national policy.

3708

DNS

002: Context

P2.46 0383 Dealing with climate change is important. The authorities strategies for climate change need to be followed. Measures to deal with climate change should be decided before decisions on development are made as the area is vulnerable to the effects of climate change.

Response to comment:

Noted

362 Harrogate Friends of the Earth

DNS

002: Context

P2.46 0193 Dealing with climate change is important. The authorities strategies for climate change need to be followed. Measures to deal with climate change should be decided before decisions on development are made as the area is vulnerable to the effects of climate change.

Response to comment:

Noted

3709 Harrogate Greenpeace

DNS

002: Context

P2.46 0322 Dealing with climate change is important. The authorities strategies for climate change need to be followed. Measures to deal with climate change should be decided before decisions on development are made as the area is vulnerable to the effects of climate change.

Response to comment:

Noted

3849 Harrogate and District Green Party

DNS

002: Context

P2.46 1966 Dealing with climate change is important. The authorities strategies for climate change need to be followed. Measures to deal with climate change should be decided before decisions on development are made as the area is vulnerable to the effects of climate change.

Response to comment:

Noted

P2.47 0890 The Yorkshire and Humber Waste Position Paper and the Memorandum of Understanding should be included in this section.

002: Context

Response to comment:

It is agreed this should be referred to at 2.48

713 Kirkby Fleetham with Fencote Parish Council

DNS

P2.50 1480 Marine Dredged Sand & Gravel could become an important and relatively environmentally and community 'friendly' resource of aggregates to serve both the North, via Teesside, and the South, via Humber. This topic should be considered in more detail including an explanation of how this will be investigated further.

002: Context

Response to comment:

This matter has already been addressed in the evidence base via the Y&H marine aggregates study and the Local Aggregates Assessment

002: Context

- P2.56 1682 The Managing Landscape Change document, which is referenced as evidence, recommends restoring sand and gravel quarries to water. This document was not consulted upon and the predictive landscape model it relies on has thrown up an error. It assumes that the absence of archaeological evidence means there is an absence of possible remains, this is not always the case. So it is not fit for purpose relating to archaeology and restorations in historic landscapes. It does not consider alternatives such as marine dredged aggregates. It is factually incorrect regarding extraction around the Thornborough Henges and relies on that factual error to create a restoration strategy for the whole plan area. It relies on predictive landscape modelling, from Thornborough, to influence restoration plans, the predictive model has been found to be wrong on the site it was created, remains were found under what was claimed to be deep water in prehistoric times. More detailed research is needed to better understand the archaeology, its landscape context, setting and significance.

Response to comment:

Whilst it is not agreed that the managing landscape change work is flawed the reference to it at this point should be removed as it does not constitute one of the main sources of evidence for the Plan in the context of this section of text. Further work on the impact of potential allocations on the historic environment is being undertaken in line with advice from Historic England

002: Context

- P2.59 1807 The range of minerals considered needs reviewing as is out of date, such as including a wider range of salts.

Response to comment:

This is not agreed

3768

DNS

002: Context

P2.60 1449 The statement 'there is currently a focus on extracting minerals in particular locations where the quarrying industry is well established and infrastructure exists to help process minerals and transport them to markets' places an undue burden upon specific communities and the statement is incorrect. No all sites have infrastructure nearby.

Response to comment:

New text should be added to para 2.61 to reflect this point

1140 Sibelco

S

002: Context

P2.61 1054 Supports the recognition in the plan that Silica Sand is a scarce and nationally significant mineral. This section should also recognise that reserves of silica sand have been worked at Blubberhouses Quarry with additional reserves remaining in the quarry.

Response to comment:

Noted.

3829

DNS

002: Context

P2.61 1808 Concerned that there is little protection in the Plan against the possible adverse impacts of fracking, such as sinkholes, landslides and earthquakes. Concerned about the integrity of the linings of the wells.
Have emissions from deep mines in the Plan area been measured in the past, if so what are the results.

Response to comment:

These matters are addressed in relevant policies including oil and gas and development control policies. Other regulators also have a role to play

1140 Sibelco

S

002: Context

P2.65 1055 Supports the recognition that silica sand 'has a national market'.

Response to comment:

Noted

1140 Sibelco

O

002: Context

P2.66 1056 The paragraph recognises that 'silica sand is also imported as a raw material for glass manufacturing plant near Selby.' This is correct with Saint Gobain located at Selby. However, through the Duty to Cooperate, the paragraph should also recognise the additional glass manufacturing plants in the Yorkshire and Humber Area (Guardian Glass, Goole; Allied Glass, Leeds & Knottingley; Beatson Clark, Rotherham).

The Paragraph that states " These imports are thought to relate mainly to minerals which meet specifications which cannot be provided from within the Plan area, or where local market conditions exist near the boundaries of the area." is incorrect. Blubberhouses is one of only a few sites nationally with the ability to produce clear glass.

Response to comment:

Agreed that the text should make reference to other users of silica sand in the Yorkshire and Humber area. Reference to 'mainly' in the text recognises that other circumstances may exist. Text is intended as an overview only

1140 Sibelco

O

002: Context

P2.68 1057 This paragraph states that "by comparison, the current supply situation for other minerals...is relatively healthy." This is not the case for silica sand, nationally, where there are only a few sites which have the requisite minimum of a minimum of 10 years stock of permitted reserves.

Response to comment:

New text added to para 2.59 to reflect the silica sand supply situation

P2.71 1809 The term 'PRE-HISTORIC' needs adding in as it needs protection.

002: Context

Response to comment:

It is agreed that this should be referenced where relevant.

75 Bradford Metropolitan District Council

DNS

P2.81 0907 The plan acknowledges West Yorkshire heavy reliance on the Plan area for minerals, but less so for waste. The exception of this is the future of landfill, for which significant cross-boundary issues within the Y&H area are likely. Agree with reference 2.81.

002: Context

Response to comment:

Noted

92 Durham County Council

DNS

P2.85 0523 Throughout the plan making process there has been regular dialogue between DCC and NYCC in accordance with the Duty to Cooperate. This has been undertaken in a number of ways, including: North East Minerals and Waste Planning Officers' group; numerous meetings between Officers; and consultations on Plan related documents and the NY Sub-region LAA.

002: Context

Response to comment:

Noted

1140 Sibelco

O

P2.86 1058 This section need to recognise the import of industrial minerals in to the plan area, such as silica sand supplying glass plants.

002: Context

Response to comment:

It is agreed that reference to this should be made in the text

3704 Cuadrilla Resources Ltd

O

P2.87 1238 Support the principles of Joint working but are concerned about cross boundary cooperation with Yorkshire Dales National Park and that they are not part of the Joint Plan. Reassurance is sought that any cross-boundary or near boundary consultations will be undertaken with a spirit of cooperation.

002: Context

Response to comment:

Consultation and cooperation with the YDNP has taken place throughout production of the Plan

131 Yorkshire Dales National Park

DNS

Q01 1230 It is acknowledged that the Joint Plan area makes provision for waste management capacity and infrastructure in the sub region. The YDNPA do not consider the Joint Plan area raises any cross boundary issues or conflicts with the YDNP. The YDNP will continue to work closely with the Joint Plan Authorities on the preparation of the LAA and other minerals and waste issues.

002: Context

Response to comment:

Noted

75 Bradford Metropolitan District Council

DNS

Q01 0891 Reference to Yorkshire and Humber AWP and Yorkshire and Humber WTAB within this text would be a useful mechanism for DtC.

002: Context

Response to comment:

It is agreed that this should be referred to in the text at para 2.48 and 2.49

3039 Cheshire West and Chester

S

Q01 1181 Support the Chapter.

002: Context

Do not consider the current levels of identified waste movements to be of strategic importance. However, we would appreciate further consultation if the figures are to significantly increase in future years.

Response to comment:

Noted

130 Leeds City Council

S

Q01 1200 Cross boundary issues

002: Context

Leeds has allocated a site at Bridgewater Road for mineral processing activities that can use freight. The site is connected to the Hanson Quarry at Ribblesdale. So sand and gravel can come by rail rather than by road.

Response to comment:

Noted

359 North York Moors Association

DNS

Q01 0689 Concerned that the Duty to Cooperate placed on National Park neighbouring authorities to have regard to the statutory purposes of the National Park has not been evident in the case of the recent proposed Polyhalite mine at Doves Nest Farm. It is therefore important to strengthen this Duty and not allow views which are political in nature to cloud judgement in this respect, which seems to be the case with NYCC, R&CBC and SBC authorities and the Section 62 obligation.

002: Context

Response to comment:

Noted

3846 Ryedale Liberal Party

DNS

Q01 1904 The plan does not adequately address the treatment of waste water from fracking. There should be a specific policy dealing with the treatment and management of waste water for fracking. This could be a cross boundary issue as there are no sites to treat waste water associated with fracking in the Plan area.

002: Context

Response to comment:

It is agreed that more reference to this matter should be made in the policy and text of the Plan

002: Context

- Q01 1317 The Councils have meet with the Joint Plan Authorities to discuss relevant cross boundary issues, including: Sand and Gravel supply, between 1% -5% of sand and gravel consumed within the Humber area is from NY area and between 5-7% of sand and gravel consumed in North York and York area is from the Humber area; Crushed rock supply- c.30% of crushed rock consumed in the Humber area is from North Yorks; and Safeguarding of mineral resources (specifically chalk).

These issues should be highlighted in the plan more prominently.

Response to comment:

It is considered that appropriate reference to cross-boundary supply issues has already been made in the text of the Plan and in the evidence base and that further specific reference is not required.

002: Context

- Q01 0908 In the minerals context section there should be more explicit reference made to the approved York Potash mining application to reflect its significance. References are made to Boulby Mine as being the UKs only operational potash mine, this should be amended to include the granting of the permission for York Potash.

Operators of Boulby Mine have also indicated that it will switch operations to mining polyhalite only in the future.

The cross-boundary nature of the York Potash Project with Redcar and Cleveland should be considered in terms of Duty to Cooperate.

Response to comment:

Agreed that reference to this should be made at para 2.61

002: Context

- Q01 1354 It is acknowledged that North Yorkshire supplies minerals to the wider region, including Doncaster, and 5-10% of material is used in the South Yorkshire area, which is likely to be maintained during the plan period. Due to monitoring limitations it is difficult to quantify demand but market forces will dictate where material is required.

We will continue to work with all relevant authorities under the duty to corporate requirements to deliver a sustainable mineral supply within the wider region.

Response to comment:

Noted

3829

DNS

002: Context

- Q01 1811 The list of minerals in the Plan area needs reviewing. There is a lack of priorities regarding wellbeing and the impacts of climate change. Concerned about how emissions from hydrocarbon developments will impact on surrounding areas when combined with wind blown emissions from elsewhere. Concerned about possible earthquakes from fracking. Fracking can reach beyond one and a half miles of the original drill placement, but there is little explanation in the plan of how this extraction will be limited within the boundaries of the Plan area.
- The Infrastructure Act 2015 prohibits fracking in 'protected groundwater source areas' or 'other protected areas'. The 'other areas' have not been defined so extra care needs to be taken in the progressing of the Plan to ensure pollution does not occur. The food chain could be impacted upon if pollution is serious.
- The Plan does not identify that there could be emissions escaping from abandoned wells, deep caves, old open mine shafts and springs and boreholes.
- There are a range of wells and springs in the Plan area which require protection as they have historic heritage.
- Spa minerals need to be taken into account.
- Mapping of past and present waste, hazardous waste and landfill for the region is poor. New legislation keeps being issued and so it is hard to keep the Plan up to date and in line with legislation.
- The Authorities MUST protect all residents and employees 'right to clean air, pure water, and to the preservation of natural, scenic, historic and aesthetic values of the environment.'

Response to comment:

These matters are already addressed in the oil and gas and development control policies where relevant

1140 Sibelco

DNS

002: Context

- Q01 1059 This section needs to reflect the national significance of minerals such as silica sand and the cross boundary and inter-regional considerations of such minerals.

Response to comment:

It is agreed that reference to this should be made in the text

968 Womersley Parish Council

DNS

002: Context

- Q01 1728 This section omits any reference to cooperating with the Environment Agency or the Mines and Quarries Inspectorate.

Response to comment:

This is already reflected in para 2.87 5th bullet

002: Context Q01 0678 With regard to Duty to Cooperate, see no particular issues at present but would be happy to discuss if any do arise.

Response to comment: *Noted*

1505

DNS

002: Context Q01 1551 More details should be provided in relation to possible future supplies from marine dredged sand and gravel.

Response to comment: *New text added to para 2.60 to reflect potential role of marine aggregate*

3748 Meldgaard UK Ltd

DNS

002: Context Q01 1211 Suggest that recycled and secondary aggregates should have greater emphasis than primary aggregates in relation to cross boundary issues.

Response to comment: *This is not agreed. Primary aggregates supply is also a key issue to address in the Plan*

317 Tarmac

S

002: Context Q01 0058 The approach taken by the joint authorities in relation to planning for minerals and waste across LPA boundaries is supported.

Response to comment: *Noted*

002: Context

Q01 1288 Agree that some waste can be challenging but believe all CDEW, that can easily be recycled and reused, should be considered a valuable resource.

It should be recognised that build development which generates CDEW, is in urban areas and para 2.81 supports the need for a degree of flexibility. This flexibility must also recognise that artificial barriers are not helpful in the management of waste.

In para 2.82 the 'definition of waste' has not been given due consideration in terms of providing a link between minerals and waste development. Waste is defined and measured at the point of production and the beneficial re-use of waste materials does not necessarily reduce this quantity. The term '...inert waste...' should be changed to '...RESIDUAL inert waste...' Support the approach that disposing of inert waste via landfill can improve derelict or degraded land.

Reference to para 2.84 to vehicle movements could be at odds with inclusion at para 3.4 waste and Vision and Priorities (v)

Response to comment:

It is considered that use of suitable waste for reclamation purposes can be justified in some circumstances and that it is appropriate to support this through policy. It is agreed that the text of para 2.82 should refer to residual inert waste

002: Context

Q01 1669 This section should make reference to work collaboratively with other regulatory bodies such as the Environment Agency and the Mines and Quarries Inspectorate.

Response to comment:

This is already reflected in para 2.87 5th bullet

002: Context

Q02 1433 No reference is made in the Plan to 'Natural Environment and Rural Communities Act 2006' this should be included.

Response to comment:

This legislation is not considered sufficiently relevant to reference in the Plan

115 Minerals Products Association

DNS

002: Context Q04 0624 Happy with the approach taken so far which is comprehensive and sensitive to the issues. Considers that the plan has covered all the main potential issues.

Response to comment: *Noted*

3826

S

003: Issues & Challenges 1632 Need to support the hydrocarbon industry to ensure a secure energy supply and should not be halted by minority groups. The subject has been well researched and developed to ensure that the environment and residents will be kept safe and as undisturbed as possible.

Response to comment: *Noted. The text recognises that a range of positive and negative impacts may arise*

2817

O

003: Issues & Challenges 1617 Object

Response to comment: *Noted*

2881

DNS

003: Issues & Challenges 1543 Support overall plan. Concerned with ongoing impact on local transport and infrastructure considerations, especially in terms of the Bedale Bypass which will result in an increase in traffic in the area.

Response to comment: *Noted*

734 Kirby Hill, Little Ouseburn & Thorpe Underwood Parish Council

O

1712 Chapter states that flexibility will be built into the Plan, AWRP gives no flexibility other than incineration.

003: Issues & Challenges

Response to comment:

Noted. Permission has already been granted for the AWRP facility

3023 Chas Long & Son (Aggregates) Ltd

DNS

003: Issues & Challenges

1042 This section doesn't take into account the needs of smaller operations in the sector. The NPPF clearly advocates a system based on flexibility to respond to the demands of local business. Whilst many of the mineral and waste sites in the plan area are operated by larger organisations, a number of sites are operated by smaller, often local businesses. A challenge for the MWJP is to ensure sufficient opportunity is given to enable these smaller operations to survive and compete in this sector. The NPPF encourages LPA's to engage with the business community to establish the markets operating in and across the plan area.

Response to comment:

It is considered that the policies provide suitable flexibility for and do not overly prescribe the scale of development which may come forward. Engagement has taken place throughout preparation of the Plan

3829

DNS

003: Issues & Challenges

P3.02 1810 The paragraph fails to mention hydrocarbons in terms of hazardous waste which is concerning. There is recent Waste Classification legislation which makes the evidence/legislation listed in the Plan out of date, such as the list of hazardous wastes.

Response to comment:

The issues and challenges a summary is intended to provide a general overview of these matters. Further information, where appropriate, is contained in relevant sections of the Plan.

P3.04 1289 Para 3.4 encourages use of secondary aggregates. Saleable product manufactured from selected inert wastes also makes the waste used 'non-waste'
003: Issues & Challenges

Para 3.4 lists the intent for co-location of waste management facilities, this is not necessarily beneficial to the CDEW waste stream and should also be viewed against para 2.84 and vehicle movements.

Endorse the intent to provide flexibility of approach in the Plan.

Response to comment:

Locational criteria for waste management facilities is addressed in more detail in the waste policies in the Plan

P3.04 1847 Strongly support the fact that seeking to reduce carbon emissions, particularly in relation to the transportation of mineral and waste, promoting re-use and recycling of materials, and providing opportunities to assist in adapting to the effects of climate change, such as reducing flood risk and enhancing habitat connectivity.
003: Issues & Challenges

Specific reference should be made in this section to the issue of protecting the aquifers and drinking water provided by them.

Response to comment:

Noted. These matters are addressed in relevant policies where appropriate. The Issues and Challenges section is intended to present a very brief overview of relevant matters

P3.2 1212 Support the 6th Bullet Point in the Minerals Section, but it should have greater emphasis and be placed before text relating to primary aggregates.
003: Issues & Challenges

Response to comment:

Agreed that this text should be moved

Q02
003: Issues & Challenges

0455 Partially support. The Issues and Challenges summary includes 'ensuring there are sufficient safeguards in place to minimise the local impacts of mineral extraction on communities, the environment and other important assets'. Some sites, especially MJP43, will have considerable impact on residents' properties, the community and the rural agricultural environment for what will be a low gain and high cost of mineral extraction at MJP43. Policy changes should correlate risk against benefit and loss against gain.

Response to comment:

Noted this is a matter to be addressed in the allocation of sites

115 Minerals Products Association

DNS

004: Vision

0625 No specific comments on the Vision and Objectives of the Plan. However, on reading the SA summary boxes under each policy in the plan there are numerous references to 'minimising resource use'. This doesn't appear in the vision or objectives, and if it did would be alarming. National policy emphasises that minerals are essential to support sustainable economic growth and quality of life, it is not the government's policy to minimise the use of mineral resources. It is important that sufficient supply is available to support infrastructure, buildings, energy and the goods we need. Recognising the contribution secondary and recycled aggregates could make to supply, considering minimising the uses of resources would be in conflict with national policy. Suggest that SA objectives are nuanced by substituting 'optimising' for 'minimising'.

Response to comment:

Noted and will be considered further in relation to the SA

333 Tees Valley Unlimited (Joint Strategy Unit)

S

004: Vision

1223 The overall aims and objectives of the Plan are supported.

Response to comment:

Noted

004: Vision

1905 Delivering sustainable waste management: agrees with this priority but concerned that the plan cannot achieve this whilst it doesn't have an adequate policy for the management of fracking waste water, the same must be applied for disposal of other materials from fracking sites i.e. soil/mud etc.

Achieving the Efficient use of Mineral Resources: How is this going to be assessed? There should be a minimum energy efficiency requirement. There should be full confidence in the capacity of any generating facility to cope with the demands made on it and on back up facilities in the event of failure.

Optimising spatial distribution of minerals and waste development: The plan should include clear locations of where minerals extraction (including Hydrocarbons) would, or would not be acceptable. It is understood that extracted quarries could be used for disposing of minerals waste but what assurances are there in terms of future use of fracking sites?

Point iv) does this apply to waste water treatment plans for storage/treatment of fracking water?

Point v) what consideration has been given to the use of methane from fracking wells being used for heat and power instead of flaring? Does the co-location with complimentary industries apply to fracking sites?

Point vi) in light of the Government's recent statutory instrument, it is no longer possible to assume this level of robust protection. Policy should stipulate restrictions.

Protecting and enhancing the environment, and adapting to climate change: this is incompatible with fracking. There is no mitigation possible if aquifers are contaminated.

Point vii) in order to achieve this aim it is important not to have conflicting requirements within the plan. If PEDL licences require operators to maximise extraction within the area how can the impacts also be minimised?

Point viii) in order to reduce carbon footprint of mineral extraction it need to be clear on exactly what this would be based.

Methane leaks from fracking must be below 2-3% of production to be cleaner than coal mining. Current evidence from the US indicates it to typically be around 7%. These emissions should be sufficiently controlled by policy.

Sustainability Appraisal box: It is difficult to see how the aspiration of causing no harm in the second sentence can be counted as positive the same for the strong positives in the third sentence . An absence of negatives does not make a positive.

Response to comment:

Management of fracking waste and locational criteria for oil and gas development is addressed in oil and gas policies and waste policies in the Plan. Other policies in the Plan provide for protection of the environment but the role of other regulators needs to be recognised. The points raised are too detailed for inclusion in the vision

2860

S

004: Vision

1548 Support the Vision and Objectives Chapter.

Response to comment:

Noted

172

O

004: Vision

1611 'Promoting more sustainable management of waste such as through more recycling and landfill' is too weak a vision/objective for which to aim.
Should be looking to 'Eradicate all disposal to landfill and maximise through recycling, at least 95% of all waste by 2025 by embracing new technologies which do not harm the environment.'

Response to comment:

This target is not considered realistic at the present time

2817

O

004: Vision

1618 Object

Response to comment:

noted

470 Carlton Husthwaite Parish Council

S

004: Vision

1755 Agrees with the vision.

Response to comment:

Noted

004: Vision Q02 1713 Section (i) does not take account of imports which will be needed to make AWRP viable.
Section (v) talks about dealing with waste close to where it arises and co-location of facilities. AWRP does not deliver this.
Section (vi) talks about the protection of the natural, historic and cultural environment, This has not happened at AWRP, Allerton Castle is next door, many of the villages nearby are conservation areas and there are historic buildings and natural assets which are being compromised.

Response to comment: *Noted. Permission for the AWRP facility has been granted*

121 Environment Agency

DNS

004: Vision Q02 1325 Pleased to see mention of 'reducing flooding', and satisfied the vision is in line with principles of sustainability as regards waste management.

The vision should include explicit reference to the need for 'protection of groundwater quality and resources'. Should be included in paragraph vii) '...operation and mitigation throughout the life of the development in order to ensure that GROUNDWATER QUALITY AND RESOURCES, the amenity...'

Response to comment: *Groundwater quality and resources are included within the overall term 'environment' in the 4th line of criterion iv. It is not practicable to reference all specific issues in the vision, which provides overall direction for the Plan*

128 Yorkshire Wildlife Trust

DNS

004: Vision Q02 1152 Would like to see a stronger vision for joining up habitat and wildlife in the plan area. Point viii could be reworded as suggested by the RSPB:

'...and a high standard of reclamation and afteruse of minerals and waste sites will be being delivered, providing a range of benefits for local communities and environment of the area, as well as protecting and restoring agricultural land. IN PARTICULAR, MINERAL SITE RESTORATION WILL HAVE PROVIDED A SIGNIFICANT NET-GAIN IN BIODIVERSITY - AND MADE A SIGNIFICANT CONTRIBUTION TO THE ESTABLISHMENT OF A COHERENT AND RESILIENT ECOLOGICAL NETWORK - PRIMARILY THROUGH THE LANDSCAPE-SCALE CREATION OF PRIORITY HABITAT.'

Response to comment: *It is agreed that the text of criterion viii should be changed to strengthen the reference to ecological networks*

3708

O

Q02 0384 Priorities - The 4 priorities conflict with each other as well as interconnect.

004: Vision

Response to comment: *Noted*

3997 United Kingdom Onshore Oil and Gas (UKOOG)

DNS

Q02 2325 Oil and gas development and extraction should for an integral and named part of the vision and objectives of the Plan.

004: Vision

Emphasis should be given to the national position with respect to importation of gas.

North Yorkshire has a long history of producing natural gas safely and environmentally sensitively. It is not known how much gas exists in the Yorkshire area. Shale gas has potential in Yorkshire but it will require geological and engineering expertise, investment and protection of the environment and a joint vision by authorities and licence holders.

The gas industry is currently in a period of exploration, once exploration activities have taken place operators will be able to put forward their plans for production.

Given the significant resources and interest in the area, the joint plan should concentrate in the first instance on exploration activities and existing sites and enhancements.

The Plan should also strongly express the need for licence holders and MPAs to work towards a vision for future commercial production as results of exploration activities become known, so supporting the statements of national need produced by central government.

Response to comment: *The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.*

127 Harworth Estates (UK Coal Operations Ltd)

S

004: Vision Q02 1065 Broadly agree with vision. However an additional point should be added to the vision to take into account the need to redevelop and regenerate, as well as restore, brownfield sites where the former use is exhausted, surplus to requirements and/or no longer economically viable. Suggested wording is

IN ORDER TO ENHANCE THE ENVIRONMENT AND SUPPORT COMMUNITIES AND BUSINESSES, OPPORTUNITIES WILL BE EXPLORED TO RESTORE AND REGENERATE MINERALS AND WASTE SITES WHICH ARE EXHAUSTED, SURPLUS TO REQUIREMENTS AND/OR NO LONGER ECONOMICALLY VIABLE, FOR USES WHICH CONTRIBUTE TO HOUSING AND ECONOMIC DEVELOPMENT GOALS.

Response to comment:

This is not agreed. It is considered the priority should be to restore sites to an agreed condition. Further development aspirations re matters more appropriately dealt with by district and Borough Councils

3708

DNS

004: Vision Q02 0387 Criterion vii - Support intentions to improve energy and resource use but concerned about dealing with waste water from fracking, as cannot be returned to groundwater and no facilities to deal with it, will also impact on climate change. The sustainability appraisal needs to take this into account.

Response to comment:

These matters are addressed in oil and gas policies where relevant

112 Highways England

DNS

004: Vision Q02 0564 Some minor amendments have been made to the priorities associated with the Vision, however the overall intentions remain the same and therefore previous comments are still considered pertinent.

Response to comment:

Noted

3821

O

004: Vision Q02 1510 Object to Para viii) of the Vision.
This should state that the extracting and burning of fossil fuels will be stopped and forms of sustainable energy will be developed.

Response to comment:

This would not be consistent with national policy

3708

DNS

004: Vision

Q02 0385 Criterion iv - Transport networks are over-used so developments should be dependent on the 'availability of transportation networks' and not just 'have regard to' them.

Response to comment:

Agreed that this should be reflected in the text

2192 Local Access Forum

DNS

004: Vision

Q02 0889 The 'range of benefits for local communities' should specifically refer to restoring/maintaining the connectivity of local access in the same way it included 'connecting habitats' for the benefit of wildlife.

Response to comment:

Agreed that this should be referenced in the text

3849 Harrogate and District Green Party

DNS

004: Vision

Q02 1968 Criterion iv - Transport networks are over-used so developments should be dependent on the 'availability of transportation networks' and not just 'have regard to' them.

Response to comment:

Agreed the text should be changed to reflect this

3708

DNS

004: Vision

Q02 0386 Criterion vii - Agree with the principles but in reality the industrialisation of rural and semi-rural areas cannot be mitigated by good design. 'Robust protection' cannot accommodate multiple well heads and the impact of fracking.

Response to comment:

This matter is addressed in oil and gas policies in the Plan

3821

O

004: Vision

Q02 1509 Object to Para vii) of the Vision.

Fracking should not be permitted as it is always in direct conflict with the amenity of local communities due to noise, pollution and HGV movement.

Response to comment:

Oil and gas policies and the development control policies in the Plan set out a range of criteria to help ensure a suitable balance is achieved.

3829

DNS

004: Vision

Q02 1812 Emissions need to be taken more account of.

Improved mapping of all underground piping for water, gas, electric etc. and also maps of unmade roads and pathways across the area needs updating.

Fracking will deter tourism.

Pre historic legends need to be included in the Plan or they will be lost.

The reasons for returning some waste or minerals to waste or landfill needs examination to make sure only appropriate materials are dealt with in this way.

Response to comment:

This is addressed in the oil and gas policies in the Plan

3709 Harrogate Greenpeace

DNS

004: Vision

Q02 0324 Criterion iv - Transport networks are over-used so developments should be dependent on the 'availability of transportation networks' and not just 'have regard to' them.

Response to comment:

Agreed that text should be changed to reflect this

004: Vision Q02 0108 Support the Vision especially the intention that the need for minerals and waste developments will be balanced against the protection and enhancement of the Joint Plan areas environment, and the intention to make provision for local materials to help maintain and improve the quality of the area's built environment.

Consideration should be given to the suggested amendments

Criterion iii - in trying to identify a good match between locations of minerals supply and demand account should be taken of environmental factors. Suggest amending text to 'Where geological, ENVIRONMENTAL and infrastructure considerations allow...'

Criterion vi - reference should be made to the World Heritage Site at Fountains Abbey/Studley Royal as is of international importance. Suggest amending the last sentence to '...North York Moors National Park, the historic City of York AND THE HISTORIC CITY OF YORK AND THE WORLD HERITAGE SITE AT FOUNTAINS ABBEY/STUDLEY ROYAL.'

Additional words suggested are in capital letters.

Response to comment: *It is agreed that the text of criterion iii and criterion vi should be changed to reflect these points*

2937

DNS

004: Vision Q02 0260 Criterion vii - Agree with the principles but in reality the industrialisation of rural and semi-rural areas cannot be mitigated by good design. 'Robust protection' cannot accommodate multiple well heads and the impact of fracking. Fracking will devastate the landscape.

Response to comment: *These matters are addressed in oil and gas policies where relevant*

2937

O

004: Vision Q02 0258 Priorities - The 4 priorities conflict with each other as well as interconnect.

Response to comment: *Noted*

2937

DNS

004: Vision

Q02 0259 Criterion iv - Transport networks are over-used so developments should be dependent on the 'availability of transportation networks' and not just 'have regard to' them.

Response to comment:

Agreed that text should be changed to reflect this

1174

DNS

004: Vision

Q02 1681 Agree with vision and priorities.

The Environmental Impact Assessment and Strategic Environmental Assessment directs that assessments should cover indirect, secondary, cumulative, short, medium and long term, permanent and temporary and positive and negative effects. The purpose is to ensure the protection and conservation of the environment and natural resources including human health against uncontrolled development. The long term objective is to ensure sustainable economic development. If all the sand and gravel were to be extracted from the Plan area and quarries restored mainly to water then the landscape character would permanently be destroyed and its capacity for food production permanently and substantially diminished.

In Policy D08 the archaeological resource of the Vale of Pickering, the Yorkshire Wolds, the North York Moors and Tabular Hills, and the Southern Magnesian Limestone Ridge and The World Heritage site at Fountains Abbey/Studley Royal are shown as requiring protection, these should also be included within the vision and objectives.

Marine aggregates should be included as a priority in the vision as there are facilities being developed for dealing with increased amounts and also delivering them to markets.

Response to comment:

It is not considered necessary to refer to all specific areas for protection in the vision. These are addressed in specific policies in the Plan where relevant. Significantly increased supply of marine aggregate into the Plan area itself is considered unlikely over the plan period

3709 Harrogate Greenpeace

DNS

004: Vision

Q02 0326 Criterion vii - Support intentions to improve energy and resource use but concerned about dealing with waste water from fracking, as this cannot be returned to groundwater and there are no facilities to deal with it, will also impact on climate change. The sustainability appraisal needs to take this into account.

Response to comment:

This is addressed in oil and gas policies where relevant

Q02 0026 The Vision is good but a few points are not realistic.

004: Vision

Support Paragraph 1 which refers to achieving targets for recycling, currently these targets are not being met in Scarborough Borough and unlikely to be met in the future due to lack of resources and residents resistance.

Support Paragraph v regarding waste being managed as near as possible to its source, this is not in line with the building of a central facility at Allerton Park.

Strongly support minimisation of waste and reducing the carbon footprint of minerals and waste operations.

Response to comment: *Noted. Permission has been granted for the AWRP facility*

680 Oulston Parish Meeting

S

Q02 1606 Support the Vision.

004: Vision

However, there is a fundamental conflict between the extraction of Shale Gas and Sections vii-viii '...Mitigating and adapting to Climate Change'. Fracking entails the release of methane into the atmosphere and the use of gas perpetuates the use of fossil fuels, in contradiction of the Paris Agreement. This approach will not protect or enhance the environment or support local communities who could be put at risk from contamination and air pollution associated with drilling.

Response to comment: *The Plan needs to reflect national policy and reflect an appropriate balance*

1035 NHS Clinical Commissioning Group - Vale of York

O

Q02 0775 The Vision makes no specific mention of impacts upon health, other than the Sustainability Appraisal section. It would be preferable to make specific mention of the effects on population health.

004: Vision

Response to comment: *It is agreed that reference to health should be included in criterion vii of the vision*

713 Kirkby Fleetham with Fencote Parish Council

DNS

004: Vision Q02 1481 Para vii - Liaison between developer and local community should be made a requirement.
Para viii - the reference to 'increased use of alternatives' warrants more discussion within the Plan than currently appears.

Response to comment:

Whilst it is important to support increased liaison between developers and local communities it is not considered appropriate to make this a requirement. Further consideration of alternatives to primary minerals is addressed in the minerals and waste policies in the Plan

3849 Harrogate and District Green Party

DNS

004: Vision Q02 1970 Criterion viii - Support intentions to improve energy and resource use but concerned about dealing with waste water from fracking, as cannot be returned to groundwater and no facilities to deal with it, will also impact on climate change. The sustainability appraisal accepts the intentions without addressing the unreality of the claims.

Response to comment:

Noted

92 Durham County Council

S

004: Vision Q02 0524 Support the Vision and Priorities.

This provides a concise and clear direction of travel for minerals and waste planning in the Joint Plan area.

Response to comment:

Noted

3709 Harrogate Greenpeace

O

004: Vision Q02 0323 Priorities - The 4 priorities conflict with each other as well as interconnect.

Response to comment:

Noted

317 Tarmac

S

004: Vision Q02 0059 The vision is supported.

Response to comment:

Noted

004: Vision

Q02 0325

Criterion vii - Agree with the principles but in reality the industrialisation of rural and semi-rural areas cannot be mitigated by good design. 'Robust protection' cannot accommodate multiple well heads and the impact of fracking.

Response to comment:

This is addressed in oil and gas policies including cumulative impact

004: Vision

Q02 0688 Support the aim of the vision and additional wording, but does not go far enough to stop the decline in biodiversity through restoration.

Biodiversity 2020 states that need to change the emphasis 'from piecemeal conservation action towards a more integrated landscape-scale approach.' This is reflected in the NPPF.

To reflect the change in approach outlined in Biodiversity 2020 and the requirements of the NPPF recommend that that section of paragraph viii is changed to:

'and a high standard of reclamation and afteruse of minerals and waste sites will be being delivered, providing a range of benefits for local communities and the environment of the area, as well as protecting and restoring agricultural land. IN PARTICULAR, MINERAL SITE RESTORATION WILL HAVE PROVIDED A SIGNIFICANT NET GAIN IN BIODIVERSITY - AND MADE A SIGNIFICANT CONTRIBUTION TO THE ESTABLISHMENT OF A COHERANT AND RESILIENT ECOLOGICAL NETWORK - PRIMARILY THROUGH THE LANDSCAPE-SCALE CREATION OF PRIORITY HABITAT.'

The section 'Optimising the Spatial Distribution of Minerals and Waste Development' should also take into account the potential to deliver strategic restoration benefits and preference should be given to sites that have the potential to make a significant contribution to creating long term ecological networks. In terms of sand and gravel sites in river valleys restoration should contribute to the creation of networks of priority wetland habitat larger than 100ha. Small areas of wetland can have high value for amphibians and dragonflies. If sites do not have the potential to deliver this type of strategic restoration they should not be included in the Plan.

Suggest an additional paragraph under this section:

PREFERENCE WILL BE GIVEN TO SITES THAT ARE IN LOCATIONS - AND AT A SCALE - THAT WILL FACILITATE THE DELIVERY OF STRATEGIC RESTORATION OBJECTIVES FOR ISSUES SUCH AS BIODIVERSITY, RECREATION, REDUCING FLOOD RISK AND ADAPTING TO CLIMATE CHANGE. FOR EXAMPLE, FOR RIVER-VALLEY SAND AND GRAVEL SITES, PREFERENCE WILL BE GIVEN TO SITES (OR CLUSTERS OF SITES) THAT HAVE THE POTENTIAL TO MAKE A SIGNIFICANT CONTRIBUTION TO ESTABLISHING A COHERENT OF PRIORITY WETLAND HABITATS AT A LANDSCAPE-SCALE.

Response to comment:

Agreed that the vision should be revised to make reference to enhancing ecological networks at a landscape scale where practicable to help deliver such benefits where opportunities arise. This matter is also addressed in Restoration and aftercare policy D10. However, it is not considered appropriate to give preference to sites in locations and of a scale to deliver such benefits as a matter of priority over other considerations.

362 Harrogate Friends of the Earth

O

Q02 0194 Priorities - The 4 priorities conflict with each other as well as interconnect.

004: Vision

Response to comment:

Noted

3849 Harrogate and District Green Party

DNS

Q02 1969 Criterion vii - Agree with the principles but in reality the industrialisation of rural and semi-rural areas cannot be mitigated by good design. 'Robust protection' cannot accommodate multiple well heads and the impact of fracking.

004: Vision

Response to comment:

This is addressed in oil and gas policies in the Plan

362 Harrogate Friends of the Earth

DNS

Q02 0197 Criterion viii - Support intentions to improve energy and resource use but concerned about dealing with waste water from fracking, as cannot be returned to groundwater and no facilities to deal with it, will also impact on climate change. The sustainability appraisal needs to take this into account.

004: Vision

Response to comment:

This is addressed in the oil and gas policies where relevant

3849 Harrogate and District Green Party

O

Q02 1967 Priorities - The 4 priorities conflict with each other as well as interconnect.

004: Vision

Response to comment:

Noted

004: Vision

Q02 1422 Disagree with the Vision's opening paragraph.

Kirkby Fleetham faces the potential threat of 5 new quarries within 1 mile of the village, albeit with MJP60 being currently discounted, as was MJP33 in the last Plan which is now a preferred site. This approach is not protecting and supporting communities. Should all developments take place concurrently the impact would be unbearable.

A more strategic approach should be taken rather than a 'call for sites' as it does not 'optimise the spatial distribution of minerals' since most are concentrated around a small number of villages.

Response to comment:

This is not agreed. The call for sites process helps ensure deliverability of allocated sites.

004: Vision

Q02 1815 Section (viii)
Flooding has not reduced.
Do not agree with the statement 'no negative impacts have been identified', which is in the SA summary box.
Pollution of water has not been factored into the Plan, some resources have not yet been discovered. Water quality needs to be better monitored.

Response to comment:

Noted

004: Vision

Q02 0261 Criterion viii - Support intentions to improve energy and resource use but concerned about dealing with waste water from fracking, as cannot be returned to groundwater and no facilities to deal with it, will also impact on climate change. The sustainability appraisal needs to take this into account.

Response to comment:

Noted

3829

DNS

004: Vision

Q02 1813 Section (vii) Fracking impacts greatly upon the sustainability of local business, especially tourism, organic farming, spa industry and mineral growing industry.

Response to comment:

Noted. The oil and gas policies should be revised to ensure a robust local approach.

362 Harrogate Friends of the Earth

DNS

004: Vision

Q02 0195 Criterion iv - Transport networks are over-used so developments should be dependent on the 'availability of transportation networks' and not just 'have regard to' them.

Response to comment:

Agreed that criterion iv should be changed to reflect this

3757

O

004: Vision

Q02 1390 Do not support the Vision.

I disagree with the question and have concerns about the Vision, as it adds little to confidence in the community that robust policies are in place or that those who implement the Joint Plan will abide by its policies. The Vision raises concerns that a mineral site may become a waste site, due to the site being more cost effective to develop the site if this is the case.

In iii, the term 'a good match' is not acceptable, the aim should be the 'very best possible match' in terms of location, demand, cost of developing a site and future of the site.

In iv, the term 'adequate transportation networks' is used but no indication of the need or intention to put new roads in place is given.

In v, the terms 'where practicable' and 'adequate' are used but the Vision should be aiming for the best option.

Response to comment:

The term 'a good match' reflects that there are wide range of constraints to achieving this. Reference to transport networks is to existing networks. The terms where practicable and adequate reflect the existence of a wide range of constraints which influence the locating of development

362 Harrogate Friends of the Earth

DNS

004: Vision Q02 0196 Criterion vii - Agree with the principles but in reality the industrialisation of rural and semi-rural areas cannot be mitigated by good design. 'Robust protection' cannot accommodate multiple well heads and the impact of fracking.

Response to comment: *Noted*

3829

DNS

004: Vision Q02 1814 Section (vi)
Add 'PRE HISTORIC', People are interested in this heritage but it is not referenced in the Plan.

Response to comment: *This is covered by reference to 'cultural' environment on the 2nd line of criterion iv.*

3756 East Riding of Yorkshire Council and Hull City Council (Joint Local Plan Team Minerals and Waste)

S

004: Vision Q02 1318 The Councils agree with the vision set out for the Plan area. Part i and ii of the Vision and Objective 2 are also supported.

Response to comment: *Noted*

359 North York Moors Association

S

004: Vision Q02 0690 Broadly Support the Vision.
However, the 4th bullet point under Vision and Priorities (Protecting and enhancing the environment...) should be 1st on the list.

Response to comment: *The bullet points are not in order of priority. They are all priorities to address in the Plan/*

2968 York Green Party

S

004: Vision Q02 1848 There should be a strong emphasis on protecting local environment and maximising efficient energy use so as to reduce demand for wasteful extraction.

Response to comment: *It is considered that the vision provides an appropriate balance between support for development and protection of environment and conservation of resources*

130 Leeds City Council

DNS

004: Vision

Q03 1201 Would like to see an objective for marine won sand and gravel to contribute towards supply.

It would be useful for industry to see this commitment and will encourage investment in new infrastructure. Could possibly be linked to Objective 4 if not an objective in its own right.

At Leeds EiP into policies regarding railway sidings and canal wharves evidence was presented to show that marine won aggregate is likely to come into the region by water and rail within the next 15 years and there was a high level of support for this from the mineral operators present.

Response to comment:

The principle of supporting marine aggregate supply is agreed. However, it is considered unlikely that significantly increased supply directly into the NY area will take place during the plan period based on current evidence

115 Minerals Products Association

S

004: Vision

Q03 0626 Support the vision as stated - please take account of the representation no 0625.

Response to comment:

Noted

631 Husthwaite Parish Council

S

004: Vision

vii-viii 1718 Protecting and enhancing the environment, supporting communities and mitigating and adapting to climate change- there is a conflict between this priority and the extraction of shale gas.

Response to comment:

The Plan needs to reflect national policy and reflect an appropriate balance

470 Carlton Husthwaite Parish Council

S

1756 Agrees with the Objectives

005: Objectives

Response to comment:

Noted

968 Womersley Parish Council

DNS

1729 Objectives 9 and 10 should include a reference to robust conditions and rigorous enforcement.

005: Objectives

Response to comment:

This is a matter to be addressed through the development control process

719 Knaresborough Town Council

S

1743 The principles of Objective 10 are supported. Assurances are sought that the monitoring regime will pay particular attention to this objective during implementation of the plan.

005: Objectives

Response to comment:

Noted

2937

DNS

Q03 0263 Objective 5 - Fracking cannot be considered sustainable development as it will industrialise some rural and semi rural areas.

005: Objectives

Response to comment:

Noted. The policies in the Plan set out criteria to help ensure an appropriate balance is achieved

3829

DNS

005: Objectives

- Q03 1816 Promoting high standards of waste management and disposal is difficult, concerned there is a lack of funding to enforce the regulations.
Do not have confidence in waste operators handling waste responsibly, especially hazardous waste. Information regarding hazardous waste and toxic materials found by the EA in the area is not included in the Plan, but need to be.
There is a lack of discussion about hazardous waste in the document, especially radioactive hazardous waste which will be produced from fracking. The Hazardous Waste Act 2005 does not take account of waste associated with fracking, so is out of date.
How radioactive waste is to be dealt with should be consulted upon, so needs to be added to the Plan as residents are concerned about this issue. There seems to be a general lack of assessment of radioactive and other emissions in the region.

Response to comment:

It is agreed that the Plan should provide more guidance on managing waste from the oil and gas industry, although the role of other regulators is also important

362 Harrogate Friends of the Earth

DNS

005: Objectives

- Q03 0204 There are many points of conflict and contradiction in the objectives. The criteria for reconciling these should be articulated, and the criteria for overriding any of the objectives included in the Plan.

Response to comment:

It is inevitable that there will be tensions between some objectives in particular circumstances. These are resolved through the policies in the Plan.

92 Durham County Council

S

005: Objectives

- Q03 0525 Support the Objectives.

Response to comment:

Noted

362 Harrogate Friends of the Earth

DNS

005: Objectives

- Q03 0200 Objective 6 - should include the intention to provide criteria for locations which may be considered suitable for fracking if possible.

Response to comment:

It is agreed that objective 6 should be revised to indicate that locational criteria should be provided

3756 East Riding of Yorkshire Council and Hull City Council (Joint Local Plan Team Minerals and Waste)

S

Q03 1319 The Councils agree with the Objectives of the Plan.

005: Objectives

Response to comment:

Noted

362 Harrogate Friends of the Earth

DNS

Q03 0203 Objective 10 - has good intentions to include local communities, this should also include fracking proposals. Where is the policy to reflect this objective?

005: Objectives

Response to comment:

This matter is addressed in policy D02

362 Harrogate Friends of the Earth

S

Q03 0202 Objective 9 - support this objective and it should be maintained.

005: Objectives

Response to comment:

Noted

2937

DNS

Q03 0268 There are many points of conflict and contradiction in the objectives. The criteria for reconciling these should be articulated, and the criteria for overriding any of the objectives included in the Plan.

005: Objectives

Response to comment:

The policies in the Plan set out in more detail the approach to determining proposals. It is inevitable that there will be a degree of tension between objectives in some cases. The policies provide a mechanism for reconciling these.

3689 Friends Of the Earth

DNS

005: Objectives

Q03 1698 Objective 5 - The sentence 'without compromising other social, economic and environmental goals including obligations under the Climate Change act' is important in ensuring the Plan complies with the S19 Duty of the PCPA 2004 (as amended by PA 2008). This objective could be taken to mean 'economic growth' and therefore objectives could be traded off against each other. This objective is acknowledged by the SA (pg. 44) to have negative impacts in terms of environmental and social issues but may be used in the Plan to score policies positively.

Objective 11 - The objective, and therefore the policies in the Plan, should comply with the S19 Duty described above. 'Addressing the causes and effects' would require assessing the activities as a whole rather than just the design or transport impacts (as Policy D11 does, therefore not complying with this objective).

Response to comment:

There will inevitably be tensions between objectives in some instances. The policies in the Plan provide a mechanism for reconciling these.

2937

DNS

005: Objectives

Q03 0266 Objective 9 - support this objective and it should be maintained.

Response to comment:

Noted

362 Harrogate Friends of the Earth

DNS

005: Objectives

Q03 0201 Objective 8 - should acknowledge that the infrastructure demands of fracking cannot be met in this county.

Response to comment:

Noted

005: Objectives

Q03 0565 Generally supportive of the Objectives, particularly Objective 3 and the intention to safeguard transport infrastructure that facilitates the movement of minerals and waste by more sustainable means.

Particularly supportive of Objective 8 and the promotion of sustainable transport modes as alternatives to utilising the road network. The supporting text states that where non road transport is not viable these locations are well connected to suitable highways infrastructure. The impact on the SRN should be minimised.

Where new or improved infrastructure would be required such improvements should be assessed, developed and identified as part of the evidence base for the Plan and should be listed both in the Plans policy and Infrastructure Delivery Plan (IDP) to ensure they are viable and deliverable.

Objectives 6 to 8 are generally supportive of intention to continue to optimise the spatial distribution of minerals and waste development. Support including strategic sites within the Plan as gives opportunity to ensure the traffic impacts of development and requirements for supporting transport infrastructure can be assessed upfront as part of the Plan making process.

Objective 7 seeks to develop a locational policy for waste management infrastructure. Support the principle of minimising the overall distance of travel for waste as this should help reduce the amount of traffic associated with minerals and waste developments utilising the SRN.

Response to comment:

It is agreed that the text of objective 8 should be revised to refer to minimising impact on the strategic road network

2937

DNS

005: Objectives

Q03 0264 Objective 6 - should include the intention to provide criteria for locations which may be considered suitable for fracking if possible.

Response to comment:

It is agreed that the objective should be revised to clarify that identification of development criteria is also an important role of the Plan

362 Harrogate Friends of the Earth

DNS

005: Objectives

Q03 0198 Objective 1 - should include a specific commitment to recycling domestic and commercial food waste.

Response to comment:

The objective supports increased recycling of all waste, including food waste

005: Objectives

Q03 0262 Objective 1 - should include a specific commitment to recycling domestic and commercial food waste.

Response to comment:

The Plan supports an increase in all forms of recycling and no specific change is required.

3684 Frack free Ryedale

O

005: Objectives

Q03 0418 The Objectives 6-12 will not help to protect the communities, land, livelihoods and the wider environment from the impacts of fracking.

Fracking will have a significant negative impact upon the landscape, tranquillity, air pollution and residents amenity and these cannot be fully mitigated against.

Objective 9 should be strengthened to include reference to the protection of internationally and nationally important designated sites alongside locally valued non designated sites and the setting of such areas including the National Parks and AONBs and other areas designated in M16, currently the objective does not refer to the setting of National Park and ANOBs , the setting is the key to affording tranquillity to the wider landscape. This would allow the Authorities to fully protect and conserve the natural and historic environment in conformity with national planning policy.

The 14th round of PEDL licencing has release more PEDL blocks which may prompt more borehole exploratory works some of which can take place under PD rights. It may not be possible to identify borehole sites and so Objective 6 will not be adhered to. Some of the other objectives may not be achieved as sites may not be near an A road and communities and visitors may be affected.

If fracking is permitted at the rate the Government wants then Objective 11 will not be achieved as there will be a release of greenhouse gases into the atmosphere as a result of fracking. Alternative energy sources should be found.

Opposed to fracking for many reasons including the unpredictable nature of shale.

Response to comment:

The objective to protect National Parks and AONBs can already include protection of their setting. It is considered that this matter could be addressed further in changes to the oil and gas policies. It is agreed that the text for objective 6 should be changed to make reference to identification of criteria for locating sites. The Plan needs to be generally consistent with national policy, which does not preclude shale gas development.

362 Harrogate Friends of the Earth

DNS

005: Objectives

Q03 0199 Objective 5 - Fracking cannot be considered sustainable development as will industrialise some rural and semi rural areas.

Response to comment: *Noted*

3762

DNS

005: Objectives

Q03 1423 Objective 10: the fact MJP33 is a preferred site, and other preferred sites, contradicts this objective, as the access road is unsuitable for HGVs. The alternative would be MJP21 and an access road running parallel to the A1 with 336 HGV movements.

Objective 7: Supplying aggregates to the north, particularly Teesside, does not 'minimise the need for transport' contradicting this objective. A 'call for sites' approach does not allow this objective to be met whereas a strategic plan with site identification would.

Objective 11: The term 'maintenance of agricultural capacity' is at odds with preferred sites MJP33, MJP60 and MJP21 which are currently agricultural land producing crops. Have sites of less agricultural importance been investigated?

Response to comment: *This matter will be taking into account in allocating sites. Provision for supply of aggregates to markets north of the Plan area reflects supply and demand imbalances resulting from the uneven distribution of resources. A call for sites helps ensure the deliverability of allocated sites. Agricultural land quality considerations are taken into account in the site allocation process but it should be noted that minerals can only be worked where they occur and a wide range of considerations need to be taken into account.*

2968 York Green Party

S

005: Objectives

Q03 1849 Objective 3 - Should include the aquifer and infrastructure such as pipelines.

Response to comment: *Protection for groundwater is provided in the development control policies and other relevant policies in the Plan*

2968 York Green Party

S

005: Objectives

Q03 1850 Objective 8 - It is an important priority to retain infrastructure for sustainable transport networks.

Response to comment: *This is addressed in objective 3.*

2968 York Green Party

S

005: Objectives

Q03 1852 Objective 5 - Strongly support the reference to the Climate Change Act. This Act should influence sustainable development and conservation of local mineral resources for future generations.

Response to comment:

Noted

3829

DNS

005: Objectives

Q03 1819 Objective 11 - it seems counterproductive to talk about reducing emissions and the global footprint when allowing fracking which causes pollution. Government and operators need to provide evidence that fracking is safe.

Response to comment:

The Plan is a strategic plan dealing spatial and land use matters. It needs to be generally consistent with national policy.

252 York Potash

DNS

005: Objectives

Q03 0909 Support elements of the Objectives with suggested amendments.

Support Objective 3 in terms of safeguarding important minerals and infrastructure.

Support Objective 6 in terms of the identification of 'STRATEGICALLY IMPORTANT SITES OR AREAS WHICH WILL BE A PRIORITY'.

Under Objective 8, reference to underground conveyor systems should be included as a potential non-road means of mineral transportation.

Response to comment:

It is agreed that objective 8 should be changed to make reference to conveyor systems

3709 Harrogate Greenpeace

DNS

005: Objectives

Q03 0330 Objective 8 - should acknowledge that the infrastructure demands of fracking cannot be met in this county.

Response to comment:

Potential infrastructure demands for shale gas are not known in any detail at this stage. The policies in the Plan provide a balanced approach to addressing the issues expected to arise.

2968 York Green Party

S

005: Objectives

Q03 1853 Objective 11 - strongly support carbon reduction, use of renewable energy and seeking opportunities for flood mitigation.

Response to comment: *Noted*

3757

O

005: Objectives

Q03 1391 Do not support the Objectives.

Objectives 7, 8 & 9 refer to 'developing policy', what is meant by this? The objectives should state that there is a policy in place.

Objective 11, bearing in mind the excessive recent rainfall and flooding, this objective needs to provide reassurance that the relevant information on site allocations has been researched and understood. How can mineral extraction in areas of a high water table provide flood alleviation?

Response to comment: *The objectives provide direction to the policies in the Plan but it is not appropriate to include detailed matters within them*

77 Middlesbrough Council

S

005: Objectives

Q03 0595 Support the overall aims and objectives of the Plan.

Response to comment: *Noted*

75 Bradford Metropolitan District Council

S

005: Objectives

Q03 0892 Objective 2- what is meant by sub-region, is this the joint plan area or another area?
Objective 5- this objective is welcomed. It gives confidence to the WY area and recognises the need to continue with the supply of aggregates outside the plan area.
Is a reference to net self-sufficiency for waste within the objectives needed?

Response to comment: *This is already clarified in the background explanation to Objective 2.*

3849 Harrogate and District Green Party

DNS

005: Objectives

Q03 1971 Objective 1 - should include a specific commitment to recycling domestic and commercial food waste.

Response to comment:

The objective supports all forms of recycling including for food waste

2827

DNS

005: Objectives

Q03 0456 The land identified for MJP43 are Grade 2 agricultural land, and if extraction takes place these would be lost to the farming economy for several decades for small gains which goes against Objective 9.

Response to comment:

Agricultural land quality considerations are taken into account in the site allocation process but it should be noted that minerals can only be worked where they occur and a wide range of considerations need to be taken into account.

005: Objectives

Q03 0761 Objective 9 - Greater emphasis should be given to biodiversity to better reflect to support Biodiversity 2020 and the NPPF.

Suggest a new sentence is added to the end of Objective 9

IN PARTICULAR, MINERAL SITE RESTORATION SHOULD BE REQUIRED TO DELIVER A SIGNIFICANT NET-GAIN IN BIODIVERSITY - AND MADE A SIGNIFICANT CONTRIBUTION TO THE ESTABLISHMENT OF A COHERENT AND RESILIENT ECOLOGICAL NETWORK - Primarily THROUGH THE LANDSCAPE SCALE CREATION OF PRIORITY HABITAT.

Optimising the spatial distribution of minerals and waste development should take into account the potential to deliver strategic restoration objectives.

A new Objective should be added under the sub heading of 'Optimising the Spatial Distribution of Minerals and Waste Development'

New Objective - TAKING INTO ACCOUNT THE POTENTIAL TO DELIVER STRATEGIC RESTORATION OBJECTIVES. Text should include reference to developing locational policy which gives preference to those sites that have the greatest potential to deliver strategic restoration objectives. These objectives would relate to issues such as biodiversity, recreation, reducing flood risk and adapting to climate change.

Response to comment:

It is considered that this matter is already adequately addressed through a combination of objectives 9, 11 and 12 including the explanatory text. There are a wide range of factors to be taken into account in identifying sites. Policy M10 supports the delivery of a range of strategic restoration objectives, including provision of biodiversity benefits, reduced flood risk and climate change adaptation, which are all considered to be appropriate priorities in the Plan area.

3708

DNS

005: Objectives

Q03 0392 Objective 9 - support this objective and it should be maintained.

Response to comment:

Noted

3708

DNS

005: Objectives

Q03 0391 Objective 8 - should acknowledge that the infrastructure demands of fracking cannot be met in this county.

Response to comment:

Noted

3708

DNS

005: Objectives

Q03 0390 Objective 6 - should include the intention to provide criteria for locations which may be considered suitable for fracking if possible.

Response to comment:

It is agreed that reference to development of locational criteria should be included in Objective 6.

3708

DNS

005: Objectives

Q03 0389 Objective 5 - Fracking cannot be considered sustainable development as will industrialise some rural and semi rural areas.

Response to comment:

Noted

3709 Harrogate Greenpeace

DNS

005: Objectives

Q03 0332 Objective 10 - has good intentions to include local communities, this should also include fracking proposals. Where is the policy to reflect this objective?

Response to comment:

This is addressed in Policy D02

3708

DNS

005: Objectives

Q03 0388 Objective 1 - should include a specific commitment to recycling domestic and commercial food waste.

Response to comment:

The objective supports increase in recycling of all waste including food waste

3708

DNS

005: Objectives

Q03 0394 There are many points of conflict and contradiction in the objectives. The criteria for reconciling these should be articulated, and the criteria for overriding any of the objectives included in the Plan.

Response to comment:

Inevitably there will be tensions between achievement of some objectives, given the role of the Plan. The policies provide a balanced approach to reconciling these.

2841

S

005: Objectives

Q03 0027 Support the objectives but agree with Sustainability Appraisal in particular that objectives 5 and 6 could have a negative impact. There is a conflict between economic growth in relation to minerals and reduction in carbon emissions but the Plan has to follow the NPPF.

Response to comment:

Noted

3704 Cuadrilla Resources Ltd

O

005: Objectives

Q03 1237 Objective 8- support the principle and the wording regarding suitable highways infrastructure if inter-nodal sites are not available. The wording of this objective would be improved by adding " or where the highway infrastructure can be improved to mitigate the impact."

Response to comment:

It is considered that reference in the background explanation to 'suitable highways infrastructure' would include any improved infrastructure

120 Historic England

S

005: Objectives

Q03 0109 Support the objectives subject to the amendment below, especially Objective 3 - that there is an need to ensure potential sources of building and roofing stone are not sterilized by other uses.

Objective 5 - The part which relates to ensuring an adequate supply of minerals to contribute to local distinctiveness.

Objective 9 - This objective will help deliver the part of the Vision which seeks to ensure that the demand for minerals takes place in a manner which protects the environmental assets of the County.

Consideration should be given to the following amendment

Objective 9 - Whilst it is necessary to reconcile minerals and waste developments with the protection of the environmental assets of the plan area, opportunities should also be taken to maximise any opportunities that such developments might provide to enhance these assets. This is recognised in the explanation to the Objective but should be reflected in the Objective itself. Amendment suggested is 'Protecting AND, WHERE APPROPRIATE, ENHANCING the natural and historic environment.'

Additional words suggested are in capital letters.

Response to comment:

It is agreed that the text to objective 9 should be revised to refer to ' where appropriate enhancing' the natural and historic environment.

1174

DNS

005: Objectives

Q03 1696 Agree with Objectives 1 to 8.

Objective 9 states 'recognising and protecting the special qualities of the North York Moors National Park and the AONBs, and the historic views into York', it should include 'AND THEIR SETTING'.

Response to comment:

It is considered that the reference to 'protecting' can already include protection of setting within its scope. This issue should be addressed further in the oil and gas policies.

3708

DNS

005: Objectives

Q03 0393 Objective 10 - has good intentions to include local communities, this should also include fracking proposals. Where is the policy to reflect this objective?

Response to comment:

This matter is addressed in Policy D02

3709 Harrogate Greenpeace

DNS

005: Objectives

Q03 0333 There are many points of conflict and contradiction in the objectives. The criteria for reconciling these should be articulated, and the criteria for overriding any of the objectives included in the Plan.

Response to comment:

There will inevitably be tensions between objectives in some instances. The policies in the Plan provide a mechanism for reconciling these

3829

DNS

005: Objectives

Q03 1817 Objective 9 - Add PRE HISTORIC into the title.
Prehistoric views across the landscape linking all prehistoric monuments should be preserved. The Plan does not put enough emphasis on heritage and there is a risk of it being damaged or lost in favour of supporting quarrying and fracking.

Response to comment:

This should be addressed through a change to the background explanation to include reference to 'pre-historic' as well as historic

Q03 1607 Support the Objectives.

005: Objectives

Objective 9 - Areas adjoining National Parks and AONBs should be safeguarded as they are important to the setting of the designations. This is more critical now that extraction is allowed under these areas as development pressure will increase.

Objective 11 - This objective is contradicted by the facilitation of extracting shale gas which will exacerbate climate change. The Plan should be updated to reflect the new 1.5 degrees target from the Paris Agreement adopted by the UK Government in Dec 2015.

Response to comment:

It is agreed that this should be addressed in the oil and gas policies. National policy does not preclude the development of shale gas resources.

359 North York Moors Association

S

Q03 0691 Generally agree with the objectives, in particular Objectives 9, 11 and 12 which give specific protection for the National Park and AONBs.

005: Objectives

Response to comment:

Noted

3829

DNS

Q03 1818 Objective 10 - The issue of fracking and radioactive waste and their impact on health and the environment is a concern. In the past there has been a failure to collect statistics about life affecting diseases so the evidence base is weak to base cause and effect conclusions on. Fracking is known to cause disease such as asthma, bronchitis and cancer so health reports need studying when considering allowing operations such as fracking.

005: Objectives

Response to comment:

Noted

005: Objectives

Q03 1906

Objective 1- is supported

Objective 2- this should include infrastructure for waste water from fracking.

Objective 3- efficient use of mineral resources should be a material consideration in planning applications. If the only advantage is economic the development should not be allowed. Applicant should demonstrate energy efficiency/ reduction. This should be a minimum standard for the use of gas.

Objective 4- agree with this objective. Slowing down the rate of shale gas extraction could lessen the environmental and social impacts and might encourage the use and development of other renewable, low carbon energy sources.

Objective 5- further clarity is needed on what is meant by development. Also what sort of economic growth is being referred to. Although this objective is well meaning it could be quite ineffective without further definition. The precautionary principle must be used as part of the principles of sustainable development and our obligations under the climate change act.

Objective 6- this needs to include the sites considered suitable for fracking and wastewater treatment if the plan is not to be merely reactive to proposals. Planning must be Plan-led.

Objective 7- this should aim to balance the import and export of waste into and out of the plan area. It should identify patterns of growth- an assessment of the PEDL areas need to be undertaken, planning should not simply be a expansion of one well. If shale gas is to be used locally it should be adequately cleaned so not to create a health hazard.

Objective 8- needs to be clear how this objective is to be met, for example limiting the distance from A roads (not passing through villages/hamlets) and applying limits to the numbers of vehicles accessing the site per day. Money for road repairs should be paid upfront and be based on the predicted amount of traffic likely to be generated. Traffic plans should be required and take account of traffic movements of a wide area.

Objective 9- Laudable objective. How is this to be enforced and measured? Baseline information must be provided by applicants, lack of information should be seen to be an indication of an inability to cause harm.

Objective 10- in terms of fracking there needs to be local buy-in to make it work. Therefore local perceptions/opinion should have weight .

Objective 11- it is sensible to require agreed standards of high energy efficiency and clear levels of GHG emissions for the start to the end of the process, to end use including water management and transport. Where the do not meet agreed standards operations should be ceased.

Objective 12- it is not clear to see how fracking site will ever enhance recreation or biodiversity or climate change adaption.

Sustainability appraisal: Although the objectives sound laudable, on the whole there is a lack of precision which could render them ineffective.

Response to comment:

Objective 2 - it is not considered appropriate to specify individual types of waste in the strategic objective. Objective 3 - This approach would not be consistent with national policy or would be outside the scope of the Plan. Objective 5 - The purpose of the objective is to help provide overall direction for the Plan. It is agreed that the Plan should provide more guidance on criteria for the management of waste from the oil and gas industry. Balancing imports and exports of waste is addressed in Objective 2. It is agreed that more detailed criteria for oil and gas development should be provided in the relevant policies, although the scope of the Plan

and the role of other regulators also needs to be taken into account.

342 Mone Brothers Excavations Ltd

DNS

005: Objectives Q03 1291 Objective 7 - A prescriptive approach towards the location of strategic sites for provision of secondary and recycled aggregates is unnecessary. These facilities should be subject to a flexible siting policy appropriate to CDEW production, or disposal of 'residual' waste from facilities to beneficial use. Such an approach is particularly necessary for the CDEW waste stream to minimise transport costs and also reflect that the location of markets for recovered materials is variable with time.

Response to comment:

It is agreed that the text for objective 6 (rather than Objective 7) should be changed to indicate that an objective of the Plan is to provide locational criteria for development. This is addressed further in Policy M11

880 Stutton with Hazlewood Parish Council

DNS

005: Objectives Q03 1670 Objectives 9 and 10 should make reference to robust conditions and rigorous enforcement.

Response to comment:

These are matters to be addressed through the development control process

1174

DNS

005: Objectives Q03 1674 Objective 12, although superficially attractive, is so wide and vague that it could allow any form of after use at quarry sites. Destroying large areas of agricultural land will permanently increase CO2 levels through importing food. Calculating carbon produced by proximity of quarries to markets is finite, carbon from food imports cannot be measured and extra carbon cannot be soaked up by reed beds.

Response to comment:

Further guidance on restoration is provided in policy D10. It is not considered practicable to measure carbon impacts as a result of these activities. The purpose of the objective is to provide strategic direction for the Plan.

1174

DNS

005: Objectives

- Q03 1673 Objective 11 - This objective should be drafted so as to exclude restorations based on the false premise that reed beds are better at reducing CO2 than the agricultural land they replaced.
Reed beds do sequester CO2 but it is negligible compared to the CO2 cost of food imports as well as the added pressure on other food producing areas. Proximity to market is a major consideration in reducing transport CO2.

Response to comment:

This matter is too detailed to be addressed in the objective. Encouraging sources of supply which are in proximity to markets is addressed in Objective 7.

2937

DNS

005: Objectives

- Q03 0265 Objective 8 - should acknowledge that the infrastructure demands of fracking cannot be met in North Yorkshire.

Response to comment:

Noted

317 Tarmac

S

005: Objectives

- Q03 0060 The objectives are supported.

Response to comment:

Noted

3849 Harrogate and District Green Party

DNS

005: Objectives

- Q03 1974 Objective 6 - should include the intention to provide criteria for locations which may be considered suitable for fracking if possible.

Response to comment:

It is agreed that objective 6 should be revised to clarify that provision of locational criteria is also a priority for the Plan

2826

S

005: Objectives

- Q03 1492 Support the objectives, especially 4,5 and 6.

Response to comment:

Noted

3849 Harrogate and District Green Party

DNS

Q03 1975 Objective 8 - should acknowledge that the infrastructure demands of fracking cannot be met in this county.

005: Objectives

Response to comment: *Noted*

342 Mone Brothers Excavations Ltd

DNS

Q03 1290 Objective 6 - A prescriptive approach towards the location of strategic sites for provision of secondary and recycled aggregates is unnecessary. These facilities should be subject to a flexible siting policy appropriate to CDEW production, or disposal of 'residual' waste from facilities to beneficial use. Such an approach is particularly necessary for the CDEW waste stream to minimise transport costs and also reflect that the location of markets for recovered materials is variable with time.

005: Objectives

Response to comment: *It is agreed that the text for objective 6 should be changed to indicate that an objective of the Plan is to provide locational criteria for development. This is addressed further in Policy M11*

121 Environment Agency

S

Q03 1326 Support Objective 1, the background justification could be strengthened with the addition of reference to the concept of 'high quality recycling' through the promotion of separate collection of recyclables. The explanatory text could be amended to

005: Objectives

' This includes supporting the efficient use of materials in the design and construction of development and supporting a reduction in the amount of waste generated by individuals and organisations; delivering national and targets for recycling - INCLUDING HIGH QUALITY RECYCLING THROUGH PROMOTION OF SEPARATE COLLECTION OF RECYCLABLES, composting and diversion of waste from landfill;.....'

This amendment is necessary because Waste Framework Directive requirements on hierarchy are in-hand with stipulations on separate collection of recyclables. The law requires that subject to tests of reasonableness, the glass, metal, plastic and paper contained in municipal type waste (which includes mixed commercial waste) is collected and processed separately so as to promote high quality recycling.

Response to comment: *Whilst encouraging separate collection of recyclables is acknowledged as being important in helping to manage waste more effectively. As a spatial/land use plan this cannot be addressed directly as it is an operational matter for industry and waste collection authorities.*

3748 Meldgaard UK Ltd

DNS

Q03 1213 Objective 5 - Emphasis should be on recycled and secondary aggregates and take priority over natural aggregates.
005: Objectives
Objectives 6 and 7 - These objectives should include the safeguarding of existing waste management facilities.

Response to comment:

Prioritising increased recycled and reuse of aggregate is already addressed in Objective 4. It is agreed that the objectives should refer to safeguarding waste infrastructure but this should be achieved through a change to Objective 2.

3709 Harrogate Greenpeace

DNS

Q03 0331 Objective 9 - support this objective and it should be maintained.
005: Objectives

Response to comment:

Noted

3709 Harrogate Greenpeace

DNS

Q03 0328 Objective 5 - Fracking cannot be considered sustainable development as will industrialise some rural and semi rural areas.
005: Objectives

Response to comment:

Noted

3849 Harrogate and District Green Party

S

Q03 1976 Objective 9 - support this objective and it should be maintained.
005: Objectives

Response to comment:

Noted

005: Objectives

Q03 1896 Object to the Objectives.

Objective 5: Mineral extraction is fundamentally incompatible with sustainable development, as it diminishes the resources available to future generations.

Objective 6: Thought needs to be given to what locations (if any) are suitable for the disposal of toxic and radioactive waste water from fracking.

Objective 8: HGVs will be the only practicable option to remove waste water from fracking sites, but the road network is not adequate for this volume of traffic.

Objective 10: Central Government are not allowing local communities to have a say on fracking as these will be overruled.

Response to comment:

It is not agreed that minerals extraction is incompatible with sustainable development objectives. Minerals resources are needed to contribute to economic growth and development which itself may be needed to ensure delivery of sustainable development. It is agreed that managing waste from oil and gas should be addressed in the Plan.

3709 Harrogate Greenpeace

DNS

005: Objectives

Q03 0329 Objective 6 - should include the intention to provide criteria for locations which may be considered suitable for fracking if possible.

Response to comment:

It is agreed that the text of objective 6 should be changed to refer to identification of criteria for the locating of sites

2192 Local Access Forum

DNS

005: Objectives

Q03 0952 A specific reference to access should be added to Objective 9 and Objective 11.

Response to comment:

It is agreed that this should be referenced in the objectives but would be best achieved by a revision to objective 11.

3849 Harrogate and District Green Party

DNS

005: Objectives Q03 1973 Objective 5 - Fracking cannot be considered sustainable development as will industrialise some rural and semi rural areas.

Response to comment: *Noted*

3849 Harrogate and District Green Party

DNS

005: Objectives Q03 1972 Objective 4 undertakes to 'facilitating provision of sustainable alternatives to primary minerals extraction' without giving any idea of how this is to be done, despite the fact that very little of this work proceeds at the moment.

Response to comment: *This issue is addressed further in policy M11 and the waste policies*

631 Husthwaite Parish Council

DNS

005: Objectives Q03 1719 Objective 9- the setting of the national park and AONBs should be safeguarded.
Objective 11- how can this be a priority for a plan and still facilitate the extraction of shale gas?
The plan should be updated to include the new (December 2015) targets for reducing greenhouse gas emissions.

Response to comment: *It is agreed that this should be addressed in the oil and gas policies and reference made to the most up to date climate change targets in the context to the Plan*

2937

DNS

005: Objectives Q03 0267 Objective 10 - has good intentions to include local communities, this should also include fracking proposals. Where is the policy to reflect this objective?

Response to comment: *This is addressed in Policy D02*

2968 York Green Party

S

005: Objectives Q03 1851 Objective 9 - Strongly support protection for special landscapes and views of the City of York.

Response to comment: *Noted*

3709 Harrogate Greenpeace

DNS

Q03 0327 Objective 1 - should include a specific commitment to recycling domestic and commercial food waste.

005: Objectives

Response to comment: *The objective supports all forms of recycling including for food waste*

128 Yorkshire Wildlife Trust

DNS

Q03 1153 Objective 11 - Strongly support this objective however the policies for hydrocarbon extraction will be in conflict with the objective. Any hydrocarbon extraction, particularly shale gas extraction, which occurs within the Plan period will lead to increased climate change.

005: Objectives

Response to comment: *Noted. The Plan needs to be generally consistent with national policy, which does not preclude shale gas development.*

713 Kirkby Fleetham with Fencote Parish Council

DNS

Q03 1482 Obj. 4 - Alternatives to minerals need to be discussed more prominently.

005: Objectives

Response to comment: *This issue is addressed further irrelevant policies and text including M11. The objective is intended to help provide overall direction for the Plan*

3849 Harrogate and District Green Party

DNS

Q03 1977 Objective 10 - has good intentions to include local communities, this should also include fracking proposals. Where is the policy to reflect this objective?

005: Objectives

Response to comment: *This is addressed in Policy D02*

127 Harworth Estates (UK Coal Operations Ltd)

DNS

Q03 1066 Broadly agrees with objectives presented, but object to certain elements.

005: Objectives

Objective 3 - safeguarding of mineral resources and infrastructure.

The objective should recognise the importance and economic viability to the working or use of any safeguarded resource. The objective is supported where there is a reasonable possibility of future working being feasible and economically viable. If this possibility is remote then the land should not be safeguarded and development should not be restricted. If this approach is taken the development of appropriate sites will contribute to the regeneration and socio-economic improvement of these areas. The objective should be amended to

'Safeguarding important minerals resources and minerals infrastructure for the future WORKING WHERE DESIRABLE AND VIABLE.'

Response to comment:

This matter is already addressed through use of the word 'important' in Objective 3 and through the safeguarding and exemptions criteria contained in the Plan.

2173 CPRE (North Yorkshire Region)

DNS

Q03 0729 Objective 5 - concerned about the ability of this objective to meet the objectives of the sustainability appraisal. The wording of this objective will encourage the export of minerals out of the Plan area rather than looking to support local needs which should be a priority.

005: Objectives

Response to comment:

National policy requires mineral planning authorities to consider needs arising outside their area as part of a managed system of supply and via the Duty to Cooperate

127 Harworth Estates (UK Coal Operations Ltd)

DNS

Q03 1069 An additional objective is proposed which identifies that surplus sites will be released for alternative development where appropriate and in order to release social and economic regeneration benefits. This should be worded:

005: Objectives

TO RELEASE MINERALS AND WASTE SITES WHICH ARE EXHAUSTED, SURPLUS TO REQUIREMENTS AND/OR NO LONGER ECONOMICALLY VIABLE FOR ALTERNATIVE DEVELOPMENT.

Response to comment:

This is a matter to be addressed in District Local Plans subject to restoration and aftercare requirements being complied with.

Q03 1067 Objective 7 - waste management infrastructure

005: Objectives

This objective should recognise the importance of identifying locations for waste management infrastructure which are compatible with and complementary to neighbouring uses. The co-development of waste and non-waste developments should be assessed case by case making reference to appropriate mitigation measures. Waste management facilities should not be encouraged to locate where there would be an adverse impact upon existing businesses, or where the use could deter future economic development. The objective should be amended as follows.

'...in order to minimise the overall need for transport, WHILST NO DETRIMENTAL IMPACT ON EXISTING OCCUPIERS OR FUTURE DEVELOPMENT.'

Response to comment:

Objective 7 is intended to help reduce the overall need for transportation. Protection of communities and businesses from impacts is covered in Objective 10 and in the policies of the Plan.

Q03 1068 Objective 10 - protecting from the impacts of minerals and waste development.

005: Objectives

Objective is supported but it should also recognise the impact which minerals and waste development may have on planned future development which could cause the loss of social and economic benefits which would otherwise be achieved. The objective should be amended to

'Protecting local communities, businesses, visitors AND PLANNED FUTURE DEVELOPMENT from the impacts of minerals and waste development, including transport, THROUGH THE USE OF APPROPRIATE MITIGATION MEASURES.

Response to comment:

The objectives provide strategic direction for the Plan. Requirements for mitigation are dealt with as necessary in relevant policies. Reference to 'planned future development' would lack sufficient clarity for inclusion in the Plan.

005: Objectives

Q03 1724 Objective 9 talks about protecting the historic environment, landscapes and tranquil areas of the Joint Plan area. The Plan area is becoming increasingly industrialised by poor planning decisions. Many of the villages are Conservation Areas, there are historic buildings and significant natural assets which are all being compromised.

Objective 10 talks about involving local communities and businesses in mineral and waste decisions, this has not occurred so far.

Response to comment: Noted

3857

O

005: Objectives

Q03 2037 Object to the Objectives.

Objectives 6-12 will not help protect: communities; land and livelihood; or the wider environment, from the impacts of hydraulic fracturing which will have significant negative effects that cannot be mitigated i.e. landscape, tranquillity, air pollution and impact upon residents.

Objective 9 should be strengthened to include: reference to protection of international and national designated sites; locally valued non-designated sites and their setting (which is key to tranquillity). This would enable the protection and conservation of the natural and historic environment in conformity with national planning policy principles.

The 14th round of PEDL licensing has led to: the possibility of numerous borehole exploratory works; potential change to the rural character of the area; due to the unpredictable nature of shale, large areas of the County could be 'explored'; impacts from HGV traffic on inadequate narrow roads.

Objective 11 is not consistent with fracking being undertaken at the rate predicted by Government, due to the release of GHGs, lack of investment in renewable energy sources, and subsequent failure to meet 2020 GHG reduction targets.

Response to comment: *The objectives help provide overall direction for the Plan. Specific policy for these matters us addressed in the oil and gas and development control policies where appropriate.*

3849 Harrogate and District Green Party

DNS

005: Objectives

Q03 1978 There are many points of conflict and contradiction in the objectives. The criteria for reconciling these should be articulated, and the criteria for overriding any of the objectives included in the Plan.

Response to comment:

Tensions between achievement of some objectives is inevitable given the role of the Plan. The policies provide a balanced approach to reconciling these.

116 Ryedale District Council

DNS

006: Policies map & Key Diagram

1151 Supports the use of the policies map to identify the locations of the minerals and waste resources, safeguarding areas and buffer zones, however the following amendment should be considered.

Policy M08 needs to be referenced against sand and gravel in the legend for the 'Minerals Resource Safeguarding Map - Key and Policy Reference.

Response to comment:

It is agreed that this should be referred to in the legend for the policies map

130 Leeds City Council

DNS

006: Policies map & Key Diagram

1202 The minerals key diagram should have a major transport link to the Humber Ports to acknowledge the opportunity for marine-won aggregate to be moved by rail via the East Coast Main Line.

Response to comment:

As the policies in the Plan do not assume a significantly increased contribution of supply into the area from marine sources it is not considered appropriate to reflect this on the key diagram.

Q05 1820 Monitoring - Concerned that cross border monitoring may make local monitoring less relevant. Do not agree with merging authority areas into one region.
006: Policies map & Key Diagram

Response to comment:

Noted

1174

DNS

Q05 1675 Do not support the trigger point of what could amount to three losses of heritage in a year, this is unsustainable as are losses of agricultural land and landscape. The target should be 100% of relevant approvals are consistent with policy and the method by monitoring, but the trigger point should be ' Nil planning applications granted subject to sustained objection from Heritage England due to impact on historic environment.'

The trigger point for action should not be three relevant proposals per annum going against policy, it should be reworded on most objectives to 'SUSTAINED OBJECTION (ON WHATEVER) BASED ON EXPERT ADVICE FROM STATUTORY CONSULTEES/OR THE CONSENSUS OF INDEPENDANT EXPERT OPINION.'

This applies to many of the monitoring indicators, targets, trigger points and actions such as for D02, D06, D07, D09 and D08.

Response to comment:

The trigger point reflects the fact that there could be material considerations which justify loss of heritage assets. The trigger point provides a means to establish whether this has become a significant factor within the plan area such that action to review policy should occur. It is not considered appropriate that this should be triggered by a single instance.

359 North York Moors Association

S

Q05 0693 Generally support the monitoring indicators.
006: Policies map & Key Diagram

Response to comment:

Noted

- 1737 The Plan must be robust to support effective enforcement of conditions applied to planning permissions. Conditions must be specific, measurable, attainable, relevant and time bound. Pollution of the Blue Lagoon at Womersley could have been prevented if supporting policies and planning decision notices had been rigorously worded with supporting legal agreements where necessary.
- 038: Protection of Important Assets

Response to comment:

Noted. These are matters to be addressed through the development management process.

- 2030 Mineral extraction sites should be thoroughly scrutinised to reduce any impact on the rural landscape, ensure heavy traffic is not added to rural roads and encourage the use of the railway network for transportation of minerals. Landscape should be restored to the original state when activity is complete.

Response to comment:

Noted. These points are covered by different policies in the Plan.

- 1215 This Chapter should be clearer that recycled/secondary aggregate production and use will be monitored throughout the plan period.

Response to comment:

Noted. Monitoring indicators have been provided in the Appendices of the Plan and these include monitoring recycled and secondary aggregates.

007: Aggregate Supply 1520 The Plan area should not supply other areas outside the Plan area. Exports should be limited, more emphasis should be placed on use of secondary and recycled material and other areas should have to supply fro themselves.

Response to comment:

National Policy requires Minerals Planning Authorities to plan for strategic cross boundary movements as part of a managed system of aggregates supply.

333 Tees Valley Unlimited (Joint Strategy Unit)

DNS

007: Aggregate Supply 1224 The recognition of the role of the Joint Plan area in the supply of minerals beyond the area boundary is strongly supported. Given constraints on mineral supply within the Tees Valley, and in the absence of additional viable sites, there is expected to be a continued need for the supply of minerals from the North Yorkshire area to play a significant role in meeting demand within the Tees Valley sub-region, including crushed rock but particularly in relation to sand and gravel. Such an approach within the policies is strongly supported and would be consistent with NPPF.

Response to comment:

Noted

131 Yorkshire Dales National Park

S

007: Aggregate Supply 1228 The approach being taken in the Joint Plan in relation to maintaining landbanks and mineral supply in the North Yorkshire sub-region and to markets in neighbouring authorities is supported.

Response to comment:

Noted

2915

DNS

007: Aggregate Supply 1506 Greater use of marine aggregates should be made. Some areas are prone to flooding and mineral extraction in these areas could help flood mitigation schemes. NY produces more aggregates than it uses and exports substantial amounts to other area. This should be stopped and other areas should be encouraged to produce more from their own area.

Response to comment:

Marine aggregate is covered in Policy M11. National Policy requires Minerals Planning Authorities to plan for strategic cross boundary movements as part of a managed system of aggregates supply.

0553 The company also support the view of the Mineral Product Association made on behalf of the aggregate industry.

007: Aggregate Supply

Response to comment:

Noted.

120 Historic England

S

M01

Q04

0110 Support the intention to meet the demand for aggregate outside the National Park and AONBs.

007: Aggregate Supply

Consideration should be given to the following amendments.

Criterion 1 - it is essential that and crushed rock aggregate which occurs as an incidental part of building stone extraction does not compromise the supply of the building stone from the quarry. This should be included as part of the Policy. Suggested amended wording is '...where it is incidental to AND WOULD NOT COMPROMISE THE SUPPLY OF BUILDING STONE EXTRACTION as the primary activity,'

Criterion 3 - It would be helpful if the Criterion set out what the primary consideration would be for any applications for sand and gravel extraction in and around York. Suggested amendment 'In the City of York area, the small scale extraction of sand and gravel where THIS IS CONSISTENT WITH SAFEGUARDING THE SPECIAL HISTORIC CHARACTER AND SETTING OF THE CITY.'

Additional words suggested are in capital letters.

Response to comment:

It is agreed the suggested text should be included in the Policy in order to ensure that aggregates supply remains incidental to the primary use for supply of building stone, for which there may be stronger policy justification in sensitive locations. It is agreed that the point about Criterion 3 should be referenced in the Policy as a key spatial consideration.

879 Strensall & Towthorpe Parish Council

S

M01 Q04 1745 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.
007: Aggregate Supply

Response to comment:

One of the roles of the Plan is to secure a future supply of minerals resources.

75 Bradford Metropolitan District Council

S

M01 Q04 0893 This Policy is welcomed.
007: Aggregate Supply

Response to comment:

Noted

286 Scarborough Borough Council

DNS

M01 Q04 0589 Support the extraction of minerals close to the markets requiring the mineral.
007: Aggregate Supply

Response to comment:

Noted

359 North York Moors Association

S

M01 Q04 0694 Support the Preferred Policy approach.
007: Aggregate Supply

Response to comment:

Noted

1174

O

M01

Q04

1676

Object as there is no mention of other special landscapes such as the Southern Magnesian Limestone Ridge and the Vale of Pickering.

Sand and gravel quarrying can permanently destroy the landscape, agricultural land and heritage. There is no long term future for deep pit lakes as there is a limit to how many fishing and boating lakes are required, and funding is decreasing for nature reserves. A mix of restoration to agriculture/nature conservation is the only sustainable future.

007: Aggregate Supply

Response to comment:

It is not considered appropriate or practicable to refer to other specialist landscape features in this policy which is providing a high level strategic steer to aggregates extraction. Other policies in the Plan provide protection to landscape.

128 Yorkshire Wildlife Trust

DNS

M01

Q04

1154

Policy should include a phrase such as 'ALLOCATIONS WILL BE SUPPORTED WHERE RESTORATION HAS THE POTENTIAL TO CREATE LARGER CONNECTED AREAS OF PRIORITY HABITAT.'

007: Aggregate Supply

Response to comment:

A wide range of considerations will be relevant to the allocation of sites and it is not considered appropriate to reference this specific consideration in the policy. Minerals site restoration, including the potential for strategic scale restoration is addressed elsewhere in the Plan.

115 Minerals Products Association

DNS

M01

Q04

0627

Agree with the overall approach but do not see why any future extraction in the CYC area needs to be small scale as a matter of policy. Surely, if the resources are there then any proposal should not have to overcome an artificial hurdle. Proposals should be treated on their merits. The reference to small scale should be removed- it has caused policy problems in the past!

007: Aggregate Supply

Response to comment:

Geological information suggests that resources of good quality sand and gravel in York are relatively scarce, relatively highly fragmented and subject of a significant degree of environmental and other constraints to working. It is therefore expected that the potential for future working, if any, is likely to be for small scale extraction only and hence it is appropriate to acknowledge this in the Policy.

317 Tarmac

S

M01 Q04 0061 Policy is supported
007: Aggregate Supply

Response to comment: *Noted.*

2173 CPRE (North Yorkshire Region)

DNS

M01 Q04 0730 The words 'where necessary' in point 2) should be removed, as ANOBs are afforded the same weight at National Parks in the NPPF in terms of the major development test. If an extension of time is required the major development test should be applied as a matter of course to prevent any additional environmental harm and to ensure the appropriate mitigation measures are applied as necessary.
007: Aggregate Supply

Response to comment: *It is agreed that the reference to 'where necessary' should be removed. However, it is considered that further clarification of the relevance of the major development test in this context should be provided later in the Policy.*

3748 Meldgaard UK Ltd

DNS

M01 Q04 1214 This Policy should include a reference to safeguarding waste management sites for recycled/secondary aggregates.
007: Aggregate Supply

Response to comment: *The safeguarding of sites is addressed in Chapter 8 of the Plan.*

317 Tarmac

S

M02 Q04 0062 The policy is supported but it is suggested that the wording be amended by the addition of "AT LEAST" where making reference to maintaining an appropriate landbank for sand and gravel, to reflect Paragraph 145 of national guidance in the NPPF. Similarly the policy justification (paragraph 5.15) should be also amended on the same basis.
008: Sand & Gravel

Response to comment: *It is agreed that this should be referenced in the Policy and supporting justification.*

359 North York Moors Association

S

M02 Q04 0695 Support the Preferred Policy approach.

008: Sand & Gravel

Response to comment: *Noted*

2173 CPRE (North Yorkshire Region)

DNS

M02 Q04 0731 Provision for utilising recycled aggregate should be made within this policy in order to maintain a 7 year landbank rather than through re-assessment at a mid-term review.

008: Sand & Gravel

Response to comment: *Assumptions about the likely future role of secondary, recycled and marine aggregate have been taken into account in the approach to demand forecasting set out in the Local Aggregates Assessment. Other policy in the Plan encourage the increased use of such materials.*

3757

O

M02 Q04 1393 Object to the Preferred Policy.

008: Sand & Gravel

SA Summary: What is the definition of 'substantial' in the sentence: 'extracting a substantial volume of sand and gravel will have at least some environmental effects'?

Response to comment: *Noted.*

2826

DNS

M02 Q04 1493 The policy does not state that landowners or operators should provide evidence to justify the level of reserve available at the site they are proposing.

008: Sand & Gravel

Before a site is included in the Plan the level of resource should be verified to prevent the plan being based on inaccurate information.

Response to comment: *This point is dealt with in the site allocations section, if a site is put forward evidence relating to the level of reserve needs to be provided before the site considered for allocation.*

128 Yorkshire Wildlife Trust

DNS

M02 Q04 1155 Policy should include a phrase such as 'ALLOCATIONS WILL BE SUPPORTED WHERE RESTOREATION HAS THE POTENTIAL TO CREATE LARGER CONNECTED AREAS OF PRIORITY HABITAT.'
008: Sand & Gravel

Response to comment: *Minerals site reclamation and habitat creation are addressed elsewhere in the Plan and it is not considered appropriate to identify them here as the Policy is concerned with the scale of future requirements, not how they may be delivered.*

713 Kirkby Fleetham with Fencote Parish Council

DNS

M02 Q04 1483 This Policy needs to include a reference to the potential of marine dredged sand & gravel.
008: Sand & Gravel

Response to comment: *This is addressed elsewhere in the Plan.*

2827

O

M02 Q04 0457 The Plan acknowledges that extraction of high grade sand and gravel will have some environmental effects, For MJP43 the potential yield does not justify the impact on the environment. The Policy should ensure the information provided to make decisions is accurate to remove uncertainty about sites.
008: Sand & Gravel

Response to comment: *Noted. Site specific issues are dealt with in the site allocations section.*

2771 Kent County Council

S

M02 Q04 0854 Support this Policy.
008: Sand & Gravel

The maintenance of a 7 year landbank for sand and gravel, separated into the component soft (or building sand) and sharp sands and gravels is in accordance with the NPPF. It is noted that a mid-period plan review may be required to identify the level of provision of sand and gravels to maintain this landbank for the remainder of the life of the Plan.

Response to comment: *Noted.*

879 Strensall & Towthorpe Parish Council

S

M02 Q04 2278 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.
008: Sand & Gravel

Response to comment: *Noted*

2841

O

M02 Q04 0028 The amount of sand and gravel extracted should be limited to what is required in the Plan area and no exportation. Concerned about climate change effects noted in the Sustainability Appraisal.
008: Sand & Gravel

Response to comment: *National Policy requires Minerals Planning Authorities to plan for strategic cross boundary movements as part of a managed system of aggregates supply.*

1098 Skelton Parish Council

DNS

M02 Q04 1781 No objection to the Policy.
008: Sand & Gravel

Response to comment: *Noted.*

115 Minerals Products Association

S

M02 Q04 0628 Fully support the level of provision and the references to the need to review if necessary. Question it is necessary to mention a review date (mid- term) which would be 7 years, or 9 years from policy formation. Would suggest a five year cycle review as standard with flexibility for earlier if necessary.
008: Sand & Gravel

Response to comment: *There are a range of uncertainties about the actual future extent of demand that may arise and it is considered appropriate to retain a degree of flexibility to respond to this.*

M02

Q04 1320

This policy is supported. It will help maintain provision in the region and help avoid any additional pressure of the East Riding's Land won sand and gravel resource. This approach fits well with the approach been taken by the Councils Joint Minerals Plan, which is seeking to maintain existing supplied of sand and gravel at the average rate established over a 10 year period.

008: Sand & Gravel

Response to comment:

Noted.

120 Historic England

DNS

M03

Q04 0111

The Policy would reduce distances which aggregates would have to travel, but it could put pressure for the development of new quarries in some of the environmentally-sensitive parts of the Joint Plan area. This approach could pose a greater threat to the environment than a strategy which enables the assessed needs for sand and gravel to be met from across the whole of the Plan area.

008: Sand & Gravel

Welcome the intention that if it is not possible to meet the overall provision through the granting of planning permission on allocated sites that the requirements will be met across both areas in combination. This will ensure there is not pressure for increased sand and gravel extraction in the more environmentally-sensitive areas to meet the demands from outside the County.

Response to comment:

This concern is noted. It is considered that, in common with other types of minerals resources present in the Plan area, sand and gravel resources partly overlap with a range of sensitive locations, designations and heritage assets, some of which are of large geographical extent. Later policies in the Plan seek to ensure that, so far as practicable future requirements for sand and gravel are met through the identification of particular sites or areas and this, along with the Development Management policies in the plan, provides a mechanism to help ensure that the impacts of any future sand and gravel working, wherever it is proposed, would not lead to unacceptable impacts. The supporting text has been revised to clarify this.

3757

O

M03 Q04 1394 Object to the Preferred Policy.

008: Sand & Gravel

SA Summary: The second paragraph does not make clear that impact upon the local community is an issue. Reference to objectives 9 & 10 and consideration of local community issues would be useful. With regard to the 'length of minerals freight journeys' this would be beneficial for air quality in the wider area but not for those living close to the site near roads inadequate for additional traffic.

Response to comment: *Noted.*

713 Kirkby Fleetham with Fencote Parish Council

DNS

M03 Q04 1484 This Policy needs to include a reference to marine dredged sand & gravel and alternatives to sand & gravel.

008: Sand & Gravel

Response to comment: *Assumptions about the potential future contribution from these sources of supply have been taken into account in delivering a demand forecast (as set out in the Local Aggregates Assessment). Other policies in the Plan support the increased use of these materials.*

359 North York Moors Association

S

M03 Q04 0696 Support the Preferred Policy approach.

008: Sand & Gravel

Response to comment: *Noted.*

317 Tarmac

S

M03 Q04 0063 The policy is supported.

008: Sand & Gravel

Response to comment: *Noted.*

1102 Hanson UK

S

M03 Q04 0774 This policy is supported.
008: Sand & Gravel

Response to comment:

75 Bradford Metropolitan District Council

S

M03 Q04 0894 This Policy is welcomed.
008: Sand & Gravel

Response to comment:

2827

O

M03 Q04 0458 The Plan acknowledges that extraction of high grade sand and gravel will have some environmental effects, For MJP43 the potential yield does not justify the impact on the environment. The Policy should ensure the information provided to make decisions is accurate to remove uncertainty about sites.
008: Sand & Gravel

Response to comment:

1098 Skelton Parish Council

DNS

M03 Q04 1782 No objection to the Policy.
008: Sand & Gravel

Response to comment:

879 Strensall & Towthorpe Parish Council

S

M03 Q04 2279 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.
008: Sand & Gravel

Response to comment:

M03 Q04 0527 Supports the Policy approach.

008: Sand & Gravel

Supports the distinction between a southern and northern facing distribution area which reflects the reality of the principal markets that quarries in North Yorkshire have traditionally supplied. This reflects a similar situation in the North East whereby DCC supplies aggregate to the Tyne and Wear to the north and Tees Valley to the South.

Response to comment:

115 Minerals Products Association

S

M03 Q04 0629 Fully support the proposed level of provision as proposed for each area.

008: Sand & Gravel

Response to comment:

75 Bradford Metropolitan District Council

S

M04 Q04 0895 This policy is welcomed.

008: Sand & Gravel

Response to comment:

3384

DNS

M04 Q04 0493 Concerned that changes in circumstances on currently preferred sites, the output of existing sites and future growth in mineral requirements could lead to currently discounted sites being developed in the long term.

008: Sand & Gravel

Response to comment:

1102 Hanson UK

S

M04 Q04 0312 This policy is supported.
008: Sand & Gravel

Response to comment:

879 Strensall & Towthorpe Parish Council

S

M04 Q04 2280 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.
008: Sand & Gravel

Response to comment:

115 Minerals Products Association

S

M04 Q04 0630 Fully support the proposed minimum landbanks.
008: Sand & Gravel

Response to comment:

317 Tarmac

S

M04 Q04 0064 This Policy is supported.
008: Sand & Gravel

Response to comment:

3392

DNS

M04 Q04 0500 Concerned that changes in circumstances on currently preferred sites, the output of existing sites and future growth in mineral requirements could lead to currently discounted sites being developed in the long term.
008: Sand & Gravel

Response to comment:

92 Durham County Council

S

M04 Q04 0526 Support the scale of sand & gravel provision proposed.

008: Sand & Gravel

This enables the maintenance of a steady and adequate supply of sand & gravel to meet the needs of the Plan area whilst also making a contribution to adjoining areas including West Yorkshire and Tees Valley which cannot meet their own needs. DCC and NYCC have a responsibility to assist the Tees Valley which whilst being a major consumer of sand & gravel has not produced any since 2012.

Response to comment:

359 North York Moors Association

S

M04 Q04 0697 Support the Preferred Policy approach.

008: Sand & Gravel

Response to comment:

92 Durham County Council

S

M04 Q04 0528 Support the Policy approach.

008: Sand & Gravel

Support the continuation of a northern facing sand & gravel landbank. DCC and NYCC have a responsibility to assist the Tees Valley which whilst being a major consumer of sand & gravel has not produced any since 2012.

Response to comment:

2827

O

M04 Q04 0459 MJP43 has been identified as possibly being required to contribute to the sand and gravel landbank, but permission will not be granted prior to 2025. MJP43 will only provide a small gain to the landbank and so economically is not viable as knowing the site is likely to become active in 2025 will have an adverse impact on the local economy.

008: Sand & Gravel

Response to comment:

131 Yorkshire Dales National Park

S

009: Crushed Rock

1229 The YDNPA will continue to make a significant contribution to the supply of crushed rock aggregate within and beyond the NY sub-region. The YDNP will continue to work closely with the joint plan authorities to prepare the LAA and on other minerals issues.

Response to comment:

Noted.

359 North York Moors Association

S

M05

Q04 0698 Support the Preferred Policy approach.

009: Crushed Rock

Response to comment:

Noted.

1134 Fenstone Minerals Ltd

S

M05

Q04 0482 Support the policy but question the exclusion of agricultural lime products. The agricultural lime products may not form part of the landbank for construction aggregates but some operators does export large quantities and so generate a large amount of business through this.

009: Crushed Rock

Response to comment:

Production of crushed rock for use as agricultural lime already takes place in the Plan area and this is expected to continue, but it is not considered necessary to state this in the Policy.

2841

O

M05

Q04 0029 This policy goes against the climate change objective. The extraction levels should be less if planning to become better at conserving resources.

009: Crushed Rock

Response to comment:

National policy requires Plans to address future supply requirements for aggregate.

1102 Hanson UK

S

M05 Q04 0454 This Policy is supported.
009: Crushed Rock

Response to comment: *Noted.*

128 Yorkshire Wildlife Trust

DNS

M05 Q04 1156 Policy should include a phrase such as 'ALLOCATIONS WILL BE SUPPORTED WHERE RESTORATION HAS THE POTENTIAL TO CREATE LARGER CONNECTED AREAS OF PRIORITY HABITAT.'
009: Crushed Rock

Response to comment: *this policy is concerned with the overall scale of provision of crushed rock that should be made. Other policies in the Plan deal with minerals site restoration and habitat creation.*

92 Durham County Council

S

M05 Q04 0529 Support the Policy approach.
009: Crushed Rock

Support the proposed scale of crushed rock provision, in particular the measure to increase supply of carboniferous limestone. DCC's LAA and emerging Local Plan also recognises the need to plan for additional extraction to maintain a steady and adequate supply of carboniferous limestone.

Response to comment: *Noted.*

2771 Kent County Council

S

M05 Q04 0855 Support this Policy.
009: Crushed Rock

The maintenance of a 10 year landbank for crushed rock is in accordance with the NPPF.

Response to comment: *Noted.*

317 Tarmac

S

M05

Q04

0065

The Policy is supported although it suggested that the wording is amended to include "...AT LEAST..." to currently reflect paragraph 145 of the NPPF. Similar amendments need to be made in Paragraph 5.28 of the policy justification.

009: Crushed Rock

The recognition of the separate and distinct market served by Magnesian Limestone is welcomed.

Response to comment:

Noted.

120 Historic England

DNS

M05

Q04

0112

The inclusion of a separate provision for Magnesian Limestone and the identification of a separate landbank for this type of crushed rock could increase pressure for mineral extraction in an area of known archaeological importance as there is a concentration of designated and undesignated heritage assets along the Southern Magnesian Limestone Ridge. So concerned about inclusion of this new approach as in the past have not sought to identify a separate provision for Magnesian Limestone. It is recognised that some of the demand for this type of crushed rock could be met from other sources.

009: Crushed Rock

Response to comment:

This concern is noted, it is considered that, in common with other types of mineral resources present in the Plan area, crushed rock resources including Magnesian Limestone, partly overlap with a range of sensitive locations and designations including important natural environment designations and heritage assets, some of which are of large geographical extent. This includes the Southern Magnesian Limestone ridge which is important for the historic landscapes and designated and undesignated heritage assets it contains. Later policies in the Plan seek to ensure that, so far as practicable, future requirements for Magnesian Limestone are met through the identification of particular sites or areas and this, along with the Development Management policies in the Plan, provides a mechanism to help ensure that the impacts of any future working, wherever it is proposed, would not lead to unacceptable impacts. The supporting text is revised to clarify this.

3756 East Riding of Yorkshire Council and Hull City Council (Joint Local Plan Team Minerals and Waste)

S

M05

Q04

1321

This Policy is supported, particularly the specific provision and landbank for Magnesian limestone, which is designed to maintain supply of Magnesian limestone, which is designed to maintain supply of crushed rock to the south of the region and increase landbank of this particular type of aggregate. This is important for the Councils' since 30% of crushed rock consumed in the Humber area is derived from supplies from the NY area.

009: Crushed Rock

Response to comment:

Noted.

879 Strensall & Towthorpe Parish Council

S

M05 Q04 2281 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.
009: Crushed Rock

Response to comment:

Noted

115 Minerals Products Association

DNS

M05 Q04 0631 Fully support the level of provision and the references to the need for review if necessary. However would prefer to see a 5 year review as standard rather than a 'mid term' review which could be as long as 9 years from policy formation.
009: Crushed Rock

Response to comment:

There are a large range of uncertainties about the actual future extent of demand that may arise and it is considered appropriate to retain a degree of flexibility to respond to this.

75 Bradford Metropolitan District Council

S

M05 Q04 0896 This policy is welcomed as it acknowledges the need for the continued supply outside the Plan area. The reference to maintaining a 10 year landbank is welcomed.
009: Crushed Rock

Response to comment:

Noted.

M06

Q04

0113

The inclusion of a separate landbank for this type of crushed rock could increase pressure for mineral extraction in an area of known archaeological importance as there is a concentration of designated and undesignated heritage assets along the Southern Magnesian Limestone Ridge. It is recognised that some of the demand for this type of crushed rock could be met from other sources.

009: Crushed Rock

Support the intention that that there should be no requirement for the reserves of crushed rock to be met from sites within the AONBs and National Park.

Response to comment:

This concern is noted, it is considered that, in connection with other types of minerals resources present in the Plan area, crushed rock resources including Magnesian Limestone partly overlap with a range of sensitive locations and designations including important natural environment designations and heritage assets, some of which are of large geographical extent. This includes the Southern Magnesian Limestone ridge which is important for the historic landscapes and designated and undesignated heritage assets it contains. Later policies in the Plan seek to ensure that as far as practicable, future requirements for Magnesian Limestone is met through the identification of particular sites or areas and this, along with Development Management policies in the Plan, should provide for an appropriate degree of protection. Clarification of this matter has been provided in the supporting justification for Policy M05.

1102 Hanson UK

S**M06**

Q04

0545

This policy is supported.

009: Crushed Rock

Response to comment:

Noted.

359 North York Moors Association

S**M06**

Q04

0699

Support the Preferred Policy approach.

009: Crushed Rock

Response to comment:

Noted.

128 Yorkshire Wildlife Trust

DNS

M06 Q04 1157 Policy should include a phrase such as 'ALLOCATIONS WILL BE SUPPORTED WHERE RESTORATION HAS THE POTENTIAL TO CREATE LARGER CONNECTED AREAS OF PRIORITY HABITAT.'
009: Crushed Rock

Response to comment:

Minerals site reclamation and habitat creation are addressed elsewhere in the Plan and it is not considered appropriate to identify them here as the Policy is concerned with the scale of future requirements, not how many may be delivered.

317 Tarmac

S

M06 Q04 0066 This Policy is supported, in particular the recognition of the distinct quality and market of Magnesian Limestone and the identification of the separate landbank.
009: Crushed Rock

The policy states that new reserves of crushed rock will be sources outside the national park and AONBs. It is considered that it may be more sustainable to continue extraction in these areas in order to maintain productive capacity in the Plan area, and such an approach would be supported.

Response to comment:

Noted.

115 Minerals Products Association

S

M06 Q04 0632 Fully support the proposed minimum landbank and sourcing of new reserves from outside designated area.
009: Crushed Rock

Response to comment:

Noted.

113 Howardian Hills AONB

S

M06 Q04 0843 Support the policy approach for new reserves of crushed rock to be sourced from outside AONBs.
009: Crushed Rock

Response to comment:

Noted.

2173 CPRE (North Yorkshire Region)

S

M06

Q04 0732 Support is given for this policy, in particular the reference to sourcing new reserves from outside the National Park and AONBs.

009: Crushed Rock

Response to comment:

Noted.

75 Bradford Metropolitan District Council

S

M06

Q04 0897 This policy is welcomed.

009: Crushed Rock

Response to comment:

Noted

879 Strensall & Towthorpe Parish Council

S

M06

Q04 2282 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.

009: Crushed Rock

Response to comment:

Noted

2760 White Quarry Farm

DNS

1299 Local District and Borough Councils are in the process of updating their housing requirement figures. Evidence suggests that there is to be a significant increase in house building in the Plan area and as such the Plan should provide flexibility for an increase in demand for aggregate and identify an appropriate number of sites to provide identified needs.

010: Maintenance of Primary Aggregate Supply

Response to comment:

Expected housing growth is reflected in the forecast of demand for aggregate as set out in the Local Aggregate Assessment.

2826

DNS

M07 Q04 1494 This policy should not include MJP43 as one of the preferred sites.

010: Maintenance of Primary
Aggregate Supply

Response to comment:

The allocated sites have all come forward through the site assessment process where they were all assessed against the same criteria.

1174

O

M07 Q04 1677 Langwith Hall Farm (MJP06), Land at Oaklands (MJP07) and Pennycroft and Thorneyfields and Manor Farm. Ripon (MJP14) should not be included as preferred sites due to their cumulative impact. Some of the sites are already subject to a planning application and granting preferred site status would confuse the issue. Manor Farm was already discounted at a previous stage.

010: Maintenance of Primary
Aggregate Supply

Response to comment:

Noted. Concerns about specific sites dealt with under assessment of sites later in the Plan.

1102 Hanson UK

S

M07 Q04 0546 This policy is supported.

010: Maintenance of Primary
Aggregate Supply

Response to comment:

Noted

2827

O

M07 Q04 0460 MJP43 has been identified as possibly being required to contribute to the sand and gravel landbank, but permission will not be granted prior to 2025. MJP43 will only provide a small gain to the landbank and so economically is not viable as knowing the site is likely to become active in 2025 will have an adverse impact on the local economy.

010: Maintenance of Primary
Aggregate Supply

Response to comment:

No evidence has been identified to suggest that development of the site would have an adverse impact on the local economy.

M07 Q04 2283 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.
010: Maintenance of Primary Aggregate Supply

Response to comment:

Noted

317 Tarmac

S

M07 Q04 0067 This policy is supported, in particular the allocation of sites: MJP21, MJP17, MJP06 and MJP07.
010: Maintenance of Primary Aggregate Supply

Response to comment:

Noted.

2173 CPRE (North Yorkshire Region)

DNS

M07 Q04 0733 Object to sites MJP17, MJP21 and MJP43 being allocated in this policy.
010: Maintenance of Primary Aggregate Supply

Response to comment:

The allocated sites have all come forward through the site assessment process where they were all assessed against the same criteria.

M07 Q04 0114
*010: Maintenance of Primary
 Aggregate Supply*

Concerned that a number of sites proposed for development under this policy could harm elements which contribute to the significance of one or more heritage assets in their vicinity. There has been no evaluation of what impact mineral extraction from these areas might have upon the heritage assets.

As there has been no assessment of the degree of harm which the proposed allocations may cause to the historic environment or what measures the Plan may need to put in place in order to ensure any harm is minimised. The Plan cannot demonstrate that the principle of mineral extraction from these areas is compatible with Objective 9 for Policy D08 or the NPPF. The Plan cannot demonstrate that the estimated amount of aggregate from these sites is deliverable because the need to preserve the heritage assets in the vicinity in line with the advice in the NPPF may mean that certain areas of the site are undevelopable.

Before identifying sites as preferred sites an assessment should be undertaken which assesses what impact the development may have on designated heritage assets and if there is an impact how this is going to be minimised or dealt with.

Appendix 1 sets out details of the key sensitivities of each site and the mitigation measures that are likely to be required in order for development at those sites to be acceptable. To ensure that these developments principles are effectively tied into the Local Plan the following text should be added to Policy M07

'PROPOSALS FOR THE DEVELOPMENT OF THESE SITES WILL BE REQUIRED TO TAKE ACCOUNT OF THE KEY SENSITIVITIES AND INCORPORATE THE NECESSARY MITIGATION MEASURES THAT ARE SET OUT IN APPENDIX 1'

Such an approach would help provide certainty to both potential developers and local communities about precisely what will, and will not, be permitted on those sites.

Additional words suggested are in capital letters.

Response to comment: *it is agreed that the suggested text be referred to in this Policy.*

M07 Q04 0993
*010: Maintenance of Primary
 Aggregate Supply*

Natural England broadly supports this policy but are concerned about the sustainability and deliverability of a number of the allocations such as MJP14 and MJP35.

Response to comment: *Noted. Concerns about specific sites dealt with under assessment of sites later in the Plan.*

130 Leeds City Council

DNS

M07 Q04 1203
*010: Maintenance of Primary
Aggregate Supply*

The policy should include an allowance for meeting some of the concreting sand and gravel requirements through marine-won sand and gravel.

About 2000 tonnes/annum of marine sand is currently going into North Yorkshire from Tees and also some from Hull.

Response to comment:

This is addressed in the evidence base for the Plan in the Local Aggregates Assessment. A significant increase in supply of marine aggregate directly into the Plan area is not expected in the short to medium term, although support in principle for use of marine aggregate as an alternative to primary aggregate is provided in Policy M11.

75 Bradford Metropolitan District Council

S

M07 Q04 0898
*010: Maintenance of Primary
Aggregate Supply*

This policy is supported - it shows fore thought on need for future demand beyond 2025.

Response to comment:

Noted.

359 North York Moors Association

S

M07 Q04 0700
*010: Maintenance of Primary
Aggregate Supply*

Support the Preferred Policy approach.

Response to comment:

Noted.

M07 Q04 1421 Object to the Policy.

010: Maintenance of Primary
Aggregate Supply

The total requirement for aggregate less the reserve for the north appears to be 12.1 mt. The amount within the preferred sites is 14.9 mt. As these sites cannot be worked concurrently one other smaller site at land west of Catterick or south of Scruton would better fit the requirement. As the sites would not be available until later in the Plan this would fit the timeframe of the policy. MJP33 could be added to the landbank allowing time for the proposer to consider better access options than current.

The policy for identifying preferred areas is intended to provide clarity, however I am not sure the process takes into account anything other than the need and quantity per site. MJP21 and MJP33 will have a detrimental effect upon on the amenity of Kirkby Fleetham as the allocation of two sites to competing companies operating at the same time with associated noise and dust issues is inconsiderate. The Policy should seek to minimise impact upon a single community.

Response to comment:

The potential for cumulative impact is addressed in the assessment of sites.

112 Highways England

S

M07 Q04 0566 Support identification of specific sites for allocation in the Plan as provides certainty as to where future development may take place.

010: Maintenance of Primary
Aggregate Supply

Response to comment:

Noted

115 Minerals Products Association

S

M07 Q04 0633 Support the principle of site specific allocations but cannot comment on the individual sites. However, the summary of requirements on page 62 appears to be generous and consequently aids flexible provision.

010: Maintenance of Primary
Aggregate Supply

Response to comment:

Noted

2838

DNS

M07

Q04 0479

Each proposed site should be surveyed by the Authority before being adopted to ensure the figures proposed are accurate.

*010: Maintenance of Primary
Aggregate Supply*

Response to comment:

The allocated sites have all come forward through the site assessment process where they were all assessed against the same criteria, which includes a survey of the sites.

128 Yorkshire Wildlife Trust

DNS

M07

Q04 1158

Satisfied that there has been a through assessment of these sites. Landscape scale restoration to priority habitat should be expected in the various restoration schemes.

*010: Maintenance of Primary
Aggregate Supply*

Response to comment:

Noted.

M07 Q04 0670 Do not support the preferred policy approach.

*010: Maintenance of Primary
Aggregate Supply*

Delete sites MJP43, MJP17, MJP04 and MJP35 from the policy as these are premature. The allocations identified in Part 1 (ii) and 2 (ii) should be deleted and further assessment of demand and supply and the need for additional sites should be assessed during the mid-term review of the plan based on up-to-date evidence.

The Plan is considered not to be 'sound' in its current form. Whilst we understand the requirement to ensure availability of an adequate supply of sand & gravel, the proposed allocation of MJP43 is premature when considered in the context of Policy M02 and Para. 5.15 which states that a mid-term review will be needed to consider the level of further provision needed in order to maintain a 7 year landbank at 2030, based upon updated evidence in the annually updated Local Aggregate Assessment.

There is no requirement in the NPPF for authorities to plan beyond the plan period, nor provide safeguarded sites for minerals. The proposed site allocations contained in Part 1(i) together with existing sites provide a steady and adequate supply in accordance with NPPF.

The Plan is unsound as we do not believe it will be effective nor plan positively for the future resulting in an oversupply of sites for sand & gravel extraction and a large landbank which may lead to competition being stifled, contrary to NPPF. The Plan should be amended to accord with Para 145 of NPPF.

Response to comment:

National policy requires the maintenance of a landbank of at least 7 years for sand and gravel. In order to help demonstrate in the Plan how an adequate landbank can be maintained throughout the period to 2030 it is necessary to identify how, where practicable, further permissions could come forward to achieve this. The Plan recognises that a degree of flexibility will be required and that a review of requirements may lead to a need to need to revise the approach but the phased approach to provision should ensure that permission is not granted unnecessarily. It should also be acknowledged that the 7 year landbank is not intended to represent a limit on the grant of further permissions.

M07 Q04 1043 The approach in this policy appears to be predicated on identifying large areas/volume extensions at individual sites for instance loading up to 11.4mt (equivalent to 25% of the total allocated figure) in one site, cannot provide the required flexibility to be considered sound under the context of the NPPF.

010: Maintenance of Primary Aggregate Supply

The time, cost and resources required to deliver such large scale sites often lead to developers to hold onto such large allocations rather than developing the prospect to deliver aggregates and contributions to supply.

Whilst the draft policy contains a staged approach to allocation it does not take account of the smaller scale alternatives promoted by smaller organisations.

Therefore it is considered that the policy is not justified or effective and cannot be considered sound under the NPPF.

Response to comment:

The allocated sites have all come forward through the site assessment process where they were all assessed against the same criteria.

112 Highways England

S

M08 Q04 0567 Support this policy and that sites have been allocated in the plan.

010: Maintenance of Primary Aggregate Supply

Response to comment:

Noted.

317 Tarmac

S

M08 Q04 0068 This policy is supported.

010: Maintenance of Primary Aggregate Supply

Response to comment:

Noted

M08 Q04 1123 Policy is an appropriate policy approach for meeting building sand requirements, this is subject to resolving the discrepancies shown in Appendix 1 between the estimated mineral reserves for sites MJP08, MJP12 and MJP30 as set out in the site details.

010: Maintenance of Primary Aggregate Supply

Response to comment:

M08 Q04 2284 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.

010: Maintenance of Primary Aggregate Supply

Response to comment:

M08 Q04 0998 Support the inclusion of MJP54 and MJP44 as preferred sites which will contribute towards the landbank for building sand.

010: Maintenance of Primary Aggregate Supply

Response to comment:

M08 Q04 0115 Appendix 1 sets out details of the key sensitivities of each site and the mitigation measures that are likely to be required in order for development at those sites to be acceptable. To ensure that these developments principles are effectively tied into the Local Plan the following text should be added to Policy M08

010: Maintenance of Primary Aggregate Supply

'PROPOSALS FOR THE DEVELOPMENT OF THESE SITES WILL BE REQUIRED TO TAKE ACCOUNT OF THE KEY SENSITIVITIES AND INCORPORATE THE NECESSARY MITIGATION MEASURES THAT ARE SET OUT IN APPENDIX 1'

Such an approach would help provide certainty to both potential developers and local communities about what precisely what will, and will not, be permitted on those sites.

Additional words suggested are in capital letters.

Response to comment:

115 Minerals Products Association

S

M08 Q04 0634 Support the principle of site specific allocations but cannot comment on the individual sites. However, the summary of requirements on page 64 appears to be generous and consequently aids flexible provision.
010: Maintenance of Primary Aggregate Supply

Response to comment:

359 North York Moors Association

S

M08 Q04 0701 Support the Preferred Policy approach.
010: Maintenance of Primary Aggregate Supply

Response to comment:

879 Strensall & Towthorpe Parish Council

S

M09 Q04 2285 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.
010: Maintenance of Primary Aggregate Supply

Response to comment:

M09 Q04 0116 Appendix 1 sets out details of the key sensitivities of each site and the mitigation measures that are likely to be required in order for development at those sites to be acceptable. To ensure that these developments principles are effectively tied into the Local Plan the following text should be added to Policy M09
010: Maintenance of Primary Aggregate Supply

'PROPOSALS FOR THE DEVELOPMENT OF THESE SITES WILL BE REQUIRED TO TAKE ACCOUNT OF THE KEY SENSITIVITIES AND INCORPORATE THE NECESSARY MITIGATION MEASURES THAT ARE SET OUT IN APPENDIX 1'

Such an approach would help provide certainty to both potential developers and local communities about what precisely what will, and will not, be permitted on those sites.

Additional words suggested are in capital letters.

Response to comment: *It is agreed that the suggested text should be referred to in the Policy.*

M09 Q04 0737 Do not support the allocation of MJP03 within this policy.
010: Maintenance of Primary Aggregate Supply

Response to comment: *Site MJP03 has been withdrawn.*

M09 Q04 0635 Support the principle of site specific allocations but cannot comment on the individual sites. However, the summary of requirements on page 66 appears to be generous and consequently aids flexible provision.
010: Maintenance of Primary Aggregate Supply

Response to comment: *Noted.*

M09 Q04 0899 This policy is supported - it shows fore thought on need for future demand beyond 2025.
010: Maintenance of Primary Aggregate Supply

Response to comment: *Noted.*

112 Highways England

S

M09 Q04 0568 Support the policy and allocation of specific sites, as provides a degree of certainty as to where future development may take place.
010: Maintenance of Primary Aggregate Supply None of the listed sites are expected to result in an increase in traffic on the SRN.

Response to comment:

359 North York Moors Association

S

M09 Q04 0702 Support the Preferred Policy approach.
010: Maintenance of Primary Aggregate Supply

Response to comment:

1134 Fenstone Minerals Ltd

S

M09 Q04 0483 Support the allocation of MJP08 - Settrington Quarry within this policy.
010: Maintenance of Primary Aggregate Supply

Response to comment:

116 Ryedale District Council

DNS

M09 Q04 1124 Policy is an appropriate policy approach for meeting crushed rock requirements, this is subject to resolving the discrepancies shown in Appendix 1 between the estimated mineral reserves for sites MJP08, MJP12 and MJP30 as set out in the site details.
010: Maintenance of Primary Aggregate Supply

Response to comment:

1174

O

M09 Q04 1678
010: Maintenance of Primary
Aggregate Supply

Do not support the policy.
Landbanks should be made up of permissions and not include preferred areas unless they have gained planning permission as well.
Many people do not comment at the site allocation stage, they wait until a planning application is being processed.

Response to comment:

The Plan is produced to secure the future supply of minerals which includes allocating sites or Areas of Search to ensure there is enough mineral up to the end of the Plan period.

92 Durham County Council

S

M09 Q04 0530
010: Maintenance of Primary
Aggregate Supply

Support the Policy approach.

No objection to the Preferred Site adjacent to Forcett Quarry (MJP03). The site is located in an area of gently rolling topography in the Tees Vale and is only visible from County Durham from shallow or distant views. The site would not give rise to significant landscape or visual effect in County Durham.

Response to comment:

Noted.

317 Tarmac

S

M09 Q04 0069
010: Maintenance of Primary
Aggregate Supply

This policy is supported.

Response to comment:

Noted.

879 Strensall & Towthorpe Parish Council

S

M10 Q04 2286
010: Maintenance of Primary
Aggregate Supply

It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.

Response to comment:

Noted

128 Yorkshire Wildlife Trust

DNS

M10 Q04 1160
010: Maintenance of Primary
Aggregate Supply

Suggested additional wording to the policy:
EXTENSIONS WILL BE SUPPORTED WHERE RESTORATION HAS THE POTENTIAL TO CREATE LARGER CONNECTED AREAS OF PRIORITY HABITAT.

Response to comment:

It is considered that such an approach may unreasonably restrict the potential for otherwise suitable proposals to come forward. Support for creation of priority habitat, including at a strategic scale, where opportunities arise is provided elsewhere in the Plan.

3023 Chas Long & Son (Aggregates) Ltd

O

M10 Q04 1044
010: Maintenance of Primary
Aggregate Supply

The policy doesn't take account of the needs of smaller businesses who may wish to develop smaller sites. It is suggested that a new site threshold of 1mt could be included in the policy to provide maximum flexibility to the sector. The policy could exclude sites within the National Park and AONB's, and would not affect the delivery of the overall strategy.

Response to comment:

This policy already provides a high degree of flexibility by supporting the principle of extensions to sites, regardless of scale, where relevant criteria can be met.

112 Highways England

S

M10 Q04 0668
010: Maintenance of Primary
Aggregate Supply

Support the Policy and the requirement for proposals for extensions to existing sites on unallocated land to be consistent with the development management policies in the Plan, which are considered to provide sufficient protection in relation to identifying managing and addressing the impact of development on transport infrastructure.

Response to comment:

Noted.

115 Minerals Products Association

S

M10 Q04 0636
010: Maintenance of Primary
Aggregate Supply

Fully support the criteria for assessment of proposals submitted outside allocate sites.

Response to comment:

Noted.

1102 Hanson UK

S

M10 Q04 0547 This policy is supported.

*010: Maintenance of Primary
Aggregate Supply*

Response to comment:

Noted.

113 Howardian Hills AONB

S

M10 Q04 0826 Support the policy approach.

*010: Maintenance of Primary
Aggregate Supply*

Response to comment:

Noted.

317 Tarmac

S

M10 Q04 0070 This policy is supported.

*010: Maintenance of Primary
Aggregate Supply*

Response to comment:

Noted.

359 North York Moors Association

S

M10 Q04 0703 Support the Preferred Policy approach.

*010: Maintenance of Primary
Aggregate Supply*

Response to comment:

Noted.

2173 CPRE (North Yorkshire Region)

DNS

MJP10 Q04 0739 This policy would be strengthened by the inclusion of wording relating to the major development test in paragraph 116 of the NPPF.
010: Maintenance of Primary
Aggregate Supply

Response to comment:

It is not considered necessary to refer to this specifically within the Policy. The supporting justification provides further guidance on the approach to be followed in these protected areas, cross referencing the Major Development Test.

968 Womersley Parish Council

DNS

M11 P5.51 1730 Could the stockpile of colliery spoil at Kellingley Colliery be used as a secondary aggregate, moving it up the waste hierarchy, rather than continuing to tip it at the Womersley Site?
011: Secondary and Recycled
Aggregates

Response to comment:

Such development would be supported in principle under Policy M11 as currently worded, provided it met the criteria in the policy.

2771 Kent County Council

DNS

M11 P5.52 0857 The recognition that primary marine aggregate sources may increasingly contribute to overall aggregate supply is noted, as is the view that current levels of supply are not anticipated to offset land-won supply during the Joint Plan period.
011: Secondary and Recycled
Aggregates

Response to comment:

Noted.

M11 Q04 1292 The use of recycled aggregates from CDEW is not restricted to 'low quality' aggregates for use in bulk fill. Such aggregates can be produced to a quality protocol, and then CE marked, for use in a wide range of construction activities as a substitute for raw materials.

011: Secondary and Recycled Aggregates

Disagree with parts 4) and 5) of the policy as this approach will increase travel distances and transport costs through transporting unnecessarily the 'residual' fraction resulting from both minerals and waste processing, this can be dealt with more appropriately and locally with a more flexible approach.

Response to comment:

It is agreed that the text should make reference to the potential for some secondary and recycled aggregate to be used for higher grade end uses. It is considered that in some circumstances aggregate quarries can comprise suitable locations for these activities and supporting this provides more flexibility for the delivery of increased supply of alternatives to primary minerals in a range of locations, The supporting text indicates that to be appropriately located such sites should be well located in relation to the road network to help minimise impacts.

M11 Q04 0637 This policy is supported.

011: Secondary and Recycled Aggregates

Response to comment:

Noted

M11 Q04 0569 No concerns with this policy. Part 5 refers to the use of appropriately located sites for the transportation of minerals. The expectation is that this relates to all forms of transportation. Supports that in all cases quarries and sites for the transport of minerals should be well located in relation to transport networks.

011: Secondary and Recycled Aggregates

Response to comment:

Whilst it is agreed that this is an important consideration, it is addressed where necessary through other relevant policies in the Plan and within the constraint that minerals can only be worked where they occur.

3748 Meldgaard UK Ltd

DNS

M11 Q04 1216 Would suggest that the policy makes reference to waste management sites which recycle secondary aggregates, as opposed to the emphasis relating to mineral workings. The identified potential decline of colliery spoil and Pulverised Fuel Ash from Coal Fired Power Stations suggests that other recycled/secondary aggregates will increase in importance. The Sub-region must ensure that it maintains, and hopefully increases, current levels of use, thereby replacing primary aggregates.

011: Secondary and Recycled Aggregates

Response to comment:

Policy support for the production of recycled aggregate at waste management sites is provided through Policy W05.

879 Strensall & Towthorpe Parish Council

S

M11 Q04 2287 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.

011: Secondary and Recycled Aggregates

Response to comment:

Noted

359 North York Moors Association

S

M11 Q04 0704 Support the Preferred Policy approach.

011: Secondary and Recycled Aggregates

Response to comment:

Noted

M11 Q04 1680 The report published in January 2014 suggests that there is potential for a significant increase in supply of marine aggregate into the Yorkshire and Humber area, but this is unlikely to occur in the short term, but more potential in the longer term. The policy should include advice that proposals to win sand and gravel from marine sources to replace an element of land-won supply will be supported. The reasons are to protect the landscape, amenity, heritage, food production and reduce CO2 emissions. The infrastructure used to transport coal could be used for marine aggregate.

011: Secondary and Recycled Aggregates

Land is being lost to rising sea levels so it makes sense to return marine aggregate to the land. Facilities are being developed for handling more marine aggregate and being able to deliver direct to market, and there is also dredging capacity to achieve the increase. Marine aggregates should be included as a priority in the vision.

Response to comment:

Although it is not expected that there will be a significant increase in importation of marine aggregates into the Plan area over the Plan period, it is agreed that the policy should acknowledge the potential for this and support the principle of ancillary infrastructure if needed to facilitate their use, with corresponding reference also made in the supporting text.

1102 Hanson UK

S

M11 Q04 0548 This policy is supported.

011: Secondary and Recycled Aggregates

Response to comment:

Noted.

713 Kirkby Fleetham with Fencote Parish Council

DNS

M11 Q04 1485 This Policy needs to include a reference to the potential of marine dredged sand & gravel, despite what is stated in Para. 5.52.

011: Secondary and Recycled Aggregates

Response to comment:

Although it is not expected that there will be a significant increase in importation of marine aggregates into the Plan area over the Plan period, it is agreed that the policy should acknowledge the potential for this and support the principle of ancillary infrastructure if needed to facilitate their use, with corresponding reference also made in the supporting text.

2968 York Green Party

O

M11 Q04 1854
011: Secondary and Recycled
Aggregates

Oppose proposals to increase extraction of sand and gravel from offshore sources on account of impact on marine life and potential implications for more rapid and coastal erosion.

Response to comment:

The Plan does not assume an increased contribution of supply from such sources over the plan period.

130 Leeds City Council

DNS

M11 Q04 1204
011: Secondary and Recycled
Aggregates

The policy should recognise the potential for marine-won aggregate to contribute to supply during the plan period. Leeds has recently given for a new wharf to be constructed specifically to accept marine-won aggregate from the Humber Ports via Aire and Calder Navigation canal and a mineral operator has confirmed plans to construct a plant that would take about 50,000 tonnes a year of marine sand. There is more certainty now that marine-won aggregate will be moving into the region within the Plan period and this should be recognised in the MWJP.

Response to comment:

Although it is not expected that there will be a significant increase in importation of marine aggregates into the Plan area over the Plan period, it is agreed that the policy should acknowledge the potential for this and support the principle of ancillary infrastructure if needed to facilitate their use, with corresponding reference also made in the supporting text.

2771 Kent County Council

S

M11 Q04 0856
011: Secondary and Recycled
Aggregates

Support this Policy.

The recognition that there are significant opportunities for the supply of secondary and recycled aggregates from local power generation stations to continue to sustainably supplement primary land-won aggregate supply is in accordance with the NPPF. The LAA will monitor this.

Response to comment:

Noted

2841

S

M11 Q04 0030
011: Secondary and Recycled
Aggregates

Support this policy, should include reference to biodiversity and water policies as suggested by the Sustainability Appraisal.

Response to comment:

These links are already included.

M11 Q04 0517 The NPPF requires that Planning Authorities must take account of the contribution that substitute or secondary or recycled materials and waste would make to the supply of minerals before considering the extraction of primary minerals and Policy M11 supports this.

011: Secondary and Recycled Aggregates

The NPPF also supports the increased use of marine aggregate. The Plan recognises the long term potential of marine aggregate. A plan needs to be produced to deal with the supply of alternatives to land won minerals, if this is done then it may result in some of the submissions due to come on line later in the plan period not being required.

Response to comment:

Although it is not expected that there will be a significant increase in importation of marine aggregates into the Plan area over the Plan period, it is agreed that the policy should acknowledge the potential for this and support the principle of ancillary infrastructure if needed to facilitate their use, with corresponding reference also made in the supporting text.

M11 Q04 0117 The landscape character of some areas in North Yorkshire and the significance of some of its heritage assets is the result of previous extractive and industrial activities. In these cases waste from these processes can now contribute to the distinctive character of the local area and may be of archaeological importance. Any proposals for reworking such areas should be assessed for the potential harm the reworking may have on landscape character and the significance of heritage assets.

011: Secondary and Recycled Aggregates

It is suggested that Criterion 2 is amended to '...provided it would not involve disturbance to restored ground, OR LOSS OF A FEATURE WHICH HAS BECOME ASSIMILATED INTO, OR IS CHARACTERISTIC OF, THE LOCAL LANDSCAPE, OR IS OPF ARCHAEOLOGICAL VALUE.'

Additional words suggested are in capital letters.

Response to comment:

It is agreed that the suggested text would provide helpful clarification of the proposed approach.

2173 CPRE (North Yorkshire Region)

S

M11 Q04 0740 Support the policy to recycle minerals and investigate the further use of marine aggregate.

011: Secondary and Recycled
Aggregates

Response to comment:

Although it is not expected that there will be a significant increase in importation of marine aggregates into the Plan area over the Plan period, it is agreed that the policy should acknowledge the potential for this and support the principle of ancillary infrastructure if needed to facilitate their use, with corresponding reference also made in the supporting text.

2768 Norfolk County Council

O

0682 This response is an objection and modifications have been suggested within the response.

012: Silica Sand

The Joint Plan is more proactive in its approach to aggregate minerals than industrial minerals, this is despite the greater national need and importance of silica sand as an essential raw material for a number of industries. The economic importance of silica sand extends beyond the local area from where it is extracted, this should be given great weight in encouraging future supply from within the Joint Plan rather than less weight compared to aggregates.

Response to comment:

It is agreed that Policy M12 and supporting text should be revised to make stronger reference to the national supply situation for silica sand for glass manufacture and the role of the Plan area in maintaining supply. It is not agreed that this is a more important matter in the context of planning in the North Yorkshire area than the supply of aggregate. They are both significant matters to be addressed in the Plan.

012: Silica Sand

P5.63 1061 The Application for Blubberhouses was submitted when MPG15 Provision of Silica Sand in England was still in force. This planning guidance clearly identified the national need for silica sand and supported the principle of landbanks for silica sand. The NPPF now reflects this guidance by continuing to require MPAs to provide a 10 year landbank for individual silica sand sites. The NPPF also identified Silica Sand as a Mineral of National Importance.

Silica sand is also recognised as one of only a small number of minerals which can be subject to the Nationally Significant Infrastructure Projects (NSIPS). The criteria used to identify relevant minerals involves identifying if the mineral is a "strategically important industrial mineral", or that is a significant scale, e.g. over 150 hectares. Although not falling within this threshold silica sand falls within the category of Strategically Important Industrial Mineral. This is recognised in the plan at paragraph 2.65.

Response to comment:

Noted. Reference to NSIPS added into introductory text.

M12 P5.63 0684 Amendment to paragraph 5.63

012: Silica Sand

The resource of silica sand located AROUND Blubberhouses Quarry overlaps with internationally important nature conservation designations and falls within the Nidderdale AONB. The site has been dormant since 1991 and the original permission has now expired, although prior to expiry an application for an extension of time was submitted, which is currently undetermined. THE NIDDERDALE AONB ALSO CONTAINS A NUMBER OF OTHER MINERAL WORKINGS BOTH HISTORIC AND CURRENT, INCLUDING THE CRUSHED ROCK QUARRY AT PATELEY BRIDGE.

THE SILICA SAND AT BLUBBERHOUSES IS THE ONLY RESOURCE IDENTIFIED WITHIN THE JOINT PLAN AREA, IN THE BGS SAFEGUARDING REPORT, WHICH HAS PRODUCED GLASS SAND IN RECENT YEARS. GLASS SAND IS A SCARCE SUBSET OF SILICA SAND. The location of the site within the Nidderdale AONB means that any proposals for further development involving minerals extraction ARE LIKELY to need to satisfy the major development test set out in the National Planning Policy Framework. HOWEVER, NOT WITHSTANDING THE GREAT WEIGHT GIVEN TO CONSIDERING LANDSCAPE AND NATURAL BEAUTY A NUMBER OF FACTS WILL ALSO BE MATERIAL CONSIDERATIONS INCLUDING; THAT THERE IS NO ALTERNATIVE SOURCE OF SUPPLY OUTSIDE THE AONB IN THE JOINT PLAN AREA, THE NATIONAL IMPORTANCE AND SCARCITY OF SILICA SAND, THE ECONOMIC BENEFITS BOTH LOCALLY AND NATIONALLY IN SECURING THE SUPPLY OF RAW MATERIALS TO INDUSTRY, THE POTENTIAL IMPACTS OF A REDUCTION OF SUPPLY IF CURRENT SILICA SAND SUPPLIES FROM NORFOLK WERE NOT AVAILABLE, AND POTENTIAL MITIGATION MEASURES, INCLUDING POTENTIAL BIODIVERSITY ENHANCEMENT ON RESTORATION.

The proximity of designated internationally important nature conservation sites also means that Appropriate Assessment under the Habitats Regulations will be needed. As a result of these major constraints, testing of the acceptability of future development AT BLUBBERHOUSES QUARRY can only be properly resolved through AN ASSESSMENT OF DETAILS WHICH MAY ONLY BE AVAILABLE THROUGH the submission and determination of a planning application.

Response to comment:

Short evidence paper produced, results are referenced in the policy justification.

M12*012: Silica Sand*

P5.65 1062 It has long been recognised the MPAs in areas containing Silica (industrial) Sand deposits need to make appropriate contribution to national requirements and should therefore aim to maintain landbanks for this mineral.

NPPF requires MPAs to coordinate with neighbouring and more distant authorities to coordinate planning of industrial minerals to ensure the adequate provision is made. It is unclear what measures has been undertaken by NYCC to justify the consideration that there is existing availability of silica sand from elsewhere to meet current market demand, an assumption which does not appear to be shared in the evidence base of other silica sand producing MPAs.

Only 3 other sites in England (Dingle Bank Quarry in Cheshire, Leziate Quarry in Norfolk and North Park Quarry in Surrey) are known to have to same strict chemical and physical characteristics as that at Blubberhouses.

Dingle Bank Quarry has anticipated life of 3 years however, due to the nature of the deposit, glass sand production will cease in 2016, owing to the remaining reserve not meeting the strict specification for glass manufacture.

Leziate Quarry - average production c 790,000

North Park Quarry- lies partly within an Area of Great Landscape Value and within the Surrey Hills AONBs. Its location meant that the latest extension application was subject to the NPPF Exception test. It was concluded that any harm to the landscape was outweighed by the nature and benefit of the scheme in national and local terms.

It is therefore evidence that the suggestion within the Plan that there are existing reserves of silica sand available from elsewhere to meet current demand is unfounded with no evidence to back this statement up.

Response to comment:

Short evidence paper produced, results are referenced in the policy justification.

2768 Norfolk County Council

DNS

M12 P5.65 0685 Amendment to paragraph 5.65

012: Silica Sand

It is understood that silica sand is imported from a site in Norfolk to a glass manufacturer located in the Selby district. THE ADOPTED NORFOLK MINERALS AND WASTE CORE STRATEGY SETS TARGETS FOR SILICA SAND PRODUCTION UP TO THE END OF 2026. THERE IS CURRENTLY A SHORTFALL IN SILICA SAND SITES ALLOCATED IN NORFOLK TO MEET THOSE TARGETS, WHICH MEANS THAT THE SUPPLY OF SILICA SAND FROM NORFOLK CURRENTLY LACKS CERTAINTY AFTER 2024.

NORFOLK COUNTY COUNCIL IS CURRENTLY UNDERTAKING A SINGLE ISSUE SILICA SAND REVIEW OF THE ADOPTED MINERAL SITE SPECIFIC ALLOCATIONS PLAN. THE PREFERRED OPTIONS FOR THE SINGLE ISSUE REVIEW CONTAINS TEN DRAFT AREAS OF SEARCH IN ADDITION TO THE ONE SPECIFIC SITE SUBMITTED. IT IS HOPED THE SINGLE ISSUE REVIEW WILL ENABLE THE CURRENT SUPPLY ARRANGEMENT FOR THE GLASSWORKS TO CONTINUE SHOULD THE MARKET REQUIRE. HOWEVER, THERE IS SIGNIFICANTLY LESS DELIVERY CERTAINTY FOR AREAS OF SEARCH, AND ALTERNATIVE SOURCES OF SUPPLY MAY BE NEEDED.

Due to the specific properties of the silica sand needed to produce the quality of glass required suitable recourses are ONLY available AT BLUBBERHOUSES within the Joint Plan area, AND THE RESOURCE IS CONSTRAINED TO DIFFERENT DEGREES BY NATIONAL AND INETRATIONAL DESIGNATIONS. HOWEVER, IT MAY BE NECESSARY TO CONSIDER THIS IN RELATION TO THE LOCAL AND NATIONAL ECONOMIC BENEFITS, INCLUDING EMPLOYMENT, OF MAINTAINING SILICA SAND SUPPLY TO THE GLASSWORKS AND ITS PRODUCTS TO CONSTRUCTION AND INDUSTRY NATIONALLY.

Response to comment:

Short evidence paper produced, results are referenced in the policy justification.

128 Yorkshire Wildlife Trust

DNS

M12 Q04 1161 Currently have an objection to the reopening and extension of Blubberhouses quarry due to impacts on the SAC, SPA and blanket bog and the potential handling of peat stripped from the site. Support the decision not to allocate the site in the Plan.

012: Silica Sand

Response to comment:

Noted

879 Strensall & Towthorpe Parish Council

S

M12

Q04 2288

It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.

012: Silica Sand

Response to comment:

Noted

359 North York Moors Association

DNS

M12

Q04 0705

Some reservations about this policy.

012: Silica Sand

Response to comment:

Noted.

M12

Q04 0683

012: Silica Sand

Significant quantities of silica sand consumed by the glass plants in the NYCC area are sourced from Norfolk. Modifications should be made to this policy to clarify the security of future supplies of silica sand from Norfolk for glassworks within the Joint Plan area and the potential for alternative sources of supply from within the Joint Plan area.

There is currently a shortfall in silica sand allocated sites in Norfolk's adopted Minerals Site Specific Allocations Plan. There is currently planned supply up to 2024. The shortfall is a result of sites submitted sites being found unsuitable due to uncertain effects on European designated environmental sites.

Paragraph 144 of the NPPF states that where practicable landbanks for non-energy minerals should be outside areas such as AONBs. Many scarce mineral resources occur in such areas, mineral extraction is a temporary use of land. In Norfolk silica sand occurs close to and/or under SPAs, SACs, AONBs, SSSIs, Scheduled Monuments and Conservation Areas.

Norfolk is trying to identify further sites and areas of search to secure future silica sand supply, but this has a lower level of certainty than identifying allocated sites.

Provided that there are satisfactory outcomes to an Appropriate Assessment the MWJP policies should allow for the continuity of supply of all silica sand grades available in its area, subject to suitable applications.

With the supply of silica sand from Norfolk being less certain after 2024 it would be appropriate, considering the area covered by National Parks and AONBs within the Joint Plan area, for the silica sand resource surrounding Blubberhouses Quarry to be covered by a policy which sets out general criteria against which applications will be assessed, as opposed to an area of search.

The Plan should consider potential alternative silica sand resources to ensure a steady and adequate supply to the glassworks within their area and so safeguard the economic benefits of such a plant.

Within the Plan the working of aggregates in AONBs is more positive of the need to work the mineral than for silica sand, despite silica sands grater scarcity and national importance compared with aggregates. This provides a basis for the proposed modified text.

Modifications to Policy M12 - criteria 2

2) Proposals for development of silica sand resources SURROUNDING Blubberhouses Quarry, including proposals for the extension of time to complete existing permitted development, lateral extensions or deepening WILL BE SUPPORTED IN PRINCIPLE subject WHERE NECESSARY to the satisfactory outcome of assessment in relation to the major development test set out in national policy, the satisfactory outcome of Appropriate Assessment under the Habitats Regulations and COMPLIANCE WITH OTHER RELEVANT DEVELOPMENT MANAGEMENT POLICIES IN THE PLAN.

ANY PROPOSALS IN THESE AREAS WILL NEED TO DEMONSTRATE A PARTICULARLY HIGH STANDARD OF MITIGATION OF ANY ENVIRONMENTAL IMPACTS AND HIGH QUALITY RESTORATION.

Response to comment:

Extra text added and short evidence paper produced, results are referenced in the policy justification.

1102 Hanson UK

O

M12

Q04 0549

Object to this policy and fully support the comments of Sibelco regarding national need for the site. The policy paragraph needs to be reworded in light of the above information submitted as part of the application process.

012: Silica Sand

Response to comment:

Short evidence paper produced, results are referenced in the policy justification.

2771 Kent County Council

S

M12

Q04 0860

Support this Policy.

012: Silica Sand

The approach taken by the Plan to maintain a 10 year landbank of this material is in accordance with NPPF. Supply of this resource will be maintained at the specified levels at the currently active site (Burythorpe Quarry). Developments in more environmentally constrained circumstances will be addressed on their merits.

Response to comment:

Noted

1112 RSPB North

O

M12

Q04 0767

Concerned about the impact on SPA and SSSI if excavation occurs at Blubberhouses.

012: Silica Sand

Agree that proposals for development at Blubberhouses should only be supported subject to the satisfactory outcome of Appropriate Assessment under the Habitat Regulations, and where it can be demonstrated that compliance with other relevant development management policies in the Plan can be achieved. Support the decision not to allocate Blubberhouses in the Plan.

Response to comment:

Noted.

2841

DNS

M12

Q04 0031

This policy should include protection of the peat at Blubberhouses Quarry to prevent further loss of carbon from the peat.

012: Silica Sand

Response to comment:

Reference to peat included in the policy justification.

1140 Sibelco

O

M12

Q04 1060

Part 2- Natural England have indicated (during different correspondence) that there is no adverse impact from silica sand extraction on the North Pennine Moors Special Protection area and Special Area of Conservation, nor the west Nidderdale, Bardon, Blubberhouses Moors SSSI. The policy needs rewording to reflect this.

012: Silica Sand

Response to comment:

Noted. These factors will be taken into account when assessing the site in the site allocations process.

115 Minerals Products Association

DNS

M12

Q04 0638

The statements in paragraphs 2.61 & 6.25 relating to the national importance of silica sand and its strategic significance to national economy. The continued provision from existing sites is also supported. However, it is believed that the Plan underplays the importance of silica sand. In particular those resources at Blubberhouses are acknowledge to be of strategic importance to the glass industry and the site is one of only a few the ability to supply raw material for clear glass manufacture in England. Moreover as existing supplies diminish elsewhere this resource will grow in importance.

012: Silica Sand

As there are a significant proportion of the glass industry in the Yorkshire and Humber Region. If more localised sources of supply could be obtained this could be considered a more sustainable outcome than imported resources. In this respect it is considered that there is justification for maintaining 15 years' minimum supply for sites needing new investment.

Consequently the policy should be more positive in its support for silica sand reserves. The special circumstances of the location of the site are recognised, consider there to be sufficient information in the public domain to address the issues raised in the text relating to the NPPF major development test and Appropriate Assessment. If there are any remaining obstacles in terms of allocating the site based on lack of information, believe there is merit in allowing the operator time to produce this so that an allocation can be made.

Duty to cooperate matters should be extended to include silica sand issues and encompass maps with glass making plants that could be supplied by local sources.

Response to comment:

Extra text added and short evidence paper produced, results are referenced in the policy justification.

119 Natural England

DNS

M12

Q04 0994

Broadly support this policy. However Blubberhouses Quarry requires an appropriate assessment. Should the assessment determine that development at this site will lead to adverse effects on the integrity of the SAC and there are no Imperative Reasons of Overriding Public Interest (IROP) the allocation should not be included in the Plan.

012: Silica Sand

Response to comment:

The need for an Appropriate Assessment is already included.

116 Ryedale District Council

S

M12

Q04 1135

Appropriate policy for the support and maintenance of the silica sand quarry at Burythorpe, subject to compliance with the relevant development management policies in the Plan.

012: Silica Sand

Response to comment:

Noted

2812 Trans Pennine Trail Office

DNS

Q04 1259

Where Clay extraction sites are in close proximity to the Trans Pennine Trail (TPT) or the National Cycle Network upgrades to the TPT network will be sought as part of local community enhancement works as a major green transport route. Any proposal which results in a direct impact upon the TPT will need to provide an alternative route for all users during period of closure. Reinstatement works should provide screening and a surface upgrade that will provide a visitor experience of the highest standard.

013: Clay

Response to comment:

Supporting text updated to reflect this point.

M13

Q04 1162

The policy does not mention restoration of brick extraction sites in any detail. Clay extraction tends to lead to the formation of ponds due to the impermeable nature of clay. Clay ponds can be very valuable for wildlife in particular a wide variety of invertebrates. The policies should have a presumption in favour of restoration to wildlife ponds where possible.

013: Clay

Response to comment:

Restoration is covered in policy D10. Clay in policy M14 is not a primary mineral and can be used for reclamation on site.

M13

Q04 0118

Site MJP55 could harm elements which contribute to the significance of a number of heritage assets in the vicinity, but there has been no evaluation on what impact clay extraction in this area may have on the historic assets. The Plan cannot demonstrate that the principle of mineral extraction from this area is compatible with Objective 9 or Policy D08 or the requirements of the NPPF. Nor can it demonstrate that the amount of clay from this site is deliverable because the need to preserve the heritage assets in their vicinity in line with advice in the NPPF may mean that certain areas of the site are undevelopable.

013: Clay

Before identifying sites as preferred sites an assessment should be undertaken which assesses what impact the development may have on designated heritage assets and if there is an impact how this is going to be minimised or dealt with.

Appendix 1 sets out details of the key sensitivities of each site and the mitigation measures that are likely to be required in order for development at those sites to be acceptable. To ensure that these developments principles are effectively tied into the Local Plan the following text should be added to Policy M13

'PROPOSALS FOR THE DEVELOPMENT OF THESE SITES WILL BE REQUIRED TO TAKE ACCOUNT OF THE KEY SENSITIVITIES AND INCORPORATE THE NECESSARY MITIGATION MEASURES THAT ARE SET OUT IN APPENDIX 1'

Such an approach would help provide certainty to both potential developers and local communities about what precisely what will, and will not, be permitted on those sites.

Additional words suggested are in capital letters.

Response to comment:

Concerns also raised in comments on the site itself so point will be dealt with there to decide if the site is feasible. Points from suggested text added to policy.

2200

S

M13

013: Clay

Q04 1662 The after-care of a site after each stage of extraction needs to be clearly defined at the outset and subject to compliance certification prior to commencement of any subsequent phase. Policy M14 makes reference to subsequent reclamation and after use of the site, Policy M13 needs something similar. It also needs to be cross referenced with Policy D10, paragraph 9.87 is particularly important 'to ensure implementation of longer term management arrangements'.

Response to comment:

Restoration is covered in policy D10. Clay in policy M14 is not a primary mineral and can be used for reclamation on site.

112 Highways England

S

M13

013: Clay

Q04 0570 Support the allocation of specific sites in this policy.

The sites impact on the SRN is very unlikely to be classed as severe and so are not a concern.

Response to comment:

Noted.

1398 CPRE (York & Selby Branch)

DNS

M13

013: Clay

Q04 1789 By reference to the mineral resources map there are clay resources nearer to the identified process plant at Great Heck. The long haulage distance is likely to be a factor in terms of financial viability of clay supply without revenue from waste filling of the extraction site.

The increase of HGV traffic on the section of the A19 would be likely to cause increased congestion at the access approaches and beyond.

Response to comment:

Sites selected and submitted by operators and assessed through site assessment process, distance will be one of the factors considered in the assessment.

359 North York Moors Association

S

M13

013: Clay

Q04 0706 Support the Preferred Policy approach.

Response to comment:

Noted

57 Plasmor Ltd

S

M13 Q04 1000 Support allocation of MJP45 and MJP55 to provide a 25 years of reserves for existing operations.

013: Clay

The final paragraph of the draft policy should be amended to refer to unallocated clay for use at the Plasmor Blockworks. The amendment would provide security for Plasmor in the event that it is not possible to extract the clay reserves at Escrick.

Response to comment: *Policy currently states 'existing manufacturing facilities' which includes Plasmor.*

2771 Kent County Council

S

M13 Q04 0861 Support this Policy.

013: Clay

The requirement of the NPPF for at least 25 years supply of clay at existing sites is reflected in the policy. Allocated sites will be supported, whilst unallocated sites will be supported where the need for the mineral can be demonstrated to support the continued production at existing sites.

Response to comment: *Noted*

128 Yorkshire Wildlife Trust

DNS

M14 Q04 1179 The policy does not mention restoration of brick extraction sites in any detail. Clay extraction tends to lead to the formation of ponds due to the impermeable nature of clay. Clay ponds can be very valuable for wildlife in particular a wide variety of invertebrates. The policies should have a presumption in favour of restoration to wildlife ponds where possible.

013: Clay

Response to comment: *Restoration is covered in policy D10.*

879 Strensall & Towthorpe Parish Council

S

M14 Q04 2290 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.

013: Clay

Response to comment: *Noted*

359 North York Moors Association

S

M14 Q04 0707 Support the Preferred Policy approach.

013: Clay

Response to comment: *Noted*

113 Howardian Hills AONB

S

M15 P5.82 0828 Support the proposal to allow flexibility of stone supply across the Howardian Hills AONB and North York Moors NP area, as a significant amount of the stone used in the ANOB to repair heritage assets comes from within the AONB. This potential supply of material should not be stopped, otherwise maintenance and repair of AONB heritage assets may be compromised.

014: Building Stone

Response to comment: *Comments about the site are repeated in the responses to the specific site and will be dealt with there.*

113 Howardian Hills AONB

S

M15 Q04 0827 Support the policy approach.

014: Building Stone

Response to comment: *Noted*

2771 Kent County Council

S

M15 Q04 0862 Support this Policy.

014: Building Stone

The Preferred Policy recognises the NPPF requirement to provide a sustainable and ready supply of minerals to meet society's needs, including local, small scale demand for building stone, whilst recognising the requirement to maintain sensitivity with regard to the particular circumstances of the relevant National Park and AONBs in the Joint Plan area.

Response to comment: *Noted.*

115 Minerals Products Association

S

M15 Q04 0639 This policy is supported but the Joint MPAs should be aware of the nature and regulation applying to the industry and the tight financial constraints that apply to operations, it is unlikely that professionally operated sites could be established in designated areas which only served demand arising from within that designated area as this would be unviable. This means it is unlikely that any new sites will be proposed within designated areas, which will have to continue to rely on sources of supply located outside the boundaries of the designation.

014: Building Stone

Response to comment: *2 active building stone quarries currently operate in NYMNP so the policy does not need to be amended.*

120 Historic England

S

M15 Q04 0119 Support the approach to the continued supply of building stone. Will support Objectives in other Local Plans in the area relating to conserving and enhancing the historic environment.

014: Building Stone

The repair and restoration of some heritage assets requires material from the original source of building stone or compatible quarry source, so may need to open a disused quarry so welcome Criterion iii.

Support the allocation of site MJP63 as stone from the adjacent site has been used for the construction of a number of important buildings in the area.

Response to comment: *Noted. Comments about the site are repeated in the responses to the specific site and will be dealt with there.*

359 North York Moors Association

S

M15 Q04 0708 Support the Preferred Policy approach.

014: Building Stone

Response to comment:

2841

S

M15 Q04 0032 Support this policy.

014: Building Stone

Response to comment:

879 Strensall & Towthorpe Parish Council

S

M15 Q04 2291 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.

014: Building Stone

Response to comment:

116 Ryedale District Council

S

MJP15 Q04 1130 This is an appropriate policy approach for the continuity of supply of local building stone to meet local needs.

014: Building Stone

Concerned about the allocation of MJP63 as an allocation in this policy. Particularly in relation to the proximity of existing dwellings and the need for technical hydrology work not yet undertaken to determine that there are no significant impacts on the River Derwent SAC.

Response to comment:

015: Hydrocarbons

1726 This Plan will be important if the extraction of shale gas is proposed in our area and whilst measure are to be put in place to safeguard our interests, without considerably more information and public discussion it is impossible to say whether these safeguards will be sufficient.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3827

DNS

015: Hydrocarbons

1636 The experience of fracking throughout the world should be taken into account, and time should be taken to slow the progress of this unpopular industry.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3741

O

015: Hydrocarbons

1096 Object to fracking anywhere in North Yorkshire due to damage to water locally. The science is unstable. Too much of a hazard to the environment.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2324 Response highlights broad concerns about the content of the Plan in terms of overarching national legislation and national interests in relation to hydrocarbons.

It is important to note the roles and responsibilities of the different regulatory bodies and how these should come together to for a robust regulatory framework for hydrocarbons.

The Oil and Gas Authority undertook financial, technical and environmental awareness tests before awarding petroleum licences to operators.

Monitoring and inspection processes will be undertaken by the MPA, regulatory bodies and independent bodies.

Restoration and legacy issues are governed through the Oil and Gas Authority, Health and Safety Executive and the Environment Agency. The Plan can be enhanced in three ways.

1. The Vision and Objectives should include the fact that there is a need for gas and that there is significant quantities of gas underground.
2. The Plan should concentrate on initially on the activities that are likely to take place in the next five years, which in terms of gas will be exploratory activity and enhancement of existing sites. The MPA should have a commitment to work with the gas industry concerning a longer term vision and what the commercial production of gas could look like in the future, taking this into account along with statements from central government regarding the national need for gas during periodical reviews of the Plan .
3. The Plan should utilise the legislative and regulatory themes which are currently in place at a national level to protect regionally important landscapes.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2029 Fracking applications should be thoroughly scrutinised to ensure that the environment and landscape is protected. In general we are against this activity as there is little evidence that shows its does not affect landscapes and water supplies. Landscape should be restored to the original state when activity is complete.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2140 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

Long term plans for the industry in North Yorkshire, similar to Local Aggregate Assessments, should be published prior to any proposals for unconventional hydrocarbon extraction being developed.

Kevin Hollinrake MP has proposed a number of requirements related to fracking, including: proposed developments should be at least 1 mile from the nearest property, home, school or water protection zone; each fracking site (including supporting infrastructure) should be 6 miles apart; all sites should be located adjacent to an A road. These should be minimum baseline restrictions if the industry is to develop. In addition, sites which in the past have been used for conventional gas production should also follow these requirements.

The Plan should afford settlement centres the same level of protection against hydrocarbon development as is given to other mineral extraction. Particularly, the Plan should refuse hydrocarbon extraction proposals which require the transportation by road of material through a settlement, due to the high volume of HGV traffic generated by the fracking industry.

Concerned that the current regulatory controls, planning policy, development management criteria, guidance and best practice, which are relevant to conventional extraction practices, are inadequate to prevent hazards occurring from unconventional hydrocarbon extraction. The Paper 'Fracking: Minding the Gaps' by Joanne Hawkins provides a summary of the discrepancies in this approach. The Joint Plan should set effective and robust planning policies to control and restrict this industry. Collaboration with other Planning Authorities through the Duty to Cooperate is vital to ensure neighbouring authorities offer the same level of control.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3740

O

015: Hydrocarbons

1095 Considerable reservations about proposals for fracking in Yorkshire. Major public concerns. Issues of massive freshwater use, water and ground pollution and toxicity problems including discharge of methane into drinking water. The environmental impact on the economy as well as subterranean dangers are very real.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2103 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

- 1859 Appreciate the constraints placed on local authorities by government for presumption in favour of hydraulic fracturing the technology is in direct contradiction to the climate change target of reducing and eliminating fossil fuel use and building the market for energy conservation and renewables. To comply with the Climate Change Act and local policies the carbon footprint of any fracking proposal should be made public and compared with a low carbon energy alternative for the site, this would influence the developers and public opinion.
- High priority should be to apply the precautionary principle to the protection from contamination of local drinking water supplies. Increasingly high water tables and flooding will present new challenges as the impact of climate change is felt. There will be a risk of aquifers becoming contaminated with fracking fluids, once this happens it cannot be rectified.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

- 0017 Does each authority have their own policies relating to fracking.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

- 1140 Do not support the development of unconventional hydrocarbon development until the full implications of the effects of the processes involved are understood and ensuring that there are no unacceptable impacts, cumulative or otherwise.

Recognise that the Plan needs to include a policy framework for hydrocarbon development so proposals can be considered on their merits and is consistent with national policy and advice available.

The MPAs need to consider making provision for incorporating any emerging new guidance or information regarding process or technology which may help to determine future planning applications.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

0441 The Plan must adhere to Government guidance it must also ensure other guidance and policy is given due weight and locate fracking sites in the most appropriate location. Policy wording should be strengthened so decisions are robust and can be defended at appeal.

A number of concerns have been raised which should be addressed to create a more robust plan.

Would like to see reference made to potential set back areas in relation to hydrocarbon extraction, especially fracking. The Plan has indicated that a brownfield first policy would be initiated for new processing infrastructure, would like to see any potential developments to be located in areas set back from residential areas.

Frack Free Ryedale propose that the properties should be at least one mile away from a proposed hydrocarbon site and there should be six miles between each fracking site. Sites should also be located near to an A road to protect homes and communities from the increase in traffic which will be generated.

There are a number of environmental concerns such as how the waste water is to be dealt with. A section should be included to deal with flaring and venting and how this will be managed/monitored. Should look to include a condition on an application for the operator to provide a bond in case there is an accident or any cleaning up is required.

The Authority should be able to ask licence holders what their long term plans are for the industry in the County. The LAA provides this information for aggregates

Concerned that the controls and regulations for conventional gas are being applied to unconventional gas as these may not be adequate to prevent hazards occurring relating to fracking.

At present the UK does not have specific guidance, best practice or regulatory controls covering fracking, so the Plan needs to set effective and robust planning policies to deal with fracking and safeguard the people, businesses and environment of the County. Collaboration with other Authorities under the Duty to Cooperate is important to ensure a consistent approach across the Region.

Transport requirements in relation to fracking should be mentioned as road transport will be required to bring fresh water, chemicals and sand and also take away waste water containing NORM. Mitigation may be required as traffic will be a major issue.

Would like to see the same level of protection afforded to village and settlements in relation to hydrocarbon extraction as offered by policies relating to other mineral extraction in terms of not supporting applications which require the transportation by road of material which may travel through a settlement.

Recognise that alternative energy sources need to be found but extraction of fossil fuel is not the most suitable solution.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter

and policies are recorded in an additional section at the end of the report.

631 Husthwaite Parish Council

DNS

015: Hydrocarbons

0251 Supports the views of respondent 3698 in that the Joint Authorities should prepare a supplementary planning document in relation to shale gas extraction.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2097 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

Long term plans for the industry in North Yorkshire, similar to Local Aggregate Assessments, should be published prior to any proposals for unconventional hydrocarbon extraction being developed.

Kevin Hollinrake MP has proposed a number of requirements related to fracking, including: proposed developments should be at least 1 mile from the nearest property, home, school or water protection zone; each fracking site (including supporting infrastructure) should be 6 miles apart; all sites should be located adjacent to an A road. These should be minimum baseline restrictions if the industry is to develop. In addition, sites which in the past have been used for conventional gas production should also follow these requirements.

The Plan should afford settlement centres the same level of protection against hydrocarbon development as is given to other mineral extraction. Particularly, the Plan should refuse hydrocarbon extraction proposals which require the transportation by road of material through a settlement, due to the high volume of HGV traffic generated by the fracking industry.

Concerned that the current regulatory controls, planning policy, development management criteria, guidance and best practice, which are relevant to conventional extraction practices, are inadequate to prevent hazards occurring from unconventional hydrocarbon extraction. The Paper 'Fracking: Minding the Gaps' by Joanne Hawkins provides a summary of the discrepancies in this approach. The Joint Plan should set effective and robust planning policies to control and restrict this industry. Collaboration with other Planning Authorities through the Duty to Cooperate is vital to ensure neighbouring authorities offer the same level of control.

Response to comment:

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015: Hydrocarbons

1722 The plan isn't considered sufficiently robust or detailed to guide shale gas development. A supplementary planning document must also be produced to steer the siting and density of shale gas sites and work should be commissioned on landscape character assessment which identified acceptable locations for drilling sites.

Response to comment:

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015: Hydrocarbons

2092 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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Response to comment:

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015: Hydrocarbons

2204 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2131 Given the decrease in the price of oil and the financial struggle of off-shore oil industry why is hydraulic fracturing is been considered, particularly in an area like NY with such high valued landscape. National Parks are offered the highest level of protection through National Policy, the special qualities of the National Parks need to be protected and development should be refused if it impacts upon these, would hydraulic fracturing enhance any of the special qualities of the NYMNP?

The governments decision to allow drilling beneath protected areas is not safe due to the high level of faulting in the rocks, the potential for water contamination into aquifers cannot be prevented. Currently there is insufficient capacity for managing waste water for fracking activities.

Concerns relating to hydrocarbon development include: dust, air quality and lighting; visual intrusion; negative impact upon landscape character, biodiversity, geological and geomorphological sites, Historic assets, local water supply, traffic impacts, impact on soil, land stability and subsidence and site restoration and aftercare.

Research indicated fracking poses a significant treat to air, water, public safety, climate stability, seismic stability, community cohesion, and long term economic vitality.

A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

Long term plans for the industry in North Yorkshire, similar to Local Aggregate Assessments, should be published prior to any proposals for unconventional hydrocarbon extraction being developed.

Where there is insufficient evidence, the PRECAUTIONARY PRINCIPLE should be applied.

Kevin Hollinrake MP has proposed a number of requirements related to fracking, including: proposed developments should be at least 1 mile from the nearest property, home, school or water protection zone; each fracking site (including supporting infrastructure) should be 6 miles apart; all sites should be located adjacent to an A road. These should be minimum baseline restrictions if the industry is to develop. In addition, sites which in the past have been used for conventional gas production should also follow these requirements.

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Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3386

0

0004 Fracking should not be encouraged.

015: Hydrocarbons

Response to comment:

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015: Hydrocarbons

2224 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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Concerned that the current regulatory controls, planning policy, development management criteria, guidance and best practice, which are relevant to conventional extraction practices, are inadequate to prevent hazards occurring from unconventional hydrocarbon extraction. The Paper 'Fracking: Minding the Gaps' by Joanne Hawkins provides a summary of the discrepancies in this approach. The Joint Plan should set effective and robust planning policies to control and restrict this industry. Collaboration with other Planning Authorities through the Duty to Cooperate is vital to ensure neighbouring authorities offer the same level of control.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2113 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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015: Hydrocarbons

1479 Object to any production of gas, especially fracking, in North Yorkshire.

North Yorkshire has outstandingly beautiful landscape which will become industrialised if the 900 or so proposed fracking well sites go ahead. Tourist attractions will suffer from impact upon landscapes and increased HGVs on inadequate rural roads. Fracking will increase the carbon footprint which is contrary to the Government's commitment to reduce carbon emissions. Wales and Scotland have temporarily banned fracking in light of international evidence regarding water pollution, earthquake risks and methane emission risks, as has happened recently in California.

Response to comment:

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015: Hydrocarbons

0597 Object to unconventional drilling in Ryedale.

Concerned about unconventional drilling industrialising a rural area dependant upon tourism and agriculture, threatening local industries and the environment, the increase in traffic, noise pollution and contamination risk to locally grown crops. Fracking in other parts of the world shows that accidents at well sites are inevitable in the long term and this will put our water supply at risk. Unconventional drilling will impact negatively on peoples lives and future generations.

Alternative sustainable energy sources should be sought which are not damaging to the environment.

Response to comment:

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015: Hydrocarbons

2107 The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored past the proposed five year period to monitor risk to the environment, human health and the climate.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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Concerned that the current regulatory controls, planning policy, development management criteria, guidance and best practice, which are relevant to conventional extraction practices, are inadequate to prevent hazards occurring from unconventional hydrocarbon extraction. The Paper 'Fracking: Minding the Gaps' by Joanne Hawkins provides a summary of the discrepancies in this approach. The Joint Plan should set effective and robust planning policies to control and restrict this industry. Collaboration with other Planning Authorities through the Duty to Cooperate is vital to ensure neighbouring authorities offer the same level of control.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for

large scale development of fracking.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2995

O

015: Hydrocarbons

0001 Opposes fracking, important to stop using fossil fuels and invest in renewable energy to ensure a sustainable future.

Response to comment:

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015: Hydrocarbons

2191 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area. There is concern about methane pollution and the impact upon global warming- alternative energies should be considered. Potential ground water contamination.

Long term plans for the industry in North Yorkshire, similar to Local Aggregate Assessments, should be published prior to any proposals for unconventional hydrocarbon extraction being developed.

Kevin Hollinrake MP has proposed a number of requirements related to fracking, including: proposed developments should be at least 1 mile from the nearest property, home, school or water protection zone; each fracking site (including supporting infrastructure) should be 6 miles apart; all sites should be located adjacent to an A road. These should be minimum baseline restrictions if the industry is to develop. In addition, sites which in the past have been used for conventional gas production should also follow these requirements.

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Response to comment:

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623 Hovingham & Scackleton Parish Council

O

015: Hydrocarbons

1761 Objects to the principles of shale gas development in the Ryedale area because of the uncertain nature of the impacts and risks involved.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3826

S

015: Hydrocarbons

1631 Support the exploration and extraction by conventional and unconventional means as conventional gas exploration and extraction has occurred for decade in the region. Fully support the industry and there is a strong regulatory and planning system in place which have worked so far. There has been much hype and scaremongering with the aim to stop the extraction of fossil fuels. There is no viable alternative and so need to extract hydrocarbons for the country's energy security. If well pads are screened they have proven not to be detrimental to the landscape and environment.

Response to comment:

Noted

3849 Harrogate and District Green Party

DNS

015: Hydrocarbons

2004 Oppose fracking in North Yorkshire. The Plan does not fully address the impacts of fracking, especially on water quality. Have supported some policies but with reservations. Many of the policies proposed are about protecting and enhancing environments and local communities, which should be enough to prevent fracking taking place.

Other governments have banned fracking, a review into the risks of fracking is needed to enable it to be halted.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3867

DNS

015: Hydrocarbons

2214 Fracking would lead to industrialisation of North Yorkshire, which currently is a beautiful, peaceful county with a thriving rural economy and strong agricultural base.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

0759 There are several concerns raised in this response which should be addressed in order to create a more robust plan.

Would like to see reference to potential set back areas in relation to hydrocarbon development, especially unconventional hydrocarbon extraction. Any potential development should be located in areas set back from residential areas, the nearest property should be 1 mile and fracking sites should be 6 miles apart and close to an A road.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2028 Support the submissions to the consultation made by Friends of the Earth and similar environmental groups.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2032 Fracking may have long term costs that have not been properly addressed and the technique of fracking and its implications for the future should be considered.

The activity of fracking may cause an impenetrable water logged layer at a level above deeper mineral layers, unless a method can be found to re-fill cracks and restore the rock strength and permeability. Without this new method fracking could potentially make future exploitation at a lower level very difficult, if not impossible. An example of this would be beds of Polyhalite (potash) a thousand metres below shale.

Should be seeking to conserve Britain's deeper, potentially rich, deposits of other valuable resources. Until we can be completely sure that we are not running the risk of sterilising such reserves of important minerals we should conserve shale gas.

Implementation of such a policy could include the requirement that with an application to frack, operators would need to demonstrate that an 'other minerals' survey had been comprehensively carried out to ensure that no sterilisation of such reserves could (not would) occur as a result. The same principle could be applied to the proposed exploitation of other natural resources.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1163 Object to hydrocarbon policies on a number of grounds.

015: Hydrocarbons

Concerned that at the moment the regulatory framework is not in place nationally to ensure that impacts are fully considered in the permitting process for shale gas extraction. The regulations in the Infrastructure Act are not yet approved and Best Available Techniques for shale gas extraction are not yet available. The Wildlife Trusts and other NGOs produced a document 'Fit to frack' which outlines a wide variety of ways in which the UK's permitting, regulatory and monitoring regimes need to be in place before shale gas extraction and fracking should be allowed to go ahead. Many of the suggestions in the document are not yet in place.

Due to the lack of a national regulatory and monitoring framework the authorities' at present will not have access to sufficient national legislation and regulations to provide confidence that shale gas extraction will be carried out safely. The granting of applications in these circumstances could lead to a variety of potential impacts on the local population and environment.

Robust polices are needed within the Plan. A large amount of the natural resource is in Yorkshire, if shale gas extraction is allowed there is potential for a large scale industry to develop.

Planning permission for shale gas extraction will be amongst one of the first in the UK and so must set a standard for best practise.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

- 2042 As suggested by MP Kevin Hollinrake: proposed developments should be located at least 1 mile from a residential property; each fracking site should be at least 6 miles apart (including supporting infrastructure); sites should be located adjacent to an A Road. This was supported by the European Commission on the 22nd January 2014 (see full response for detail). To control fracking appropriately there must be non-negotiable restrictions.

Operators should publish their long term plans for the industry, similar to Local Aggregate Assessments, to aid community and industry relationships, and prevent hearsay. Concerned that existing regulatory controls, guidance, and best practice is not adequate to prevent hazards occurring. This Plan must set effective and robust planning policies which will control this industry thereby safeguarding people, businesses and the environment. Collaboration with other Minerals and Waste Authorities under the Duty to Cooperate will ensure that neighbouring authorities offer the same level of control, given the extent of the Bowland Shale seam.

All developments should have a requirement to deposit a bond of sufficient size to meet any clear up of contamination or loss to people or property and in addition, proposals should not be supported if they propose a high volume of HGV traffic to pass through settlement centres.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2982 Friends of the Earth

DNS

015: Hydrocarbons

- 2033 Support Harrogate and District FoE response, but have additional comments.
Fracking is a threat to North Yorkshire, especially with the Government wanting to encourage it. The Government claims that the UK has one of the best regulatory regimes in the world to ensure that fracking can be done safely. There have been no safeguards introduced in the UK specifically to deal with fracking. Fracking poses a serious risk to the environment.
More effort should be put into renewable energy which are low carbon solutions.
Councils have limited powers to stop fracking, but if they group together they may be able to do so.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

- 1316 There needs to be a positive statement to support unconventional gas in all its forms and a distinction needs to be made between phases of unconventional gas development to enable development to progress and not be delayed due to additional assessment resulting from more intensive phases of development.

Policy M16 is not in accord with secondary legislation because it covers all hydrocarbons. It seeks to apply to all hydrocarbons a control that is only applicable to fracking. The explanatory text should make it clear where distinctions exist between the controls applicable to various forms of unconventional gas. Also groundwater protection zones do not apply to all areas, a definition needs to be provided and this needs to be in accordance with the relevant secondary legislation.

The policy and supporting justification can be simplified.

Proposed policy

'PROPOSALS FOR THE EXTRACTION OF ONSHORE HYDROCARBON - COAL BED METHANE, SHALE GAS AND OTHER FORMS OF ONSHORE OIL AND GAS EXPLORATION ARE IN THE NATIONAL INTEREST AND WILL BE FAVOURABLY CONSIDERED IN SAFEGUARDED AREAS INDICATED ON THE PROPOSALS MAP.'

APPLICATIONS FOR INDIVIDUAL WELLS OR GROUPS OF WELLS AS PART OF THE PROCESS OF EXPLORATION AND PRODUCTION FOR ONSHORE UNCONVENTIONAL HYDROCARBON EXPLORATION, THE ASSOCIATED INTERCONNECTING PIPELINES AND OTHER ESSENTIAL PROCESSING OR DISTRIBUTION INFRASTRUCTURE TO SERVE MORE THAN ONE DEVELOPMENT AREA WILL BE PERMITTED PROVIDED SIGNIFICANT ADVERSE IMPACTS DO NOT ARISE.

APPLICATIONS SHOULD BE PRESENTED WITH SUFFICIENT INFORMATION TO ADEQUATELY ASSESS THE ENVIRONMENTAL IMPLICATIONS OF THE PROPOSALS INCLUDING FIELD DEVELOPMENT PLANS, WHERE POSSIBLE. CUMULATIVE ENVIRONMENTAL IMPACTS SHOULD BE CONSIDERED AND ASSESSED IF NECESSARY. IMPACTS ON NATURA 2000 SITES OR EUROPEAN PROTECTED SPECIES WILL BE CONSIDERED IN ACCORD WITH EXISTING POLICIES.

CONDITIONS AND AGREEMENTS SHOULD BE ATTACHED TO PLANNING PERMISSIONS TO ENSURE THE EXPLORATION AND PRODUCTION OPERATIONS HAVE AN ACCEPTABLE IMPACT ON THE LOCAL ENVIRONMENT OR RESIDENTS. PERMISSIONS FOR WELLS WILL BE CONDITIONED FOR THE LIFE OF THE WELL.'

Addition to the supporting text

' The UK Government energy policies seek to encourage the use of natural resources indigenous to the UK as part of achieving self-sufficiency in energy production and increasing security of energy and gas supplies. Onshore hydrocarbon extraction is comprehensively regulated. The Department of Energy and Climate Change has awarded Petroleum, Exploration and Development Licence (PEDL) for an area within the Council's area.

Onshore hydrocarbons provide an opportunity to extract a nationally important natural energy resource without environmental impact normally associated with minerals extraction.

The extraction of CBM and shale gas will be incremental and involve more than one exploration and production site. Due to advanced drilling techniques, these can be up to 1km apart.

Exploration and development rights granted through PEDL create land use rights across the licence area, subject to obtaining necessary site specific consents. Safeguarding is important because rights create a land use consideration that may be a material factor in assessing other land use proposals in the area. It is a potential land use consideration that others using the planning service need to take into account.

The PEDL licence does not create automatic development rights and the effects may not apply across the PEDL area. Due to the nature of the resource and the location, it is important that it is safeguarded where it is present. It is important that the extent of the PEDL is identified in the Plan and its consequences explained.

Response to comment:

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3881

DNS

015: Hydrocarbons

2118 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

Long term plans for the industry in North Yorkshire, similar to Local Aggregate Assessments, should be published prior to any proposals for unconventional hydrocarbon extraction being developed.

The Paper 'Fracking: Minding the Gaps' by Joanne Hawkins provides a summary of the discrepancies in this approach. The Joint Plan should set effective and robust planning policies to control and restrict this industry. Collaboration with other Planning Authorities through the Duty to Cooperate is vital to ensure neighbouring authorities offer the same level of control.

Response to comment:

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015: Hydrocarbons

0619 Local Authorities should produce a Local Plan for Shale Gas development in their area, as they are required for housing, employment and retail development. This would ensure that fracking sites are few and far between, suitably located with access to suitable roads, to avoid traffic through settlements, and well screened.

Response to comment:

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015: Hydrocarbons

0591 Support a precautionary approach towards the use of evolving extraction technologies bearing in mind the recent Government support and commercial interest in new technologies for oil and gas extraction (including hydraulic fracturing). We reserve the right to comment on individual proposals should they arise.

Response to comment:

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Response to comment:

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295 Northumbrian Water Ltd

DNS

015: Hydrocarbons

0588 It should be noted within this section that statutory water undertakers are now statutory consultees with respect to applications for hydraulic fracturing. This point is relevant to subsequent policies (M16, M17 and M18) regarding protection of public water supply and water/waste infrastructure

Response to comment:

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015: Hydrocarbons

- 1876 The Government does not have a coherent strategy for shale gas development. This Plan should apply the strategically planned and coordinated operations to shale gas as have been applied to other in-scope waste and mineral functions such as gravel and clay extraction.

Response to comment:

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015: Hydrocarbons

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015: Hydrocarbons

2087 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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015: Hydrocarbons

2174 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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Response to comment:

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015: Hydrocarbons

2269 SDC remain open for further debate on safe / regulated / stable gas exploration and fracking and re-states that a sequential policy should be developed thus ensuring that the plant infrastructure is located with minimal visual, social and environmental impact.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2761

DNS

015: Hydrocarbons

1837 A reasonably good attempt to provide a robust defence against unwelcome development for unconventional hydrocarbon within the limits of national policy guidance. The Government is wrong to promote unconventional hydrocarbons given our national commitment to address climate change issues and this Plan should say no to fracking although the political difficulties in doing so are understood.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3845

O

015: Hydrocarbons

1884 Fracking should not be considered acceptable under the National Parks and AONBs. Concerned about Health effects of air pollutants and toxic waste water and the potential for leaks and spillages. There is a decreasing demand for hydrocarbon fuels, due to the need to cut greenhouse gasses. Concerned that fracking companies are expected to financially fail, leaving sites abandoned for other to clear up. Fracking will increase greenhouse gas emissions.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2081 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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The Plan should afford settlement centres the same level of protection against hydrocarbon development as is given to other mineral extraction. Particularly, the Plan should refuse hydrocarbon extraction proposals which require the transportation by road of material through a settlement, due to the high volume of HGV traffic generated by the fracking industry.

Concerned that the current regulatory controls, planning policy, development management criteria, guidance and best practice, which are relevant to conventional extraction practices, are inadequate to prevent hazards occurring from unconventional hydrocarbon extraction. The Paper 'Fracking: Minding the Gaps' by Joanne Hawkins provides a summary of the discrepancies in this approach. The Joint Plan should set effective and robust planning policies to control and restrict this industry. Collaboration with other Planning Authorities through the Duty to Cooperate is vital to ensure neighbouring authorities offer the same level of control.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

- 2047 Have concerns about fracking in the Plan area. It is too risky, detrimental to the landscape, environment, resources, amenities, communities and economy of the area. It is inconsistent with counteracting the impacts of climate change. Support the policy of not allowing development of unconventional gas production in designated areas but the protection elsewhere is not robust enough in the overall policies current format. Other policies in the Plan appear to be more robust.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

53 Hambleton District Council

S

015: Hydrocarbons

- 1409 The preferred options relating to hydrocarbon development are robust and provide a solid basis for mitigating the impact of any operations which may occur in the area, given the Governments support for this type of onshore gas exploration.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

015: Hydrocarbons

- 0372 Oppose fracking in North Yorkshire. The Plan does not fully address the impacts of fracking, especially on water quality. Have supported some policies but with reservations. Many of the policies proposed are about protecting and enhancing environments and local communities, which should be enough to prevent fracking taking place.

Other governments have banned fracking, a review into the risks of fracking is needed to enable it to be halted.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

1226 There is potential for cross boundary amenity and environmental impacts, particularly in respects of residential areas, regarding both shale gas and coal-bed methane extraction processes. A reference to adjoining authorities should be included with these policies (M16,M17,M18) as well as the need for early consultation on the siting of potential drill sites.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3840

DNS

015: Hydrocarbons

1869 Very difficult to meet all energy needs today but no good having a natural disaster.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2186 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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Response to comment:

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015: Hydrocarbons

- 0778 There remains considerable uncertainty as to the scale of health risks posed by the introduction of Hydraulic Fracturing to extract shale gas. Consequently, do not believe that there is sufficient evidence to conclude the application of Hydraulic Fracturing in the Ryedale/Vale of York area necessarily poses low risks to the health of the local community. Therefore, recommend a full Health Impact Assessment of any proposals before any further decision is considered in relation to instigating shale gas exploration in the Ryedale area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3839

O

015: Hydrocarbons

- 1861 Concerned about the hazardous and dangerous chemicals used in fracking which would be released into the Environment (copy of the list of chemicals was supplied along with the representation). Given the increased flooding events experienced the potential for pollution and run-off into stream, rivers and other water sources resulting in long term effects on habitats and human populations. These risks cannot be eliminated.
Concerned about the industry being "self-regulated".

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

897 Thornton le Dale Parish Council

O

015: Hydrocarbons

- 1780 Concerned about the potential for shale gas extraction in the Parish, including: traffic impacts; contamination of water table; earthquakes and tremors; well blow outs; air contamination; uncertainty of extent of fractures; loss of biodiversity and economy, landscape impact, impact upon tourism and local business, noise pollution and failure to return the site to its original state.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

1903 How are fracking applications been dealt with before the plan is finalised? At present there is no plan containing material consideration on which to 'hang' objections as no policies on fracking are contained in the existing saved policies of the Plan. In accordance with the NPPF, Planning should be a 'plan led' system and industry should bring forward exact sites for future hydrocarbon exploration and development which can be tested against the criteria on the site assessment process of the plan.

NPPF requires plans to include 'criteria based policies for the exploration, appraisal and production phases of hydrocarbon extraction', setting clear policies and guidance on for locations and assessment within PEDL area. Given that the whole of Ryedale is covered by PEDLs there is a clear need for further work to be undertaken to identify which areas are to be included and excluded from Hydrocarbon development.

The Hydrocarbon industry should have to undergone the same criteria as other mineral and waste operators. Without site allocations coming forward and been assessed the plan is reactive rather than 'plan-led'.

Prior to commencement there should be a maximum exploitation limit set out with clear plans for the distribution of frack pads, access roads, compressor statins, processing and dewatering facilities as well as full details of the pipeline.

Response to comment:

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2937

DNS

015: Hydrocarbons

0289 Oppose fracking in North Yorkshire. The Plan does not fully address the impacts of fracking, especially on water quality. Have supported some policies but with reservations. Many of the policies proposed are about protecting and enhancing environments and local communities, which should be enough to prevent fracking taking place.

Other governments have banned fracking, a review into the risks of fracking is needed to enable it to be halted.

Response to comment:

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3695

DNS

015: Hydrocarbons

0008 Concerned about fracking. There is a discrepancy between direction from government and the detailed considerations in the plan.

Fracking can adversely impact on traffic movements, potential for contamination of water supplies, aquifers and air quality, as well as impact upon local wildlife.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3698

DNS

015: Hydrocarbons

0025 It could be beneficial to produce a supplementary oil and gas Planning Document for area where extraction is potentially viable. It should set out the environmental constraints for these areas, taking into account key landscape characteristics and intrinsic qualities. The traffic impacts need to be considered including considering only permitting extraction from sites with direct access to 'A' roads. Consideration should be given to tourism and the local economic impact as a result of the exploration licences. Water supply should be considered, for example it may be possible to reduce road tanker movements by utilising water piped from boreholes or abstracted from major rivers. Address concerns about pollution and contamination of air and water, public health issues.

Other matters to address include, reduced property values, potential subsidence damage to properties, secure restoration bonds from developers, potential community benefits (such as landscape improvement and urban enhancement).

Response to comment:

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015: Hydrocarbons

0055 The Plan needs to be consistent with National Policy and so a blanket ban on fracking is not allowed. The plan should have policies which restrict the areas where fracking may take place and take account of cumulative impact of multiple well sites which may impact on the areas of high landscape value.

There should be separate policies for exploration and production.

Concerned about the use of chemicals, possible contamination of groundwater and how the waste water produced during fracking will be dealt with.

Any policies will need to take into consideration National and Local policies and views from significant bodies such as English Heritage.

Response to comment:

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015: Hydrocarbons

2164 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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015: Hydrocarbons

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Response to comment:

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015: Hydrocarbons

1832 Frack Free Ryedale are conducting a form of gerrymandering (trying to establish an advantage for a particular group) by asking supporters to collude with them to give an impression that objections submitted are original, authentic and genuine when in fact it is only the views of Frack Free Ryedale that are being promoted and expressed.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

015: Hydrocarbons

0244 Oppose fracking in North Yorkshire. The Plan does not fully address the impacts of fracking, especially on water quality. Have supported some policies but with reservations. Many of the policies proposed are about protecting and enhancing environments and local communities, which should be enough to prevent fracking taking place.

Other governments have banned fracking, a review into the risks of fracking is needed to enable it to be halted.

Response to comment:

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1326 Bewerley Parish Council

DNS

015: Hydrocarbons

1883 Concerned about gas extraction and fracking.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3844

O

015: Hydrocarbons

1882 Concerned mainly about the fracking industry. There are a large amount of PEDL Licences granted in the area. Fracking should not be permitted but if it is there should be a structured response of where activities would be allowed, on what scale, how near to residential dwellings they would be allowed, and adequacy of road networks as well as long term monitoring.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

015: Hydrocarbons

1949 There needs to be a complete economic impact assessment of fracking with regard to Agriculture, Health, Tourism, wage levels, employment etc.

Investigation on matters of public health must extend beyond the public health report.

Traffic assessment must cover a wider area than the local vicinity.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2197 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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Response to comment:

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1955 The Plan should not allow fracking in the Ryedale District.

015: Hydrocarbons

The principle of 'presuming against fracking in designated areas' should be extended to the entirety of Ryedale. Fracking operations would damage heritage assets, lead to noise and light pollution, affect quality of life for local communities and associated HGVs would damage the local road network, bridges and waterways which often pass under roads.

Flaring of toxic gases at fracking sites should not be allowed. Important assets, such as churches, gardens, natural vistas, farmland, woodlands and hedgerows, exist beyond designated areas which enhance the historic rural beauty of the area. If these non-designated areas are not protected they will be permanently damaged by industrialised fracturing for unconventional hydrocarbons. The Plan identifies the impacts of the activity but makes no objective defence against its development.

Quoting Mr Hobbs of (PM) Environmental Investigation: "a large proportion of the hazards [of fracking]... are spread along the chain of production" "based upon Dart Energy's application near Falkirk the land taken for pipelines would exceed the land taken for well pads by 4.5 times" "the effect on the landscape is often dramatic... having consequences for wildlife and human populations". In addition to well pads fracking sites would bring waste disposal and water storage sites, refineries to convert gas to electricity, compressors, rigs and tankers (see attached photos for further details).

Quoting a Marine Petroleum Geology Journal article (see full response for details): "abandoned wells in the UK are sealed with cement, cut below the surface and buried but not subsequently monitored. The number of failed wells in the UK, 2, is likely to be an underestimate" "It is likely that well barrier failure will occur in a small number of wells and this could in some instances lead to some form of environmental contamination" "It is important that the appropriate financial and monitoring processes are in place, particularly after well abandonment, so that legacy issues for shale gas and oil are minimised". This demonstrates that fracking is dangerous. Regulatory agencies, including NYCC Planning Services, are not staffed adequately to undertake the required monitoring or enforcement to ensure public safety, as demonstrated by work undertaken by Bristol University (see full response for full details). NYCC must ensure that its enforcement of conditions is undertaken.

It appears that the political definition of fracking in the Infrastructure Act (2015) allows certain fracking activities to be regarded as conventional development which would ultimately allow this to be undertaken within designated areas.

NYCC should not allow the fear of incurring appeal costs to inhibit any decision against fracking on the merits of the case.

The major defect of the Plan is the level of subjective judgements. Any permission of fracking should only be allowed under the strictest conditions: i) No fracking within 1 mile of any house or social building, with flaring banned; ii) No fracking sites within six miles of another; iii) All fracking sites to be adjacent to an A Road; iv) All fracking sites to be subject to stringent regulatory inspection, supervised by NYCC, without notice, with the results publicised; v) NYCC to accept responsibility for enforcing planning conditions, and punitive and remedial action to be taken immediately if found to be broken; vi) All roads and bridges must easily be made suitable for associated HGV traffic, and piping to be inoffensive.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

015: Hydrocarbons

1907 It appears very little space has been given to hydrocarbon issues in comparison with other elements of the plan. The plan should place a moratorium on shale gas exploitation until it is proven to be safe and efficient. If this is not possible some areas of regulation could be made clearer. There must be adequate monitoring and enforcement with swift investigations of infringements within a framework of willingness to prosecute with a range of penalties from warnings and education, fines, reduction of autonomy and finally removal of PEDL licences.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

77 Middlesbrough Council

DNS

015: Hydrocarbons

0596 It is recognised that the hydraulic fracturing process is a relatively new and developing issue in the country, and due to the drilling and extraction process (vertical well with the potential for a number of lateral extensions) there are likely to be cross-boundary amenity and environmental impacts, particularly in respect of residential areas, regarding both shale gas and coal-bed methane extraction processes.

Therefore wish to see reference in the hydrocarbons policies (M16, M17, M18) to adjoining authorities regarding cross-boundary issues and the need for early consultation on the siting of potential drill sites, where appropriate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

015: Hydrocarbons

1913 Under EIA regulations projects cannot be 'salami-sliced' to avoid proper application of the regulations. The whole development should include consideration of water requirements, treatment and waste. Individual applications must be put in the context of the wider gas field and required water demands and treatment plans, after-care and monitoring of abandoned wells, effect on road network, pipeline networks and the predicted cumulative effects of the development.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

2146 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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Response to comment:

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015: Hydrocarbons

- 0434 Oppose fracking in North Yorkshire. The Plan does not fully address the impacts of fracking, especially on water quality. Have supported some policies but with reservations. Many of the policies proposed are about protecting and enhancing environments and local communities, which should be enough to prevent fracking taking place.

Other governments have banned fracking, a review into the risks of fracking is needed to enable it to be halted.

[Response to comment:](#)

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015: Hydrocarbons

2152 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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015: Hydrocarbons

1610 When determining mineral extraction sites consequential issues such as health risk, should be taken into account.

The Plan does not offer sufficient robust policy or detailed guidance on shale gas sites. A supplementary detailed planning document must be produced to steer the siting and density of such sites, based upon studies which define acceptable locations. This will enable the resistance of applications falling short of standards and greater success at challenging appeals.

Response to comment:

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3873

O

015: Hydrocarbons

2129 A number of concerns need to be addressed in order to produce a robust Plan. Although the Plan provides highly developed spatial plans for elements such as waste, gravel and clay extraction, this is not the case for unconventional hydrocarbon development. The Plan appears to set out an industry-led approach to fracking rather than a coherent area-wide planning policy, which is at odds with a strategically planned and coordinated approach to operations. The fear is that this will lead to a proliferation of this industry and industrialisation of the countryside contrary to the wishes of the majority of residents in the Plan area.

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Response to comment:

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015: Hydrocarbons P1.10 1364 Operators must stop and investigate if they detect tremors above the normal rate. This needs to be reworded. What is normal rate?
Consider using induced seismicity and naturally occurring seismicity.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

015: Hydrocarbons P5.10 0402 5.100 to 5.105 - Pleased that the Joint Plan authorities take their regulatory role seriously.

Concerned other agencies such as DECC, the Environment Agency and HSE do not have the expertise and staff numbers to deal with fracking. There is little on the ground scrutiny by either the Environment Agency or HSE and DECC seems to have a predetermined response in favour of fracking.

Planning regulations should have been rewritten for fracking, but were not, existing regulations have been stretched to cover the new activities.

Only local authorities are consulting effectively and they are likely to be over-ruled by central government if they resist fracking proposals.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

P5.10 1987
015: Hydrocarbons

5.100 to 5.105 - Pleased that the Joint Plan authorities take their regulatory role seriously. Concerned other agencies such as DECC, the Environment Agency and HSE do not have the expertise and staff numbers to deal with fracking. There is little on the ground scrutiny by either the Environment Agency or HSE and DECC seems to have a predetermined response in favour of fracking. Planning regulations should have been rewritten for fracking, but were not, existing regulations have been stretched to cover the new activities. Only local authorities are consulting effectively and they are likely to be over-ruled by central government if they resist fracking proposals.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

P5.10 2043
015: Hydrocarbons

The issue of cumulative effect soon becomes a circular argument. Harm cannot be proven until it occurs and the precautionary principle indicated that if these case for caution the risk should not be taken. It is at present difficult to prove either harm or safety as it currently unknown. In terms of cumulative effects it need to be clear about what constitutes cumulative effects- how many wells, how much traffic, over what area? The plan should be clear on these matters and not be reactive.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

128 Yorkshire Wildlife Trust

DNS

P5.10 1165
015: Hydrocarbons

'In accordance with Government advice, the Minerals Planning Authorities will assume that these non-planning regimes will operate effectively.'

The non planning regimes are no sufficiently robust therefore the MPAs will need to have very strong policies and ensure high quality monitoring regimes are in place.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.10 1766
015: Hydrocarbons

Paragraphs 5.100 and 5.106.

Planning authorities and committees must not be submissive to unelected agencies such as the Environment Agency, HSE or Historic England. The 'acceptable use of land' is a broad and powerful term and should be used correctly. For example could the Environment Agency grant an abstraction licence for an aquifer that would facilitate and application for a borehole into the shale beds immediately below.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

P5.10 0341
015: Hydrocarbons

5.100 to 5.105 - Pleased that the Joint Plan authorities take their regulatory role seriously.

Concerned other agencies such as DECC, the Environment Agency and HSE do not have the expertise and staff numbers to deal with fracking. There is little on the ground scrutiny by either the Environment Agency or HSE and DECC seems to have a predetermined response in favour of fracking.

Planning regulations should have been rewritten for fracking, but were not, existing regulations have been stretched to cover the new activities.

Only local authorities are consulting effectively and they are likely to be over-ruled by central government if they resist fracking proposals.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.10 0276 5.100 to 5.105 - Pleased that the Joint Plan authorities take their regulatory role seriously. Concerned other agencies such as DECC, the Environment Agency and HSE do not have the expertise and staff numbers to deal with fracking. There is little on the ground scrutiny by either the Environment Agency or HSE and DECC seems to have a predetermined response in favour of fracking. Planning regulations should have been rewritten for fracking, but were not, existing regulations have been stretched to cover the new activities. Only local authorities are consulting effectively and they are likely to be over-ruled by central government if they resist fracking proposals.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1035 NHS Clinical Commissioning Group - Vale of York

DNS

015: Hydrocarbons P5.10 0777 The term 'other regulatory frameworks' is vague and clarification as to which regulatory regime has oversight of protection to health should be made.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

015: Hydrocarbons P5.10 0212 5.100 to 5.105 - Pleased that the Joint Plan authorities take their regulatory role seriously.

Concerned other agencies such as DECC, the Environment Agency and HSE do not have the expertise and staff numbers to deal with fracking. There is little on the ground scrutiny by either the Environment Agency or HSE and DECC seems to have a predetermined response in favour of fracking.

Planning regulations should have been rewritten for fracking, but were not, existing regulations have been stretched to cover the new activities.

Only local authorities are consulting effectively and they are likely to be over-ruled by central government if they resist fracking proposals.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2968 York Green Party

O

P5.10 1856 This sets out the government view of the process but fails to mention EU Water Quality Framework Directive and the Habitats Directive as overriding regulatory considerations which the planning authority has to take into account.
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

P5.10 1362 Oil and Gas Authority will also need to be satisfied that planning permission has been granted.
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

P5.10 1914 'A permit will be needed.....,depending on the local hydrology.' This sentence is vague and therefore ineffectual.
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

P5.10 1363 In addition to drilling, other well operators are subject to notification to the HSE. Suggest that the HSE is consulted to ensure the wording reflects this.
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

P5.10 1916
015: Hydrocarbons

Who is the independent competent person? It sound as if it could be self-regulating. Well-logs must be required and they must be looked at and analysed by a competent, independent person or it is meaningless. This must be made publically available. What would be consequences of non-compliance be?

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

P5.10 2045
015: Hydrocarbons

There must be a baseline dataset of minor earthquakes in the area before fracking occurs, this can be compared to any induced seismic activity to see if the tremors are above normal range. It might also be possible that some minor tremors can still distort borehole casing, allowing a leak of gas without it been registered by the public.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

P5.10 1917
015: Hydrocarbons

It is unclear if the plan can be approved before reports from regulatory bodies come through, and what happened then if the report clashes with an already issued approval? Will this permission be rescinded?
The plan should not allow fracking in areas of 1:50 flood risk, very close scrutiny 1:100 and risk resilience in areas of 1:200.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3689 Friends Of the Earth

DNS

P5.10 1700
015: Hydrocarbons

This paragraph does not accurately reflect planning guidance and appears to create confusion. The text states that an application can be determined without the related approval processes being concluded but goes on to state the view of other regulators need to inform the decision making process of the MPA.

Para 112 of the NPPG is clear that this needs to take place, and states that MPAs need to be 'satisfied' that these will be adequately addressed, actively making a judgement. The MPA is the only local democratically accountable regulator.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

P5.10 0342
015: Hydrocarbons

5.106 - 5.107 - These paragraphs collect several major concerns together but without offering substantial means to tackle them. Taking these together it is hard to imagine anywhere in the Plan area that could be used for fracking.

The phrasing is weak such as 'Suitable water resources may need to be considered.' 'Impact on health may be a concern to local communities.' 'Public Health implications can be a relevant consideration.' The wording needs to be more assertive.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

P5.10 0403
015: Hydrocarbons

5.106 - 5.107 - These paragraphs collect several major concerns together but without offering substantial means to tackle them. Taking these together it is hard to imagine anywhere in the Plan area that could be used for fracking.

The phrasing is weak such as 'Suitable water resources may need to be considered.' 'Impact on health may be a concern to local communities.' 'Public Health implications can be a relevant consideration.' The wording needs to be more assertive.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.10 0277 5.106 - 5.107 - These paragraphs collect several major concerns together but without offering substantial means to tackle them.
 015: Hydrocarbons Taking these together it is hard to imagine anywhere in the Plan area that could be used for fracking.

The Plan should state that there are no suitable areas for Fracking in North Yorkshire.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

P5.10 1365 Ambiguity over the definition of wider public health issues. It needs to be clear that it relates to local not national.
 015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

P5.10 0213 5.106 - 5.107 - These paragraphs collect several major concerns together but without offering substantial means to tackle them.
 015: Hydrocarbons Taking these together it is hard to imagine anywhere in the Plan area that could be used for fracking.

The phrasing is weak such as 'Suitable water resources may need to be considered.' 'Impact on health may be a concern to local communities.' 'Public Health implications can be a relevant consideration.' The wording needs to be more assertive.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

P5.10 1988 5.106 - 5.107 - These paragraphs collect several major concerns together but without offering substantial means to tackle them.
 015: Hydrocarbons Taking these together it is hard to imagine anywhere in the Plan area that could be used for fracking.

The phrasing is weak such as 'Suitable water resources may need to be considered.' 'Impact on health may be a concern to local communities.' 'Public Health implications can be a relevant consideration.' The wording needs to be more assertive.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.10 1649 Whilst the entire landscape resource of the national park is high value, the quality of views vary massively. There are many beautiful views and experiences of the countryside outside of National Parks and AONBS that are higher value than may views within the designated landscapes. In recognition of the ELC all landscape has value. Areas outside of designated areas are vulnerable to disproportionate concentrations of development- Hydrocarbon policies need to include more reference to landscape character, quality and perceived value. There should be a greater awareness of likely cumulative impacts of the industry where it is proved to be economically viable.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

756 Luttons Parish Council

S

015: Hydrocarbons P5.10 1767 The list of statutory designated areas/sites is predictable. The Plan makes no mention of locally designated sites such as the Wolds Area of High Landscape Value, nor does it give any recognition to other Local Plans such as the Ryedale Plan. The emphasis on statutory designated areas puts greater pressure on non-statutory designated areas to host development.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

756 Luttons Parish Council

DNS

015: Hydrocarbons P5.10 1769 Paragraphs 5.109 and 5.112.
The use of lateral drilling together with the proximity of county borders and designated areas needs further reference to ensure that adjacent non-designated areas are not compromised in themselves.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

015: Hydrocarbons P5.11 1366 The first sentence of this paragraph should be deleted. There is sufficient protection offered by the development management policies D06, D07 and D08. It is unreasonable and unnecessary to include a presumption against development of unconventional hydrocarbons within these areas as a matter of strategic policy.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3830

DNS

015: Hydrocarbons P5.11 1651 Insert the following sentence: IN ACCORDANCE WITH THE AIMS OF THE EUROPEAN LANDSCAPE CONVENTION, IT SHOULD BE RECOGNISED THAT ALL LANDSCAPES HAVE A VAULE.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

015: Hydrocarbons P5.11 1367 Suggest deleting this paragraph. There is sufficient protection offered by the development management policies D06, DO7 and D08.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.11 1920
015: Hydrocarbons

Evidence of harm cannot be detected unless adequate baseline monitoring and health and environmental audits have been carried out and periodically repeated to establish some rates of change.
In relation to cumulative effects it need to be made clear what constitutes cumulative, number of wells, area of land covered etc.

Sustainability Appraisal: the positive effects suggested are not true positives; merely the absence of negatives. The SEA uses two scenarios, one for high-level activity and one for low-level activity. The figures vary greatly for things such as water use and vehicle movements. Thus using favourable predictions of community benefits or jobs against potential harm could be very misleading. The cumulative effects of exploratory rig sites would increase the magnitude of adverse visual effects. Minor negative for low activity, minor to uncertain negative for higher activity. When at the production phase sites could become larger and have greater harmful visual effects. In order to justify climate change benefits, it should be made clear what the shale gas is replacing, and make it mandatory that the gas is being used to replace, rather than add to the fossil fuel emissions. Climate change benefits will only occur if leakages are below 2-3%. Will operations be halted if leaks are above this level? In general methane leakage is around 7%. What happened with the fluids accumulating in older wells, these wells are 'blown out' and release a considerable amount of methane.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3830

DNS

P5.11 1652
015: Hydrocarbons

Amend the sentence as follows (new text in bold):
For this reason applicants will need to carefully consider the setting of the city **AND KEY VIEWS OF THE MINSTER** and other landmark buildings, which are integral to the setting of the historic city.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

P5.11 1950 Considers that the potential cumulative and incremental impacts of hydrocarbon development have not been properly addressed.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

756 Luttons Parish Council

DNS

P5.11 1770 Should not limit this constraint to Green Belt or 'other sensitive locations'. Incremental development and cumulative impact are problems for all sites.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2968 York Green Party

S

P5.11 1857 Cumulative impacts are a serious possibility which need to be considered from the outset.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

P5.11 1368 This is overly restrictive- pre-determination of applications as cumulative impacts are considered as part of Environmental Impact Assessment. Each application must be considered on its own merits. Planning applications cannot be determined on the basis of what could potentially happen in the future. If a wellsite requires re-fracturing or an additional well, this will be subject to a different application. The protection offered by the development management policies D06, D07, D08. This paragraph should therefore be deleted.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.11 1991 The policy M17 is strongly worded but clarification about some of the terms is required. What does 'appropriately mitigated' mean in practical terms, and what tools are required for a 'robust assessment'?
The Environment Agency and HSE do not have any criteria to apply to the risks of fracking. DECC is prepared to over-rule difficult questions.
What happens to a site in terms of restoration if the company has gone out of business as fracking seems to transfer from company to company more often than most businesses.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.11 1372 Exploration wells can be deviated as well as vertical.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.11 1992 The seismic consequences of fracking are not certain, horizontal drilling at depth can have dangerous consequences. The policy suggests not worrying about this at exploration stage, so will rely on the readings provided by the operators and trust they will be accurate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.11 1376 The appraisal of wells may involve hydraulic fracturing, whether conventional or unconventional. The difference is whether it is high volume hydraulic fracturing, defined by the infrastructure act.
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.11 1923 Clear baseline testing, carried out a specific points should be carried out. This should be over a period of at least one year, so that natural fluctuations could be taken into account. Without adequate baseline figures there is no way of the rate of change that would be caused by fracking .
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.11 1993 The paragraph outlines important issues, these will determined by industry and only looked at in the office of the agencies. The requirement appears to be the provision of information from industry and not on the ground monitoring by agencies.
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.11 1924 What happens if no mitigation is possible, beyond a level of 'inevitable and significant' harm?
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

P5.11 0408
015: Hydrocarbons

The paragraph outlines important issues, these will determined by industry and only looked at in the office of the agencies. The requirement appears to be the provision of information from industry and no on the ground monitoring by agencies.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

P5.12 0409
015: Hydrocarbons

Welcome that the concerns of local communities are acknowledged. The authority needs to recognise that other regulatory agencies are not accountable to local communities. There is scepticism about the 'robust assessments' which the policy refers to.

Industry seems to have the power as the instruments and agencies are not fit for purpose.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

P5.12 1377
015: Hydrocarbons

No specific requirement to make particular reference to unconventional hydrocarbons. The specific considerations are as relevant to conventional as they are unconventional.

Define wider public interest.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

P5.12 1925 'large quantities of gas' this is vague, define large and information about how it will be monitored.

015: Hydrocarbons

Sustainability Appraisal: 'outright minor negatives stemming from climate change objective' not so minor, since one of the justifications for exploiting shale gas is a reduction in GHG emissions compared with coal.

Agree with the problem of not minimising resources use, since PEDL requires developers to maximise the resource.

The policy need to be lined to DO2, DO3, D06, D09, D10, D01 and D12.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

P5.12 1994 Welcome that the concerns of local communities are acknowledged. The authority needs to recognise that other regulatory agencies are not accountable to local communities. There is scepticism about the 'robust assessments' which the policy refers to. Industry seems to have the power as the instruments and agencies are not fit for purpose.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

P5.12 1378 In addition to drilling, other well operations are subject to notification to the health and safety executive. The HSE should be consulted so ensure the wording reflects this.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

P5.12 1995
015: Hydrocarbons

The Environment Agency may have issued guidelines on the dispersal of contaminated waste water but they have underestimated the nature of the problem.
Concerned the contents of fracking fluids has not been listed in the Plan and industry are reluctant to reveal the contents. Evidence from elsewhere indicates that the waste water from fracking contains heavy metals, toxic chemicals and radio active materials. Industry should provide evidence relating to the contents of the waste water and how they intend to store and dispose of it before permission is granted. Reinjection is dangerous and negates the supposed benefits of fracking occurring only at great depth.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

631 Husthwaite Parish Council

S

P5.12 1721
015: Hydrocarbons

Concerned about the visual intrusion, noise, light, water and air pollution associated with fracking sites. Health risks should be mitigated and if there is any doubt the precautionary principle should be applied.
Shale gas sites should not be located close to settlements or within open countryside but with direct access to the primary road network and on brownfield sites or within enclosed landscape.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

680 Oulston Parish Meeting

DNS

P5.12 1609
015: Hydrocarbons

Concerned about visual intrusion, noise, light, water and air pollution associated with fracking sites. Health risks from dust should be mitigated and if there is any doubt the Precautionary Principle should apply. Shale gas extraction sites should not be located near settlements or within open countryside. They should be located with direct access to the primary road network and within enclosed landscapes or on brownfield sites.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

015: Hydrocarbons P5.12 1380 No specific requirement to make particular reference to unconventional hydrocarbons. The specific considerations are as relevant to conventional as they are unconventional.

Define wider public interest.

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

015: Hydrocarbons P5.12 1998 It seems weak to be taking the issues listed in the paragraph 'into account in considering proposals'. Public Health and Safety should be of paramount importance for the authorities.

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

756 Luttons Parish Council

S

015: Hydrocarbons P5.12 1771 Underground pipeline is definitely to be preferred but only if planned for and routed at the outset in the choice/approval of the development site.

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

015: Hydrocarbons P5.12 1999 Waste water from fracking will pose a big problem due to the volume and toxicity. Technology and facilities for dealing with this are not available yet and a location for a new facility has not been identified.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3689 Friends Of the Earth

DNS

015: Hydrocarbons P5.12 1703 The following data has not been utilised in regard to the expected lifetime of Fracking wells: The Annual Energy Review produced by the US Energy Information Administration; a UKOOG Report; and a Geology.com article.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3830

DNS

015: Hydrocarbons P5.12 1654 Include a management/monitoring plan for operations once the well has been sealed and for disused well sites, include identification of responsible bodies for disused or restored sites.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3830

DNS

015: Hydrocarbons P5.12 1656 Amend to include the text in BOLD:
...how the site will be restored to an appropriate after use INCLUDING ANY TRANSFER OF OWNERSHIP AND IDENTIFICATION OF BODIES LIABLE FOR AFTERCARE when operations cease....

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

P5.12 1381 Suggest including workovers and other well maintenance works which may have some degree of impact.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

P5.86 1355 It is inaccurate to state that there are 'conventional' and 'unconventional' drilling techniques. The construction of a well, by drilling and cementing of casing, is the same for targeting formations, which are characterised as conventional or unconventional, likewise the same is true of techniques for extracting hydrocarbons, it is the characterisation of the formation which determines this. Conventional formations are reservoirs where the hydrocarbons generated in the source rock migrate upwards until they cannot migrate further. Unconventional formations are those formations have all three elements source, seal and reservoir.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1111 The Coal Authority

S

P5.86 1183 Paragraphs 5.86 - 5.107

015: Hydrocarbons

Support the reference to conventional and unconventional hydrocarbons in the supporting text and the identification of PEDL licence areas in Figure 12

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.87 1356 This sentence states that there is no shale gas production in the area. It should state that there is no production of gas direct from shale in the area. Gas produced is generated in the shale but extracted from conventional reservoirs.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.90 1357 "By contrast, typical ground water levels go down to depths of around 400m." This statement has no factual basis. The statement should be linked to the definition of groundwater and the UK Technical Advisory Group on the Water Framework Directive (UK, TAG, 2011) where the maximum depth of groundwater bodies has been defined as 400m below ground level.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.90 0269 It appears that exploiting shale gas is safe and will not affect water quality, evidence from other countries suggests otherwise. It is also assumed that upward water seepage can never reach groundwater resources and aquifers cannot be damaged by vertical drilling and drill casing fractures, these assumptions are dangerous and more research is required when the risks are so great.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

P5.90 0334
015: Hydrocarbons

It appears that exploiting shale gas is safe and will not affect water quality, evidence from other countries suggests otherwise. It is also assumed that upward water seepage can never reach groundwater resources and aquifers cannot be damaged by vertical drilling and drill casing fractures, these assumptions are dangerous and more research is required when the risks are so great.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

P5.90 0205
015: Hydrocarbons

It appears that exploiting shale gas is safe and will not affect water quality, evidence from other countries suggests otherwise. It is also assumed that upward water seepage can never reach groundwater resources and aquifers cannot be damaged by vertical drilling and drill casing fractures, these assumptions are dangerous and more research is required when the risks are so great.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

P5.90 0395
015: Hydrocarbons

It appears that exploiting shale gas is safe and will not affect water quality, evidence from other countries suggests otherwise. It is also assumed that upward water seepage can never reach groundwater resources and aquifers cannot be damaged by vertical drilling and drill casing fractures, these assumptions are dangerous and more research is required when the risks are so great.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

P5.90 1979
015: Hydrocarbons

It appears that exploiting shale gas is safe and will not affect water quality, evidence from other countries suggests otherwise. It is also assumed that upward water seepage can never reach groundwater resources and aquifers cannot be damaged by vertical drilling and drill casing fractures, there is no evidence to support this so should not proceed due to the high risks involved.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

015: Hydrocarbons P5.91 1980 Research in Germany concluded that fracking was too risky in areas of water supply from aquifers and ground water. The only evidence the Plan relies on is a report that proves that shale exists across much of North Yorkshire, a more critical approach is needed.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

015: Hydrocarbons P5.91 0396 Research in Germany concluded that fracking was too risky in areas of water supply from aquifers and ground water. The only evidence the Plan relies on is a report that proves that shale exists across much of North Yorkshire, a more critical approach is needed.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

015: Hydrocarbons P5.91 0206 Research in Germany concluded that fracking was too risky in areas of water supply from aquifers and ground water. The only evidence the Plan relies on is a report that proves that shale exists across much of North Yorkshire, a more critical approach is needed.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

DNS

015: Hydrocarbons P5.91 0270 Research in Germany concluded that fracking was too risky in areas of water supply from aquifers and ground water. The only evidence the Plan relies on is a report that proves that shale exists across much of North Yorkshire, a more critical approach is needed.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

756 Luttons Parish Council

S

015: Hydrocarbons P5.91 1762 Figure 12 highlights that several licence blocks straddle the county border with East Riding of Yorkshire but there is no mention of this in the Plan of any policy linkage, other than the East Riding Spatial Plan. This renders the Wolds particularly vulnerable to disparities between the approach of the two authorities. The Wolds should be viewed as a unified area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

015: Hydrocarbons P5.91 0335 Research in Germany concluded that fracking was too risky in areas of water supply from aquifers and ground water. The only evidence the Plan relies on is a report that proves that shale exists across much of North Yorkshire, a more critical approach is needed.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

015: Hydrocarbons P5.91 1358 This paragraph states "The exploitation of shale gas in the UK involves relatively unfamiliar technologies...." Contest that the use of hydraulic fracturing is unfamiliar per se, as it is a technique used in the UK for exploration and production of oil and gas. It is agreed that the use of high volume hydraulic fracturing is somewhat unfamiliar but not to the industry. Reference to the KM8 application within the text should state that the application sought planning consent for appraisal and production.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

250 Igas Energy Plc

O

P5.91 1262 Figure 12 (page 82).

015: Hydrocarbons

This figure doesn't need to differentiate between the 14th round blocks offered for award and those subject to appropriate assessment. DECC announced in December 2015 that the award of each licence would not have an adverse effect on the integrity of the protected site.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3689 Friends Of the Earth

DNS

P5.92 1699

015: Hydrocarbons

With regard to the reference made to the Ministerial Written Statement of September 2015, clarification of this has been made stating 'The Policy represents the 'view' of the Government on shale oil and gas development'. Therefore, it does not displace local plan policies and holds less weight but is a material consideration. Legislation on climate change is a stronger duty in terms of plan-making.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

DNS

P5.92 0271

015: Hydrocarbons

The Plan needs to reconcile the dilution of the National planning laws which protect and enhance environments, communities and water quality.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.92 1763 The fact that exploration work can take place without planning permission exacerbates the vulnerability of the Wolds.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

P5.92 1981 The Plan needs to reconcile the dilution of the National planning laws which protect and enhance environments, communities and water quality.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

P5.92 0336 The Plan needs to reconcile the dilution of the National planning laws with protect and enhance environments, communities and water quality.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

P5.92 0397 The Plan needs to reconcile the dilution of the National planning laws which protect and enhance environments, communities and water quality.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

015: Hydrocarbons P5.92 0207 The Plan needs to reconcile the dilution of the National planning laws with protecting and enhancing environments, communities and water quality.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

015: Hydrocarbons P5.92 1909 It would be logical to require a minimum level of efficiency for gas use, these along with comparisons should be made public. If gas is to be used inefficiently the operations should not be allowed. An acceptable level should be identified and should take account of transport, concrete use and end use of gas and transmission of power and projected transmission losses. Hydrocarbon development is justified as being a stepping stone towards the transition to low carbon energy. If other high carbon fuels are not removed from the energy mix it will not achieve the governments desired results. New shale gas development should identify which high carbon fuels it will be replacing, when and where from.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2239 Yorkshire Water Services

DNS

015: Hydrocarbons P5.92 0535 It should be noted within this section that statutory water undertakers are now statutory consultees with respect to applications for hydraulic fracturing. This point is relevant to subsequent policies (M16, M17 and M18) regarding protection of public water supply and water/waste infrastructure.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

DNS

P5.93 1910
015: Hydrocarbons

The prohibition of work at depths less than 1200 under protected suggests that surface and deep activity are not connected. This is not the case and it is know that lateral wells leak more than vertical wells. What will the surface set back distance be for these protected areas? The visual impact could be significant and could greatly effect the tourism to the area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

P5.93 0208
015: Hydrocarbons

Evidence from other countries have concluded that fracking will in some cases lead to the irreversible, toxic contamination of the land under which it takes place. Depth of working does not necessarily make a difference.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

P5.93 0337
015: Hydrocarbons

Evidence from other countries have concluded that fracking will in some cases lead to the irreversible, toxic contamination of the land under which it takes place. Depth of working does not necessarily make a difference.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

DNS

P5.93 0272
015: Hydrocarbons

Evidence from other countries have concluded that fracking will in some cases lead to the irreversible, toxic contamination of the land under which it takes place. Depth of working does not necessarily make a difference.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.93 1764 The Wolds lie over a aquifer used for public water supplies through extraction at its southern edge as well as having boreholes for agricultural purposes. The Plan frequently mentions groundwater resources but does not indicate the significance or extent of this resource.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

015: Hydrocarbons P5.93 1982 Evidence from other countries have concluded that fracking will in some cases lead to the irreversible, toxic contamination of the land under which it takes place. Depth of working does not necessarily make a difference.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

015: Hydrocarbons P5.93 0398 Evidence from other countries have concluded that fracking will in some cases lead to the irreversible, toxic contamination of the land under which it takes place. Depth of working does not necessarily make a difference.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.94 1359 There is confusion between exploration drilling and hydraulic fracturing. There is no mention of well completion and/or well testing, which forms part of the exploration process and includes hydraulic fracturing. Both drilling and well completion/testing would fall within exploration and appraisal.
Production also need to include the maintenance of wells, which may involve workovers (well interventions).

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.94 0338 The 3 phases of fracking appear to offer some safeguards, but as the government seems likely to assume Planning powers from the local authority it is essential that the first phase is scrutinised thoroughly.

Key questions need to be put to the developers such as number of well heads expected, how many HGVS, how close will drilling go to aquifers and water sources, how will contaminated water be dealt with, how close to settlements will drilling take place, safety record of the developer and restoration proposals.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons P5.94 0273 The 3 phases of fracking appear to offer some safeguards, but as the government seems likely to assume Planning powers from the local authority it is essential that the first phase is scrutinised thoroughly. Key questions need to be put to the developers such as number of well heads expected, how many HGVS, how close will drilling go to aquifers and water sources, how will contaminated water be dealt with, how close to settlements will drilling take place, safety record of the developer and restoration proposals.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

P5.94 0399
015: Hydrocarbons

The 3 phases of fracking appear to offer some safeguards, but as the government seems likely to assume Planning powers from the local authority it is essential that the first phase is scrutinised thoroughly.

Key questions need to be put to the developers such as number of well heads expected, how many HGVS, how close will drilling go to aquifers and water sources, how will contaminated water be dealt with, how close to settlements will drilling take place, safety record of the developer and restoration proposals.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

P5.94 0209
015: Hydrocarbons

The 3 phases of fracking appear to offer some safeguards, but as the government seems likely to assume Planning powers from the local authority it is essential that the first phase is scrutinised thoroughly.

Key questions need to be put to the developers such as number of well heads expected, how many HGVS, how close will drilling go to aquifers and water sources, how will contaminated water be dealt with, how close to settlements will drilling take place, safety record of the developer and restoration proposals.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3704 Cuadrilla Resources Ltd

DNS

P5.94 1247
015: Hydrocarbons

This paragraph provides a good summary of the three main phases of onshore hydrocarbon extraction.

The three phases of course will require separate planning applications but it is considered important to emphasise the very different processes and impacts of the three phases. Only exploration and appraisal involve drilling rig and / or work over rig but only for limited time. If the final production phase is reached the visual impact of the above ground apparatus is minimal and the activity associated with production is low. It is considered that the addition of extra wording in paragraph 5.94 to reflect the very different process would be beneficial in the explanation.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.94 1984 The 3 phases of fracking appear to offer some safeguards, but as the government seems likely to assume Planning powers from the local authority it is essential that the first phase is scrutinised thoroughly.

015: Hydrocarbons

Key questions need to be put to the developers such as number of well heads expected, how many HGVS, how close will drilling go to aquifers and water sources, how will contaminated water be dealt with, how close to settlements will drilling take place, safety record of the developer and restoration proposals.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.94 1911 Dividing the process up and allowing planning permission to be sought for one stage at a time is a case of 'salami slicing'. It is disingenuous to grant permission for early stages of the process without taking the later stages into account. All applications should be considered within the 'grand-plan' of the aspirational number of wells eventually to be sought, if technically possible to exploit the gas. There would be tensions between economic recovery, maximising recovery of assets, impact on sensitive areas and the needs of tourism.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.97 1360 The wording within 5.97 states 'to seal and help prevent...' The word 'help' is not definitive. The purpose of the metal pipe (casing) is to prevent contamination. The description of hydraulic fracturing needs revising, it states the 'injecting the fracture with liquid' it is the fluid which is pressurised that creates the fractures.

015: Hydrocarbons

This sentence states that " Operators must demonstrate to the Environment Agency that all the chemicals used in the process are non-hazardous" this does not apply to other types of operations, where the hazardous fluids used are fully recovered or the reaction process within the formation changes the properties of the fluid from hazardous to non-hazardous. The words 'OF HYDRAULIC FRACTURING' should be inserted into this sentence (alter the word process and before non-hazardous).

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.97 1164 States 'although typically 98-99% of the liquid is water small quantities of chemicals are often added'. However as the quantities of water are very large the amount of chemicals added will be substantial.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.97 1912 All chemicals used should be disclosed to the public and it is essential that they should not be capable of causing harm to humans or wildlife which used individually or in combination. Industry should not be allowed to withhold information about the chemicals from the public. There isn't a clear regulatory framework established to ensure that drinking water is adequately protected from toxins- this needs to be set out in local policy of the MWJP.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2968 York Green Party

O

P5.97 1855
015: Hydrocarbons

'Contamination with groundwater' should read 'contamination OF groundwater'. There is insufficient detail within the policy of suitable sites for decontamination and treatment of fracking waste water. The waste water has to be adequately dealt with when considering proposals for hydraulic fracturing. The diagram also fails to indicate that the drilling is likely to pass through the aquifer to reach the shale gas.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

P5.98 0339
015: Hydrocarbons

Agree that the whole development must be considered at the outset and all fracking proposals will need an EIA.

Operators need to provide accurate details about the location of their well heads and how they will deal with possible contamination of the land and water sources. The Local Authority has a responsibility to ensure this is done.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

P5.98 1985
015: Hydrocarbons

Agree that the whole development must be considered at the outset and all fracking proposals will need an EIA.

Operators need to provide accurate details about the location of their well heads and how they will deal with possible contamination of the land and water sources. The Local Authority has a responsibility to ensure this is done.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.98 0210 Agree that the whole development must be considered at the outset and all fracking proposals will need an EIA.
015: Hydrocarbons

Operators need to provide accurate details about the location of their well heads and how they will deal with possible contamination of the land and water sources. The Local Authority has a responsibility to ensure this is done.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.98 1765 It is imperative that the initial application and its associated EIA take account of all aspects of the development throughout its working life in a holistic appraisal, including pipelines and roadways, otherwise an exploratory site can turn into a major production facility to the detriment of the surrounding environment.
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.98 0274 Agree that the whole development must be considered at the outset and all fracking proposals will need an EIA. Operators need to provide accurate details about the location of their well heads and how they will deal with possible contamination of the land and water sources. The Local Authority has a responsibility to ensure this is done.
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

P5.98 0400 Agree that the whole development must be considered at the outset and all fracking proposals will need an EIA.
015: Hydrocarbons

Operators need to provide accurate details about the location of their well heads and how they will deal with possible contamination of the land and water sources. The Local Authority has a responsibility to ensure this is done.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

015: Hydrocarbons

P5.99 0401 Community engagement is important when fracking operators are seeking to operate in the Plan area, communities should be involved and not just informed.

Community engagement has not been successful in other areas of the Country where fracking has been proposed.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

015: Hydrocarbons

P5.99 0340 Community engagement is important when fracking operators are seeking to operate in the Plan area, communities should be involved and not just informed.

Community engagement has not been successful in other areas of the Country where fracking has been proposed.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

015: Hydrocarbons

P5.99 1986 Community engagement is important when fracking operators are seeking to operate in the Plan area, communities should be involved and not just informed.

Community engagement has not been successful in other areas of the Country where fracking has been proposed.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

P5.99 0211 Community engagement is important when fracking operators are seeking to operate in the Plan area, communities should be involved and not just informed.
015: Hydrocarbons

Community engagement has not been successful in other areas of the Country where fracking has been proposed.

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

P5.99 1361 The industry body is now United Kingdom Onshore Oil and Gas.
015: Hydrocarbons

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

DNS

P5.99 0275 Concerned that communities are being 'bribed' to allow hydrocarbon extraction and the risks associated with it.
015: Hydrocarbons

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

Q04 1327 The plan needs to be updated to reflect the newly issued PEDL areas.

015: Hydrocarbons

Drilling for oil and gas is not permitted to take place in 'protected areas' in accordance with the Infrastructure Act and its associated regulations. Protected areas include Source Protection Zone 1 and ' within 50 metres of a point at the surface at which water is abstracted from underground strata and is used to supply water for domestic or food production purposes.'

Environment Agency issued Environmental Permits will be required where waste is produced as a result of mineral extraction. A permit will not be issued where an applicant is unable to demonstrate the proposed activities can take place without unacceptable impact on the environment.

Support the principle of capturing methane from mine workings to generate electricity. Whilst gas turbines produce Carbon Dioxide, methane is over 40 times more potent as an agent of climate change. Capturing methane for electricity generation reduces the climate impacts from fugitive methane emissions.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

- Q04 1833 The government statement of national need for energy is in conflict with the opposition to fracking. The Water Act 2015 allows drilling at a depth which will put groundwater at risk.
The Environment Agency map of fracking flow process needs to be included. Water waste and hazardous waste such as radioactive waste is not featured on the map or in the Plan, waste water from fracking is highly polluted. Operators should be fully accountable for anything produced by their activities such as pollution. New regulations for reporting and monitoring of wastewater wells will help to improve the understanding of the earthquake process. Faults in the rocks needs to be assessed to minimise the risk of earthquakes. There is no evidence that fracking is safe. Concerned about the safety of transporting fracking waste water. Communities require more protection from the impacts of pollution and hazards of industry. Concerned about the risk to groundwater and fresh water and increase in noise and pollution which could impact on health of residents. Legislation needs to be strengthened and aligning before fracking progresses. Clean air regulations should be referenced. The Water Act 2013 and 2015 does little to protect the public or the environment from over abstraction of water supplies, Fracking requires a large amount of water so the lack of regulation is a concern. The infrastructure Act 2015 prohibits drilling near groundwater, this needs to be made clear in the Plan, Paragraph 144 of the NPPF appears to ignore community needs in favour of fracking. There could be harm to amenity, National Park, AONBs and human health and safety. There is little reference to areas outside the Plan area boundary.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1519 York Outer MP

O

015: Hydrocarbons

- Q04 1102 On the issue of hydrocarbon development, exploration and processing, view remains that is essential that any new development has the support of the community and that every safety precaution should be taken.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3000

0

015: Hydrocarbons

Q04 2017 Object to fracking anywhere in the Plan area.
Should concentrate on renewable energy.

There are no regulations for fracking, the wells will need monitoring long term as will always be a risk of leaks. The County cannot cope with the increase in traffic or infrastructure required.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3836

0

015: Hydrocarbons

Q04 1840 Object to drilling for shale gas in Ryedale. Concerned about pollution caused by methane gas, aquifers being contaminated, noise pollution and increase in traffic transporting waste from the sites.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3837

0

015: Hydrocarbons

Q04 1841 Object to exploration fro and extraction of unconventional gas. Need to reduce reliance on fossil fuels, should look to use renewable energy instead.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3854

0

015: Hydrocarbons

Q04 2016 Object to fracking in Ryedale.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3848

O

015: Hydrocarbons

Q04 1961 Do not support fracking as will have adverse impact on quality of life due to increase in HGVs with associated pollution and congestion and climate change impacts. Tourism will be affected.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3847

O

015: Hydrocarbons

Q04 1960 Do not support fracking in North Yorkshire.
Concerned that toxic chemicals will be used which could lead to pollution of the aquifers. Need to make sure fracking does not occur in Groundwater Protection Zones.
There would be a risk of methane and toxins being released into the atmosphere.
Local residents will be disrupted by HGVs on the country roads.
Allowing fracking to take place under the National Parks, AONBs and SSSIs means there will be greater disruption and pollution for communities living adjacent to the protected areas.
Would be better to invest in renewable energy.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3852

O

015: Hydrocarbons

Q04 2019 Hydraulic fracturing is unsuitable for the Plan area. Although no operations will be allowed in protected areas they will be allowed on the edges and to drill underneath, this would lead to industrialisation. There would be impact on residents, the environment and tourism.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

015: Hydrocarbons

- Q04 1878 Object to fracking in North Yorkshire. Concerned residents will be exposed to the toxic chemicals used in the process and the risk to pollution of the aquifers. Nor assured of measures to prevent fracking in Groundwater Protection Zones. There will be a risk of methane escaping into the atmosphere. Disruption will be caused by the increase of HGVs on country roads. Allowing fracking to take place under National Parks, AONBs and SSSIs means there will be greater disruption and pollution for communities living next to these protected areas. It would be better to invest in renewable energy.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3846 Ryedale Liberal Party

015: Hydrocarbons

- Q05 1908 CYC and NYMNPA are required to monitor the progress and implementation relating to their areas of planning such as housing and employment development. Given that there are large areas of Ryedale covered by PEDL licences, and given that certain distances from sensitive receptors, such as housing and schools etc., how is it going to be possible for the authority to continue to maintain safe distances and continue to provide the housing and other services that are required?

In terms of the hydrocarbon policies no justification is given for three applications a year not complying with the stated policy as a trigger point for review. Policy should not be amended to accommodate infringements, enforcement should be stepped up.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

2132 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

A report by CPRE on the impact of unconventional hydrocarbon extraction identified that the development and production stages would have a negative (i.e. adverse) environmental effect. The MWJP fails to take account of the increasing cumulative impacts of expansion of the industry or provide adequate guidance on how this industry should develop. Climate change and sustainable development have not been considered by the MWJP.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para3, line 1 - This should be reworded to say 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBON DEVELOPMENTS are within...DESIGNATED AREAS DESCRIBED ABOVE...'

Para 3 line 1 – reword to ‘Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...’ to eliminate doubt.

Para 3 line 1 - Replace ‘National Park or AONBs’ with ‘DESIGNATED AREAS DESCRIBED ABOVE’, as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for ‘A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES’ around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording ‘Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.’ If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read ‘PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.’

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

1720 Pleased that the role and sensitivity of the areas in close proximity to the National Park and AONBs is recognised. More detailed guidance should be provided on the assessment of impacts and cumulative effects.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3821

O

M16

P5.10 1902 New planning regulations are needed for fracking as it is a very different technology to traditional mining, quarrying and drilling. DECC, EA and HSE do not have adequate staffing levels nor expertise to assess proposals and rely too much on evidence provided by drilling companies.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3821

S

M16

P5.10 1886 Substitute the word 'may' with 'will' in the first 3 sentences of this paragraph, to make it more assertive.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3821

O

M16

P5.11 1888

Cumulative impact is justification to reject any proposal for hydrocarbon development. With regard to fracking, every location is sensitive i.e. agriculture, residential, scenic, wildlife etc.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3821

O

M16

P5.86 1897

Hydrocarbon extraction is incompatible with mitigating climate change.

015: Hydrocarbons

Response to comment:

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3821

O

M16

P5.90 1898

It is irrelevant how much deeper shale gas is than ground water, since to reach the gas it will be necessary to drill through the aquifer, and the pipe will be a potential conduit by which groundwater can be contaminated.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3821

DNS

M16

P5.91 1899 Shale gas will not be 'an important new source of energy for the UK' as under international trade agreements it is not possible to ensure that gas extracted in Britain is used in Britain rather than being exported.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3821

O

M16

P5.93 1900 Contamination of land from fracking can happen regardless of the depth at which it takes place.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3821

DNS

M16

P5.99 1901 The term 'engagement' is an indeterminate phrase. Local communities should have the power to decide whether a fracking operation goes ahead as it would have negative impacts on noise, pollution and traffic disruption.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 0536

Support for the policy approach of resisting hydrocarbon development where it could adversely impact on "Ground Source Areas" most likely Source Protection Zone 1. This approach is in line with Government policy. Some additional information should be provided regarding the protection of water supply within the 'policy justification', in the same way that matters regarding to landscape and heritage protection are referenced.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2165 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would reduce the likelihood that properties will be able to receive insurance. It would also have negative effects on the environment and wildlife; health impacts; problems within one area would not be insulated from other areas; the local economy in terms of tourism; and, this activity would also leave a legacy that will remain when the operators finish.

The Plan has failed to take into consideration risks and collateral damage at the regional scale and has failed to consult residents. Fracking does not meet the standards of legal compliance as it transcends the geographical area in which it takes place via water contamination and undermining the reputation of the whole region. Public opinion overwhelmingly rejects fracking.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate

doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read 'PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2176 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Fracking may have negative effect on waterways such as the River Derwent, the quality of which has recently improved demonstrated by the return of North Atlantic Salmon, on the environment and other wildlife, primarily through water contamination and industrialisation of this unique habitat.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside;; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate

doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read 'PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2160 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would reduce the likelihood that properties will be able to receive insurance. It would also have negative effects on the environment and wildlife; health impacts; problems within one area would not be insulated from other areas; the local economy in terms of tourism; and, this activity would also leave a legacy that will remain when the operators finish.

The Plan has failed to take into consideration risks and collateral damage at the regional scale and has failed to consult residents. Fracking does not meet the standards of legal compliance as it transcends the geographical area in which it takes place via water contamination and undermining the reputation of the whole region. Public opinion overwhelmingly rejects fracking.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate

doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read 'PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

O

M16

Q04 1369

The policy is overly restrictive and negatively worded. Hydrocarbon development is not new within the plan area and, as stated in paragraph 5.108, existing wellsites have co-existed alongside other land uses in excess of twenty years. The need for national energy security is an important consideration yet this fails to be mentioned within the supporting text.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2154 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination of aquifers and waterways; health impacts; traffic problems and congestion from increased HGVs; noise, light and air pollution affecting the wildlife and the quality of life for local residents; industrialisation of the countryside; negative effects on the environment; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read 'PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3007

DNS

M16

Q04 2044

Can support the policy if paragraph 4 of the policy text has the additional text added

015: Hydrocarbons

'Particular regard will be had to protecting designated Green Belt from harm resulting from hydrocarbons development AND THAT ANY DEVELOPMENT HAS A FULLY DEFINED SITE AND LAND RESTORATION BOND (BASED ON USA/Australian experience of £1 MILLION PER WELL) IN ORDER TO RESTORE THE LAND TO ITS FULL PREVIOUS USE.'

A bond is required to ensure appropriate restoration occurs.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2148 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

The Plan should focus upon sustainable energy from renewable sources, not extracting fossil fuels that can contaminate water sources and negatively effect surface land and the health of people and animals.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

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doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read 'PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2142 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Fracking in Yorkshire could have serious health impacts. Gas containing Hydrogen Sulphide, which if flared off can attack the Central Nervous System, has been found in the Vale of Pickering. The expense to remove this is considerable and I do not believe the fracking industry will do this properly. Chemicals used in the drilling process such as benzene and formaldehyde, which are carcinogenic, would be dispersed through evaporation.

Unconventional gas development would also have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to ‘Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...’ to eliminate doubt.

Para 3 line 1 - Replace ‘National Park or AONBs’ with ‘DESIGNATED AREAS DESCRIBED ABOVE’, as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for ‘A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES’ around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording ‘Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.’ If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read ‘PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.’

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04

1641

Support the policy of not allowing unconventional hydrocarbon extraction from designated areas. However this needs to go further and include 'conventional' extraction as well, and extend the designated areas to the whole area under consideration.

Oppose the proposal that hydrocarbon extraction should be approved in other areas. All fossil hydrocarbon extraction should be stopped.

Hydrocarbon extraction has an impact on visual amenity, water use, waste water disposal issues, transport impacts, risk of aquifer/groundwater pollution, risk of surface water pollution and air pollution. Concerned about biodiversity impacts and impact on agricultural land as well as the landscape.

Paragraph 5 of the policy should include reference to climate change impacts.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04

2241

Object to all unconventional gas in the Plan area as could possibly be an increase in greenhouse gas emissions, water and air pollution, harm to biodiversity and landscape and increased levels of traffic.

015: Hydrocarbons

There should be no presumption in favour of sustainable development for hydrocarbon development as an assessment under the habitats regulations took place during the 14th licencing round which means paragraph 119 of the NPPF does not apply.

Support the part of the policy which states that unconventional hydrocarbon development will not be supported in designated or protected areas.

Welcome the inclusion of cumulative impacts of hydrocarbon developments as numerous gas wells will be created, however the policy does not include enough measures to mitigate the harm that would be caused by unconventional hydrocarbon development.

The Plan should include a buffer zone around European protected sites to protect wildlife.

Welcome the reference to the protection of sites important to biodiversity but the policy should also include wildlife corridors.

The policy should include a specific reference to air pollution, especially for unconventional hydrocarbon development. Applications for oil and gas wells and associated infrastructure should not be supported in AQMAs or near built up areas.

Hydrocarbon applications which would impact on climate change should not be permitted and they could contribute to climate change targets being missed.

The policy should consider not allowing hydrocarbon development in areas at risk of flooding due to risk of contamination from hazardous waste produced during fracking.

The policy should specifically mention issues of soil and water in terms of protecting the environment, impact from noise should also be included.

Applications for unconventional hydrocarbons should be supported by a transport assessment and a travel plan.

The precautionary principle should be incorporated into the policy.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2170 Object to the Policy.

015: Hydrocarbons

The assumption that the regulators will adequately police the industry is fundamentally flawed. Conventional oil extraction, now, by legal definition (Oxford dictionary) includes fracking activities up to 10,000 cubic meters of fracking fluid per well.

Support not allowing unconventional oil and gas, including hydraulic fracturing as per the Oxford Dictionary, development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate

doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read 'PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2120 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; and, jobs will be short term and taken by outside contractors.

The development of a shale gas industry would be contrary to climate change policy and lead to methane leaks which is a powerful GHG. The Plan should enact a strong environmental policy relating to climate change.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read 'PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2200 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy. Climate change is already an issue with flooding occurring more frequently.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as

SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for ‘A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES’ around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording ‘Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.’ If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read ‘PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.’

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2193 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term, small in number, transitory, of low quality (a view supported by the Defra Report published in May 2014) and taken by outside contractors.

Permitting fossil fuel extraction, particularly shale gas, is contrary to climate change policy including the recently agreements in Paris, and legal agreements to reduce GHGs. Methane leaks are a particular concern as this is a powerful GHG.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate

doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read 'PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.'

Response to comment:

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M16

Q04 0437 Do not support this in its current format.

015: Hydrocarbons

The third paragraph would be strengthened by including reference to the fact that proposals 'adjacent' to designations will be permitted only where it can be proved that there will be no detrimental impacts upon the setting of the designated sites. The list in the first paragraph should be repeated in this paragraph so all designations are covered. Alternatively the paragraphs should be merged which would also help the Plan achieve Objective 9.

The third paragraph should be reworded to include the words 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBON PROPOSALS are within...' for the avoidance of doubt.

The final paragraph should be strengthened to state that that 'cumulative impacts arising from other hydrocarbon development activity AND OTHER FORMS OF MINERALS AND WASTE ACTIVITIES, OR OTHER FORMS OF MAJOR DEVELOPMENT, WITHIN proximity to the proposed development...' in order to accurately predict the full impact of proposed development in order for authorities to be able to avoid the industrialisation of the rural landscape.

Applications should avoid areas regarded as having the best and most versatile agricultural quality land.

Response to comment:

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M16 Q04 2093 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

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Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as

SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for ‘A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES’ around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording ‘Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.’ If the current wording is retained then this should be rephrased so there is a default to refuse applications for fracking.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read ‘PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.’

Response to comment:

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M16 Q04 2088 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as

SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for ‘A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES’ around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording ‘Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.’ If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read ‘PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.’

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2125 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16 Q04 1271 Object to this Policy.

015: Hydrocarbons

The Environmental Audit Committee inquiry on the 'Environmental risks of fracking' in 2015 highlighted the continuing uncertainty about some of the environmental impacts of fracking, including the hydrogeological impacts. In its evidence the BGS stated 'the difficulty lies in the fact that below c.200m there is very little information and data on the hydrogeological properties and potential for movement of pollutants through rocks below this depth'. It was concluded that 'it is vital that the precautionary principle is applied'.

Given the lack of certainty, Policy M16 should be amended to make clear that proposals for development of unconventional hydrocarbons, including hydraulic fracturing, will not be supported where they are located in or under the National Park and the other areas listed. This will reduce the likelihood of the National Park suffering detrimental impacts as a result of the surface drilling taking place just outside its boundaries.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 0768 Support paragraph 1 of the policy.

015: Hydrocarbons

Do not support shale gas extraction in the UK as the regulatory framework for the industry does not provide sufficient protection for the natural environment. It will impact on the Government's ability to reach climate change targets.

Concerned the chemicals used in fracking will damage wildlife.

Support approach taken in paragraph 2 of the Policy to safeguard designated areas from adverse impacts from hydrocarbon development.

Therefore do not support the policy or its objective to support hydrocarbon development.

Do not support the policy in its current form as concerned about direct negative impacts on climate change and carbon emissions if the policy was implemented.

The policy is in conflict with the Plan objectives and policies to reduce carbon change impacts. The Plan does not go far enough to address the impact of the policies on climate change.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1174

DNS**M16**

Q04 1683 There is uncertainty surrounding fracking. The policy needs rewording to include all relevant cumulative impacts. The policy only takes account of the cumulative impacts of hydrocarbon development.

015: Hydrocarbons

The NPPF indicates that great weight should be given to conserving landscape and scenic beauty in National Parks and AONBs. With reference to visual, traffic and noise impacts the word 'conserve' is often misinterpreted, it means long term, so if something is short term and to the benefit of the nation and leaves no long term damage it could be permitted in these areas.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3542

O

M16

Q04 1105 Shouldn't frack anywhere (either inside or outside NPs or AONBs). Too dangerous in such a small country. Cannot say what environmental damage to structure of the land, water supply, wildlife habitats etc. Coal mining caused damage now its not profitable enough, want to introduce another treacherous, dirty industry.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3502

O

M16

Q04 2261 Object to the Policy.

015: Hydrocarbons

The reasons for this objection are as follows: Potential seismic activity; contamination of groundwater be it from well fractures or spillages on the surface; subsidence; reduction in ability to obtain home insurance; provision of compensation to local house and landowners; demand on water resources; reduced water pressure in the surrounding area; water courses will have reduced flow detrimental to local environment; treatment and safe disposal of waste water; cumulative impact from the number of well sites and the number of incidents; methane gas leakage (which is a powerful GHG) due to poor well design; well sites, processing and distribution plants, gas storage tanks and pipelines will be detrimental to the visual landscape and historic character of the area; negative impact upon quality of life of local residents; the large number of well sites required to extract 10% of the estimated resource; traffic problems; noise pollution, fragmentation and reduction of habitat will effect wildlife and biodiversity; negatively impact peoples right to the enjoyment of the countryside; the claim that fracking will reduce energy prices is questionable; any changes to the fundamental land rights to use of their property to accommodate gas extraction should be rejected; fracking underneath designated areas would be detrimental to the purpose of these areas.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2052 Object to the Policy.

015: Hydrocarbons

The reasons for this objection are as follows: Potential seismic activity; contamination of groundwater be it from well fractures or spillages on the surface; subsidence; reduction in ability to obtain home insurance; provision of compensation to local house and landowners; demand on water resources; reduced water pressure in the surrounding area; water courses will have reduced flow detrimental to local environment; treatment and safe disposal of waste water; cumulative impact from the number of well sites and the number of incidents; methane gas leakage (which is a powerful GHG) due to poor well design; well sites, processing and distribution plants, gas storage tanks and pipelines will be detrimental to the visual landscape and historic character of the area; negative impact upon quality of life of local residents; the large number of well sites required to extract 10% of the estimated resource; traffic problems; noise pollution, fragmentation and reduction of habitat will effect wildlife and biodiversity; negatively impact peoples right to the enjoyment of the countryside; the claim that fracking will reduce energy prices is questionable; any changes to the fundamental land rights to use of their property to accommodate gas extraction should be rejected; fracking underneath designated areas would be detrimental to the purpose of these areas.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1363 Thirsk and Malton MP

M16

Q04 0616 Support the Policy approach.

015: Hydrocarbons

The following needs to be in place: Independent supervision of regulations; Inspectors with experience and qualifications in well casing construction and integrity, and Environmental Impact (especially air and water pollution); No notice inspections; Defined minimum frequency of visits; A 'local plan' for fracking covering a five year rollout and detailed solutions for key concerns including traffic plans, minimum distance from settlements and schools, impacts on important parts of the economy, and visual impact on the countryside; Real-time, publicly available, environmental monitoring; Community financial benefits (estimated at between £5m - £10m per 10-well pad) directly going to the communities most affected; Long-term, secure investment, in subsidies to nurture renewable energy and Carbon, Capture and Storage.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2326

In the course of the last year there have been significant safeguards put in place by the Infrastructure Act with respect to protected areas such as AONBs, National Parks etc. The onshore oil and gas industry have an excellent record of working with the natural environment and communities in these areas. Example exist within and outside the region, in particular Wytch Farm in Dorset which is the largest oil field in Europe and is within an AONB and SSSI.

015: Hydrocarbons

Policy M16 does not follow the safeguards and proposed amendments are

- * The policy needs to distinguish between shale gas and other non-shale unconventional hydrocarbons. Proposals for surface development of well sites for non-hydraulic fracturing operations are permitted by legislation
- * The policy should make reference to the possibility that exceptional circumstances may apply where it can be demonstrated that the proposals for unconventional hydrocarbon development in National parks and AONBs are in the national interest and should reflect that underground horizontal drilling is permitted within these areas. Do not consider that hydraulic fracturing underneath protected areas comprises major development which should be refused except in exceptional circumstances. The nature of hydraulic fracturing beneath protected areas means that the effects of development below 1200 m will be minimal and have no material environmental impacts.
- * Policy should reflect that licence holders do not need to demonstrate options for undertaking development in non-designated areas before bringing forward proposals in designated areas, As part of the 14th round of licencing the Oil and Gas Authority has assessed the environmental impact of drilling within all protected areas falling within the Habitat Regulations. There is no requirement in granting the licences for operators to fully consider non-designated areas before bringing forward proposals in designated areas.
- * Policy should only include those designated areas covered by national policy and regulation.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16 Q04 0742 Support the policy in principle but not in its current form.

015: Hydrocarbons

The policy would be strengthened by inclusion of a reference in the first part of the policy to the fact that proposals ADJACENT TO European and nationally designated sites and listed buildings etc. will be permitted only where it can be proved that there will be no detrimental impacts upon the designations, instead of the just 'within'

The third paragraph should be reworded to include the words 'where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBON PROPOSALS are within....'

The final paragraph should also state that 'cumulative impacts arising from other hydrocarbon development activity AND OTHER MAN MADE ACTIVITIES WITHIN proximity to the proposed development...' in order to accurately predict the impact of proposed developments within the Plan area in order to prevent the industrialisation of the rural landscape.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16 Q04 2083 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as

SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for ‘A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES’ around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording ‘Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.’ If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read ‘PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.’

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2071 Object to the Policy.

015: Hydrocarbons

This approach sacrifices large areas to short-term profit, likely to leave long-term damage to the exceptional landscape. Unknown cumulative impacts do not provide confidence in the vague assurances given, which can shift. This policy should protect the environment, landscape and geology, which once damaged would be unlikely to recover.

This activity would damage the local economy, which is based upon tourism and agriculture, bringing short-term jobs for people outside the area, and the local environment through water contamination.

Fracking is not in line with national and international climate change policy, demonstrated by the recently agreed Paris Accord.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2216 Objects to the development of unconventional oil and gas in the rest of the plan area. Such development would contribute to climate change and other forms of renewable energy should be explored and developed. Concerned about methane leakage, industrialisation of the countryside; Impact upon tourism and agriculture; quality of life; contamination of aquifers and ground water, impact on wildlife. Cumulative impacts are inadequately considered and addressed.

015: Hydrocarbons

Para 2- the phrase 'in exceptional circumstances' should be deleted. It is clear that the national need would be over-riding factor here nullifying the protection offered by this policy. No purpose if served in para 2 and 3 for differentiating between the various designated areas and they are protected by On-shore Hydraulic fracturing (protected areas) Regulations 2015 offers the same level of protection.

'Licence' ; the Verb is 'to license'. So the current usage is 'licensed' not 'licenced'.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2114 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; would be contrary to climate change policy; and is unsustainable.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as

SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for ‘A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES’ around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording ‘Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.’ If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read ‘PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.’

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3219 Poppleton Junior Football Club

O

M16

Q04 0007

The use of hydrocarbons, including Fracking, should not be encouraged. Concerned about ground water contamination and earth tremors.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2077 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as

SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for ‘A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES’ around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording ‘Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.’ If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read ‘PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.’

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04

2048

Paragraph 1 of Policy wording - The list of Designated Areas should also specify all classes of Protected Groundwater Source Zones 1,2 and 3.

015: Hydrocarbons

Paragraph 2 of policy wording - this should be split into different paragraphs for conventional hydrocarbon development and unconventional hydrocarbon development as the latter requires more rigorous wording.

Paragraph 2 line 5 add '...before bringing forward proposals in OR UNDERNEATH designated areas.' to match and corroborate the previous reference.

Paragraph 2 line 7 Replace 'the National Park and AONBs' with 'THE DESIGNATED AREAS DESCRIBED ABOVE' for the sake of clarity and safeguarded inclusion.

Paragraph 2 line 8 - delete 'except in exceptional circumstances in accordance with Policy D04' as this muddles the issue and offers a 'get out clause' to developers.

Paragraph 3 line 3 - replace 'these designated areas.' with 'THE DESIGNATED AREAS DESCRIBED ABOVE.'

Paragraph 3 - should include a buffer or set back zone of at least 2 miles around designated areas to protect them from fracking sites, which would otherwise have an obvious damaging impact if placed just on their border.

Paragraph 4 - Oppose the position that unconventional hydrocarbon development outside designated areas should be supported as a default in the Plan, even if conditions are applied. Should distinguish between conventional and unconventional extraction. 'Proposals for conventional HYDROCARBONS DEVELOPMENT across the rest of the Plan area will be supported ONLY where it can be demonstrated....PROPOSALS FOR UNCONVENTIONAL HYDROCARBON DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.'

If current duelling is retained it needs to be phrased more robustly son the default is to refuse permission.

Paragraph 4 line 7 - add ' THE BEST AND MOST VERATILE LAND' as unavailable for hydrocarbon development to strengthen protection for this industry in the Plan area.

Paragraph 5 - change wording to 'PROPOSALS WILL NOT BE SUPPORTED UNLESS ITR CAN BE CLEARLY DEMONSTRAED THAT THERE WOULD BE NO UNACCEPATBLE CUMLATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND PROJECTS, INCLUDING ONES ALREADY IN PLACE, HAVE BEEN APPROVED OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM, AND including any impacts....' as this paragraph is less robust than it could be in its default position statement to prevent the industrialisation of the area, and appears to ignore other developments.

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter

3885

O

M16

Q04 2072 Object to the Policy.

015: Hydrocarbons

Opposed to the development of unconventional hydrocarbons across all the Plan area. This development would be detrimental to the landscape, local economy, particularly agriculture and tourism, water contamination, negative health impacts, traffic problems, noise, light and air pollution, industrialisation of the countryside, and an inability to insure properties.

Any potential flooding may also lead to the spreading of leaked chemicals, including low radioactive substances.

Fracking would also be detrimental to the internationally agreed objective of limiting climate change, due to the potential leaks of methane, a powerful GHG. There is no demand for shale gas extraction in the UK due to the lowering price of oil and gas and the urgent need to move to renewable energy.

The Policy does not provide information on how potentially suitable sites will be chosen, or how the anticipated scale of the industry (which will be year-on-year expansion) will be strategically approached, bearing in mind that well sites have limited life spans of 1-3 years and a large number of wells will be needed. This may lead to the Plan area becoming one of the largest onshore gas fields in Europe.

Although the Policy reflects national guidance it should also reflect the concerns raised by local people, which does not appear to be the case.

Suggested rewording of the Policy:

'ALL PLANNING APPLICATIONS FOR UNCONVENTIONAL GAS PRODUCTION, INCLUDING HYDRAULIC FRACTURING, WILL BE REJECTED.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3863

O

M16

Q04 2105 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3884

O

M16

Q04 2073 Object to the Policy.

015: Hydrocarbons

Am in agreement with the objection made to this Policy by Frack Free Ryedale.

Recent research published by the United States Geological Survey regarding the seismological impact of fracking (see full response for details) identifies 17 areas within 8 States with increased rates of induced seismicity. Several of these have experienced substantial - and statistically highly significant - increases in the number of earthquakes since 2009.

The paper demonstrates a clear association of the increased seismic activity with waste water re-injection in fracking wells. Consequences of this include: creates significant issues in performing a rigorous EIA of fracking applications; the process of waste water re-injection has been shown to be fundamentally unsound; and, even with detailed geological surveys and a ban on waste water re-injection there may still be risks of increased seismic activity, suggesting that an appropriate framework should be in place to ensure that any damage is fully compensated.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16 Q04 1701 Object to this Policy.

015: Hydrocarbons

The direction of the policy to prevent development from taking place in protected areas is supported. However, the policy support for conventional and unconventional hydrocarbon development where there are deemed to be no 'unacceptable impacts on the environment or local amenity' moves from the spatial consideration of the development and overlap with Policy M17. Other spatial restraints such as flood risk areas must be considered.

Suggested new wording: 'Proposals for unconventional hydrocarbon development will be CONSIDERED where it can be demonstrated BEYOND REASONABLE DOUBT that there would be no unacceptable impacts on the setting of heritage assets, including the historic City of York and where they are consistent with other relevant policies in the Plan'

Sustainability Appraisal Summary:

Object to the conclusions in the SA Summary. The SA fails to take on board the view of respected commentators including UNEP, the EU, and academic research on the negative impacts of unconventional hydrocarbons. A report on Energy agreed by the European Parliament states: we 'acknowledge the public concerns about hydraulic fracturing and the consequences this technology might entail for the climate, environment and public health and the achievement of the EU's long term decarbonisation goal; [we] recognise that the limited potential of unconventional fuels to help meet the EU's future energy demand, coupled with high investment and exploitation costs and the current low global oil prices, means it is questionable whether hydraulic fracturing can be a viable technology...; [we] believe that public concerns must be properly addressed and any hydraulic fracturing activities should comply with the highest climate, environmental and public health standards'. The SA needs to set out an evidence based response to the issues of climate, environment and public health, whilst reasonable alternatives must also take these into account. Minimum distances should also be considered.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2182 Object to the Policy.

015: Hydrocarbons

Do not support allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area. Studies have shown that many residents living close to fracking sites have been heavily impacted and their quality of life has been adversely affected.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read 'PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2771 Kent County Council

DNS

M16

Q04 0863

015: Hydrocarbons

The Plan's detailed coverage of the nature of unconventional hydrocarbons, their occurrence and the regulatory regimes governing their licensing and the environmental controls applicable to exploration, appraisal and exploitation are commendably detailed and informative. The Policy makes clear where proposals for unconventional hydrocarbon exploration in the designated highly sensitive locations will not be supported and states that all other potential options in undesignated areas need to be demonstrably exhausted before lateral exploration hydraulic fracturing can occur under the designated sensitive areas. This approach is in accordance with the NPPF.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 1834 Object to the Policy.

015: Hydrocarbons

Support the policy in general terms but areas of registered common land and other areas of public open access should not be considered for unconventional hydrocarbons. Areas for public recreation are as important as areas scheduled for their nature conservation.

Concerned that the area between the YDNP and Bowland AONB is particularly vulnerable as a base for exploration of the two protected areas to the north and south. The local roads in this area are unsuitable for HGVs.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 0847

This policy should be compliant with the approach outlined in the Onshore Hydraulic Fracturing (Protected Area) Regulations, this approach has been ratified in the Commons and will become legislation shortly.

015: Hydrocarbons

The next draft of the policy should either refer to the Regulations or the policy should be amended to fall in line with the approach.

Controls over surface development in designated areas require planning control, but minerals exploration or extraction at depth is unlikely to have significant effects on sensitive receptors either at or near the surface.

For land less than 1200m below a groundwater source area, the National Park, AONB or a World Heritage Site will be protected from hydraulic fracturing under the draft Regulations. The draft Regulations do not specifically refer to SSSIs. DECC is currently consulting on measures to restrict onshore Oil and Gas extraction in SSSIs through the licensing process, which should offer strong alternative control and an additional protection to important designations.

Including SSSIs in the policy is sensible, the rationale of avoiding direct impact through surface development, while allowing extraction at depth, is likely to preserve the integrity and functioning of a SSSI.

The policy includes a range of other designations which do not benefit from statutory or other control although it is appropriate that the same approach is applied given the nature of the designations currently included.

The policy requires a consideration of alternatives when extraction beneath the full list of designated areas proposed, this exceeds current national policy.

Whilst the NPPF supports this approach within the National Park and AONB it does not support this outside those designations. Applying this amount of control over development underneath the other designations does not seem warranted given the approach set out in the draft 'Protected Areas' Regulations.

Recognise importance of considering cumulative effects of development, as well as any indirect or setting impacts on the National Park or AONBs arising due to proximity and welcome the inclusion of these aspects of control in the policy. The policy should be restructured to

* Control surface development in the range of designations listed, with a specific cross reference to the definition of a protected groundwater source in the emerging Regulations.

* Accept sub-surface development at, or deeper than, 1200m below the listed designations.

* To cross reference policy D04 only in the case of surface developments in the National Park or AONB.

* To require consideration of cumulative effects and/or indirect effects on all of the designations listed and to require setting effect

assessment for heritage assets, the National Park or the AONBs.

The policy also refers to the need to protect Green Belt from harm arising from hydrocarbon development. The 'Protected Areas' Regulations states that mineral extraction in the Green Belt is not inappropriate development in the Green Belt provided the openness of the Green Belt is preserved and development does not conflict with the purposes of including land in the Green Belt. The policy should be clarified to reflect this.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

O

M16

Q04

0279

Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers. Are there criteria available to identify which areas would be acceptable for fracking?

☒

What is meant by 'unacceptable impacts', it is not just the Green Belt which is at risk but all land.

☒

Sustainability Appraisal - Every community is entitled to have its environment protected and the Council should ensure this is done.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

O

M16

Q04

1989

Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers. Are there criteria available to identify which areas would be acceptable for fracking?

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate does not have much meaning.

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

680 Oulston Parish Meeting

S

M16 Q04 1608 Support the Policy.

015: Hydrocarbons

Pleased by the recognition that areas in close proximity to National Parks and AONBs are sensitive. However, cumulative impacts should also be assessed using the Landscape Character Assessment to determine the ability of the landscape to accommodate drilling without detriment to its key characteristics.

Response to comment: *Noted*

3709 Harrogate Greenpeace

DNS

M16 Q04 0344 Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers.

015: Hydrocarbons

Are there criteria available to identify which areas would be acceptable for fracking?

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate' does not have much meaning.

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

Response to comment: *The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.*

3846 Ryedale Liberal Party

DNS

M16 Q04 1918 Problems with the burden of proof.

015: Hydrocarbons

Impacts will be unacceptable to whom? If is all harmless, as often stated by developers, there shouldn't be a problem to make sure a bond is provided for any future contamination/pollution problems.

Paragraph 5- there is no clear boundary for what constitutes cumulative effects.

The policy is too vague to be applied.

Fracking pads, with or without multiple wells should be no closer than 10 kilometres with a minimum stand off distance of 1.5km from habitations of two or more houses.

EIAs should be required for all shale/oil production proposals.

Response to comment: *The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.*

M16

Q04

1879

Agree that proposals to conduct hydraulic fracturing and other unconventional hydrocarbon extraction within the protected areas listed should not be supported.

Do not support the remainder of the proposed policy as proposals in close proximity to the National Park and AONBs must also not be supported, as allowing such development would be in direct conflict with the preservation of these areas. The impacts of hydraulic fracturing in particular extend well beyond the immediate location, and so will have a negative impact on the protected areas, their setting and special qualities.

The phrase 'special care' provides no indication as to how harmful effects might be avoided, and also provides no useful guidance. Some PEDL licences cover the National Park and AONBs, and fracking requires multiple wells at intervals of a few miles apart there is a risk that the protected areas will be surrounded by the well sites and associated infrastructure. To ensure the protected areas are not adversely impacted unconventional hydrocarbon development should not be permitted in a zone of several miles around the protected area itself.

The term 'unacceptable impacts' requires clarification.

The negative impacts of hydraulic fracturing include increased traffic levels, lowered air quality, noise and light pollution, residential and amenity impact, industrialisation of the countryside and adverse impact on local wildlife and agricultural land.

The policy should be altered so that all proposals for unconventional gas development are opposed by default rather than supported. Opinions of residents and businesses should be taken into account.

Cumulative impacts need to be taken into account, as this poses the greatest threat to the character of the Plan area, its high landscape value and health and well-being of residents.

How cumulative impacts can be minimised also needs to be considered.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 1263

015: Hydrocarbons

The wide ranging list of designations (paragraph 1 of the Policy) where unconventional hydrocarbon development is contrary to national planning policy and the national planning practice guidance, specifically paragraph 223 of the NPPG, paragraph 90 of the NPPF. Furthermore the policy goes on to restrict hydrocarbon development from beneath the listed designations, this is contrary to national policy which says hydraulic fracturing is not to be precluded beneath National Parks and AONBs. The restrictions applied by this policy are also contrary to the Infrastructure Act (2015) the Act does not seek to restrict hydraulic fracturing to the extent of environmental designations which is proposed under this policy.

When PEDL licences are granted the operator is bound to drill a minimum of two wells within the licence area, under the terms of the licence. it is important for the MWJP to facilitate the drilling of wells within the plan area. As it stands M16 is not considered 'sound'.

Suggests rewording the policy as follows:

" PROPOSALS FOR DEVELOPMENT OF UNCONVENTIONAL HYDROCARBONS, INCLUDING PROPOSALS INVOLVING HYDRAULIC FRACTURING, WILL NOT BE SUPPORTED WHERE THEY ARE LOCATED AT SURFACE LEVEL WITHIN THE NATIONAL PARK, AONBS AND WORLD HERITAGE SITES EXCEPT IN EXCEPTIONAL CIRCUMSTANCES AND WHERE IT CAN BE DEMONSTRATED THE PROPOSAL IS IN THE PUBLIC INTEREST.

PROPOSALS FOR CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS DEVELOPMENT UNDERNEATH THE NATIONAL PARK, AONBS AND WORLD HERITAGE SITES, AND ACROSS THE REST OF THE PLAN AREA WILL BE SUPPORTED WHERE IT CAN BE DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE IMPACTS, TAKING INTO ACCOUNT PROPOSED MITIGATION MEASURES, ON THE ENVIRONMENT OR ON LOCAL AMENITY OR ON THE SETTING OF HERITAGE ASSETS INCLUDING THE HISTORIC CITY OF YORK.

IN DETERMINING PROPOSALS, CONSIDERATION WILL BE GIVEN TO ANY CUMULATIVE IMPACTS ARISING FROM OTHER HYDROCARBON DEVELOPMENT ACTIVITY IN PROXIMITY TO THE PROPOSED DEVELOPMENT, INCLUDING ANY IMPACTS ARISING FROM SUCCESSIVE HYDROCARBON DEVELOPMENT TAKING PLACE OVER SUBSTANTIAL PERIODS OF TIME. PROPOSALS WILL BE SUPPORTED WHERE THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS."

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 0984

015: Hydrocarbons

The policy applies different criteria to proposals for conventional and unconventional hydrocarbons. The first paragraph states that proposals for unconventional hydrocarbons will not be supported where they are located within a number of specified protected areas. The policy needs to be revised in light of recent legislation. It needs to distinguish between shale gas proposals and non-shale unconventional hydrocarbons. Proposals for surface development of well sites for hydraulic fracturing for the production of shale gas in National Parks, AONBs and World Heritage sites are not permitted by legislation, so this does not need to be repeated in the policy, so policy text needs amending.

Planning Practice Guidance Paragraph 223 states that major development should not be allowed the National Parks or AONBs except in exceptional circumstances, it also states that where proposed development of for unconventional hydrocarbons would lead to substantial harm to or loss of a World Heritage Site, MPAs should refuse consent unless wholly exceptional circumstances apply. The draft policy makes no reference to the possibility that exceptional circumstances may apply where it can be demonstrated that the proposals for unconventional hydrocarbon development in National Parks and AONBs are in the national interest.

The policy appears to apply a blanket refusal to unconventional hydrocarbon development of any form within designated heritage assets, irrespective of whether any harm may be caused or whether there are wholly exceptional circumstances if there is total loss or substantial harm to the asset in question, this is contrary to national policy.

The Onshore Hydraulic Fracturing Regulations 2015 permits hydraulic fracturing taking place more than 1200m from the surface of National Parks, ANOBs, World Heritage Sites and SSSIs. It does not place a requirement for operators to demonstrate all options for undertaking development in other non-designated areas before bringing forward proposals in these specific designated areas. This draft policy conflicts with national policy, this draft policy is unduly onerous by extending designated areas to a range of other protected areas outside the protected areas defined in the regulations.

The Oil and Gas Authority assessed the environmental impact of all licence areas within protected areas. There is no requirement in granting the licences for operators to fully consider non-designated areas before bringing forward proposals in designated areas.

Hydraulic fracturing underneath protected areas should not be considered classed as major development. The fracturing will be below 1200m and will have no material environmental impacts.

The policy conflicts with policy D04 which permits major development in the North York Moors National Park and AONBs where there are exceptional circumstances and where development is in the public interest.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2841

DNS

M16

Q04

0033

Partly support the policy.

015: Hydrocarbons

Agree that hydrocarbon development should be excluded from the listed designated areas and support the restrictions detailed in the policy.

Unconventional hydrocarbon development should be excluded due to the effect on climate change, risks to water supply and agricultural land, but Government Policy will not allow this.

Support the paragraph about cumulative impact as this would prevent the countryside being overrun by fracking wells.

A link to Policy D12 should be included as recommended by the Sustainability Appraisal.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3841

O

M16

Q04

1873

Object to the Policy.

015: Hydrocarbons

Having visited a fracked area in the US feel that unconventional hydrocarbon extraction would be detrimental to existing industries of agriculture and tourism. Replacement jobs in the gas industry would be short term, specialist and not appropriate for those displaced. If this industry is encouraged North Yorkshire may become industrialised.

It is not indicated how fracking sites will be chosen, controlled nor how the area will cope with the anticipated scale of industry. To meet the MP's target to extract 10% of the shale reserves would require 33,000 well sites (Prof. Andy Alpin).

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

M16

Q04 0404 Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers.

015: Hydrocarbons

Are there criteria available to identify which areas would be acceptable for fracking?

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate' does not have much meaning.

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

128 Yorkshire Wildlife Trust

DNS

M16

Q04 1166 Support the first three paragraphs of the policy covering the extraction of hydrocarbons within protected areas.

015: Hydrocarbons

It is not clear how the authorities can judge what future cumulative impacts might result. There is a strong possibility that by giving permission for one or two shale gas applications the authority will be in the situation of having to give permission to many more applications than originally envisaged. The policy does not give confidence that industrialisation of parts of the Plan area can be prevented.

Cumulative impacts on human and animal health, and soil, water and air pollution will need to be considered. The policy needs to be strengthened as to how the authorities could assess cumulative impacts,

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

127 Harworth Estates (UK Coal Operations Ltd)

S

M16

Q04 1070 Generally supports the policy as it supports proposals for conventional and unconventional hydrocarbons developments outside of sensitive areas where it is demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3840

O

M16

Q04 1865 Need to develop clean greener energy using water/wind etc.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3821

S

M16

Q04 1887 Support the Policy.

015: Hydrocarbons

Support the 1st Para. Conventional hydrocarbon development should not be allowed within areas listed in the 1st Para.

Hydraulic fracking underneath designated areas will impact groundwater, noise, traffic movements and have visual impact close to the boundary, therefore it should be resisted.

In the 3rd Para, define 'special care'. Special care should be taken to protect the environment for all operations in any area.

Para 4 should state that Fracking proposals will not be supported because the activity has unacceptable impacts wherever it takes place. Rather than using the term 'Particular regard', replace this with 'hydrocarbon development will not be allowed on Green Belt'.

Para 5 implies that however destructive development will be it would be supported provided that no other development occurs in its proximity. Define 'proximity' as this term is vague.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3826

S

M16

Q04 1612 Support the exploration and extraction by conventional and unconventional means as conventional gas exploration and extraction has occurred for decade in the region. Fully support the industry and there is a strong regulatory and planning system in place which have worked so far. There has been much hype and scaremongering with the aim to stop the extraction of fossil fuels. There is no viable alternative and so need to extract hydrocarbons for the country's energy security. If well pads are screened they have proven not to be detrimental to the landscape and environment.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3827

O

M16

Q04 1634 Object to the Policy.

015: Hydrocarbons

Fracking will industrialise the landscape, as demonstrated in other countries, as set out in a Defra Report on the effect of fracking on rural communities and a report by the American Petroleum Institute.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

295 Northumbrian Water Ltd

S

M16

Q04 0620 Support for the policy approach of resisting hydrocarbon development where it could adversely impact on "Ground Source Areas" most likely Source Protection Zone 1. This approach is in line with Government policy. Some additional information should be provided regarding the protection of water supply within the 'policy justification', in the same way that matters regarding to landscape and heritage protection are referenced.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3838

O

M16

Q04 1862 Object to the Policy.

015: Hydrocarbons

The development of unconventional hydrocarbons would damage the countryside, tourism and the health of local residents.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 1838 Object to the Policy.

015: Hydrocarbons

Although hydraulic fracturing, as a source of hydrocarbons, requires consideration, object to its exploitation. This non-renewable resource should be conserved until renewable resources are fully engaged; Methane is a strong GHG; Fracking consumes large amounts of water (a single well consumes 25 million gallons of fresh water), the majority being lost to deep deposits. Water is an unvalued commodity and its waste should be seen as a debt placed on future generations.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3744 York Liberal Democrat Group

M16

Q04 1103 Opposed to fracking. Reasons include possible pollution of ground and surface water, use of water resources, air and environmental pollution, potential fro ground tremors as well as increased risk of flooding. Also concerned about noise and increased traffic movements.

015: Hydrocarbons

Believe that focus should be on renewables.

Recognise that national policy states that a 'no fracking policy' is not acceptable. Regret the limitations of local councils (and therefore local communities).

Oppose fracking underneath any of the designated areas referred to in policy M16 in all circumstances (not 'exceptional circumstances').

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16 Q04 1311 Do not support the drafted policies as negatively worded and too prescriptive

015: Hydrocarbons

The policy needs to be changed in light of secondary legislation and a distinction made between shale gas proposals and other non-shale unconventional hydrocarbons.

The Onshore Hydraulic Fracturing Regulations 2015 permits hydraulic fracturing taking place more than 1200m from the surface of National Parks, AONBs, World Heritage sites and SSSIs, there is no requirement in the granting of licences for operators to fully consider non-designated areas before bringing forward proposals in designated areas.

It is important that the Minerals Plan provides a supportive policy framework for unconventional gas in line with Government energy policies. Onshore hydrocarbons are potentially a long term source of indigenous gas. The Plan requires a policy to cover all the hydrocarbons that are potentially found in the area that could be extracted.

The Plan should address in a positive way the full range of onshore hydrocarbon extraction including, conventional onshore oil and gas development, extraction of petroleum or hydrocarbon oils and gases by drilling and pumping, capture of methane that has accumulated in mines and coal bed methane and gas derived from shale reservoirs.

It is important that the minerals Plan recognises the guidance contained in Minerals PPG and the importance of unworked coal seams And oil and shale reservoirs establishing a vision for the area for the next 10-15 years.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2188 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors and would result in a loss of agricultural and tourism based jobs; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. Ryedale is dependent upon B roads and smaller routes and increased traffic from fracking would cause noise, and obstructions on the roads. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read 'PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2210 Object to the Policy.

015: Hydrocarbons

Para 1: Support the proposed ban in designated areas.

Para 2-3: The Policy does not provide sufficient protection of valuable landscapes, and unconventional hydrocarbon exploitation should be banned under and adjacent to designated areas.

Para 4-5: Shale gas development would damage the landscape and seriously impair tourism, leisure and agriculture sectors. It would also lead to pollution, impacts upon health, unacceptable vehicle movements on unsuitable roads and contribute to climate change.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2220 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape, screening of infrastructure will be difficult; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy. There would be cumulative impacts from the number of fracking sites. It is not known how the Bowland Shale will react.

A precaution principle should be employed to ensure due diligence. Proactive monitoring should be employed. There are many agencies and authorities involved in the regulation of fracking and this is a concern in case it leads to regulatory gaps.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to ‘Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...’ to eliminate doubt.

Para 3 line 1 - Replace ‘National Park or AONBs’ with ‘DESIGNATED AREAS DESCRIBED ABOVE’, as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for ‘A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES’ around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording ‘Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.’ If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read ‘PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.’

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2109 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile

agricultural quality land to protect the agricultural industry.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3864

O

M16

Q04 2106 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3828

S

M16

Q04

1637

Support the policy as states that proposals involving hydraulic fracturing will not be supported in AONBs. Support that hydraulic fracturing underneath the National Park or AONBs will be considered to be major development and will be refused except in exceptional circumstances.
Further detail should be provided with regards to the lateral hydraulic fracturing and how applicants will need to demonstrate that all options for undertaking development in other, non designated, areas have been fully considered before bringing forward proposals in designated areas to ensure the process is sufficiently robust.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

O

M16

Q04

0278

Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers. Are there criteria available to identify which areas would be acceptable for fracking?.

015: Hydrocarbons

What is meant by 'unacceptable impacts', it is not just the Green Belt which is at risk but all land.

Sustainability Appraisal - Every community is entitled to have its environment protected and the Council should ensure this is done.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 1650

015: Hydrocarbons

The policy should include more direct regard to the open countryside and not just Green Belt. Many area of NY outside the National Park and AONBs have 'dark skies'. With the potential for many wells to be active at once there is potential for the quality of these 'dark skies' to be harmed through cumulative impacts, this is also true of 'rural tranquillity'.

Suggests rewording the policy as follows (new text in bold):

Where proposals are within or in close proximity to the National Park and AONBs special care must be taken to avoid harming the SPECIAL QUALITIES AND/OR SETTING FROM WITHIN AND WITHOUT these designated areas.

Proposals for conventional and unconventional hydrocarbons development across the rest of the Plan area will be supported where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures, on the environment, or on local amenity AND RESIDENTS WELLBEING, or on LANDSCAPE CHARACTER/QUALITY, OR EXPERIENTIAL ENJOYEMENT OF THE COUNTRYSIDE, OR the setting of heritage assets including the historic City of York and where they are consistent with the other relevant policies in the Plan.

In determining proposals, consideration will be given to any cumulative impacts arising from other hydrocarbon development activity in proximity to the proposed development AND FROM SEQUENTIALLY EXPERIENCED HYDROCARBON DEVELOPMENT ACROSS THE REGION, including any impacts arising from successive hydrocarbon development taking place over substantial periods of time. Proposals would be supported where there would be no unacceptable cumulative impacts.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

116 Ryedale District Council

DNS

M16

Q04 1141

015: Hydrocarbons

This policy could be improved by including reference to sensitive receptors within the penultimate paragraph and within the context of unacceptable impact.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 1315

Routing of pipelines may not always be able to achieve the least environmental or amenity impact, this will depend on other factors, notably access rights and landownership. Either 'AN ACCPTABLE' should replace 'the least' in criterion (ii) or criterion (iii) should be deleted.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16 Q04 2136 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture (and the reputation of the area for locally produced food and drink); water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; and, jobs will be short term and taken by outside contractors;

Of particular concern for the Malton and Norton area, which is vulnerable to flooding, would be the development of an industry, such as shale gas, that would contribute to climate change.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate

doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for 'A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES' around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording 'Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.' If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read 'PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3861

O

M16 Q04 2227 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Main concern is the potential impact on climate change if methane leaks into the atmosphere. The Shale Gas Task Force recommended that CCS was an essential component for developing the shale gas industry.

A precautionary approach should be taken when considering shale gas development.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3704 Cuadrilla Resources Ltd

O

M16 Q04 1234

015: Hydrocarbons

The draft national legislation relates to a ban on development, but not underground works, within National Parks. It doesn't make reference to other levels of designations. The policy should be reworded to comply with national legislation and not seek to provide an extra layer of protection for other designated land.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

113 Howardian Hills AONB

S

M16 Q04 0829 Strongly support preferred policy approach.

015: Hydrocarbons

Response to comment:

Noted

3857

O

M16

Q04 2038 Object to the Policy.

015: Hydrocarbons

The 3rd para. would be strengthened by the inclusion of the text: PROPOSALS FOR CONVENTIONAL AND UNCONVENTIONAL HYDROCARBON DEVELOPMENT WITHIN OR ADJACENT TO IMPORTANT EUROPEAN AND NATIONAL DESIGNATED SITES AND LISTED BUILDINGS WILL BE PERMITTED ONLY WHERE IT CAN BE PROVED THAT THERE WILL BE NO DETRIMENTAL IMPACTS UPON THE SETTING OF DESIGNATED SITES. The designations listed in 1st para. should be repeated for avoidance of doubt. Alternatively the paras could be merged.

The 5th para. Should read: '...cumulative impacts arising from other hydrocarbon development activity AND OTHER FORMS OF MAJOR DEVELOPMENT, WITHIN proximity to the proposed development' in order to accurately predict the impact of the proposed development on the rural landscape of the plan area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3855

O

M16

Q04 2024 Object to the Policy.

015: Hydrocarbons

All industrial development should be prevented in the Plan area. Industrialisation will destroy the rural peace, decimate livelihoods of local farms dependant upon agriculture and tourism, and be to the detriment of the local population, local jobs and wildlife.

Developing hydrocarbons is contrary to the Governments long-term strategy and investment should be directed to renewables, supporting the Paris Climate Accord.

In the event of fracking taking place, stringent rules should be applied: 1) All fracking to be immediately adjacent to A Roads; 2) All fracking to be at least 1 mile from the nearest house or school; 3) All fracking sites to be at least 6 miles apart.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3852

DNS

M16

Q04

2020

Ryedale now has a lot of PEDL licences in the area, concerned that operations will impact on the health and wellbeing of residents. There will be an increase in traffic and tourism will drop. Need to consider the possible impact on climate change and methane leaks. The location of well sites needs more consideration, they should not be near buildings and be close to the road. There would be an impact on wildlife and historic buildings. Need to ensure that there would be no contamination of floodwater from the chemicals used in fracking.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3851 Scarborough Climate Action Network (S.C.A.N)

DNS

M16

Q04

2015

Support the policy of not allowing the development of unconventional oil and gas production, including hydraulic fracturing, within the boundaries of designated areas as described in the policy. Oppose the development of unconventional hydrocarbons across the rest of the Plan area as would have a detrimental effect on the landscape and local economy. There would be a risk of water contamination, health impacts, increased traffic, noise light and air pollution and industrialisation of the countryside. Developing a shale gas industry will increase climate change. A new round of PEDL licences were issued in December 2015 which cover a large part of the Plan area, the Plan should take into account the possible cumulative impact of hydrocarbon development. More rules should be included about the locations of well sites and distances from buildings and ideally should be close to roads. The setting of the protected areas needs more consideration.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3850

O

M16

Q04 2018 Object to the Policy.

015: Hydrocarbons

Support not allowing development of unconventional oil and gas production within Designated Areas.

However, object to allowing unconventional hydrocarbons to be developed across the rest of the Plan area. The reasons for this are as follows: toxic chemicals put aquifers at risk of pollution; Controls need to ensure that fracking is not allowed in Groundwater Protection Zones; Houses within 5 miles of fracking sites will not be able to get insurance; Increased risk of methane pollution, a harmful GHG, and other toxic pollutants; Increased HGV traffic on inadequate roads; Noise and light pollution; Lack of jobs for local residents; Loss of local jobs in tourism and agriculture; Impacts from shale gas upon climate change commitments.

Allowing fracking underneath designated areas will lead to disruption and pollution for communities adjacent to these areas. Greater investment should be placed in renewable energy and the storage of excess energy.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

O

M16

Q04 0405 Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers.

015: Hydrocarbons

Are there criteria available to identify which areas would be acceptable for fracking?

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate' does not have much meaning.

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 2226 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

Kevin Hollinrake MP has proposed a number of requirements related to fracking, including: proposed developments should be at least 1 mile from the nearest property, home, school or water protection zone; each fracking site (including supporting infrastructure) should be 6 miles apart; all sites should be located adjacent to an A road. These should be minimum baseline restrictions if the industry is to develop.

Renewable energy sources such as wind, wave and solar should be maximised.

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

M16

Q04 0214 Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers.

015: Hydrocarbons

Are there criteria available to identify which areas would be acceptable for fracking?

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate' does not have much meaning.

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

O

M16

Q04 0343

Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers.

015: Hydrocarbons

Are there criteria available to identify which areas would be acceptable for fracking?

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate' does not have much meaning.

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

412 Barugh (Great & Little) Parish Council

DNS

M16

Q04 1870

Seek clarification on how the policy would be amended to incorporate the amendments made to the Infrastructure Act (Dec 2015) which means 'fracking ' could take place in the NP and ANOBs.

015: Hydrocarbons

The Vale of York is given particular mention but no mention has been given to the far reaching views over the Vale of Pickering. With this grant of PEDL Licences in this area this is something that should be given serious consideration.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16

Q04 1184

015: Hydrocarbons

The policy does not allow the principle of exploration, appraisal and production of conventional and unconventional hydrocarbons across the Plan area without encumbrance from National Park and AONB designations. One of the PEDL licences lies completely within the North York Moors National Park and therefore the policy potentially prejudices the implementation of activity in these areas.

Whilst there is some flexibility in the siting of surface plant for hydrocarbon extraction, this has to operate within the realms of operational requirements and commercial implications. Also some forms of hydrocarbon extraction can and does take place on a small-scale with minimal surface plant. Such activity need not be incompatible with National Park or AONB status.

Paragraph 116 of the NPPF sets out the general approach to be taken towards designated areas and any policy approach should take this into account along with paragraph 147.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16 Q04 2099 Object to the Policy.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Plan area.

Unconventional gas development would have an adverse impact upon: landscape; the local economy in terms of tourism and agriculture; water contamination; health impacts; traffic problems; noise, light and air pollution; industrialisation of the countryside; negative effects on the environment and wildlife; jobs will be short term and taken by outside contractors; and, would be contrary to climate change policy.

New PEDL licences were issued in December 2015, these cover a large part of the Plan area. Concerned about the development of a large number of sites and how suitable sites will be selected and if there will be a limit on numbers. The Plan area is not suitable for large scale development of fracking.

The policy does not consider the impact on residential, business communities and visitors in the list of criteria used to assess applications. There are no guidelines in the Plan to regarding where fracking sites would be allowed to be located. A minimum set back distance of at least 1 mile should be included with all fracking sites located close to A roads. The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas.

Suggested changes to the Policy wording is detailed below:

Paragraph 1 – designated areas should include all classes of Protected Groundwater Source Areas, i.e. Groundwater Source Protection Zones 1, 2 and 3.

Para 2 – Conventional hydrocarbon development in, and unconventional hydrocarbon development under designated areas should be dealt with separately as level of protection for the latter would be greater.

Para 2 line 5 – Change text to 'before bringing forward proposals in OR UNDERNEATH designated areas' to bring it in line with the rest of the paragraph.

Para 2 line 7 – Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE'. Fracking under other designated areas such as SSSIs, SACs etc. should also be considered to be major development.

Para 2 line 8 – Delete 'except in exceptional circumstances in accordance with Policy D04.'

Para 3 line 1 – reword to 'Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...' to eliminate doubt.

Para 3 line 1 - Replace 'National Park or AONBs' with 'DESIGNATED AREAS DESCRIBED ABOVE', as other protected areas such as

SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015. Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for ‘A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES’ around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording ‘Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.’ If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read ‘PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.’

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

385 Amotherby Parish Council

S

M16

Q04

1956

Support the preferred policy approach and would welcome inclusion of references to other policies as recommended in the sustainability appraisals for each policy.

015: Hydrocarbons

Response to comment:

Noted

734 Kirby Hill, Little Ouseburn & Thorpe Underwood Parish Council

S

M16

Q04

1714

There is a lack of knowledge around the subject. Concerned about fracking and potential problems with water supply, there is a potential to rush into fracking without sufficient heed for the potential for harm.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16 Q04 0709 Do not support the Preferred Policy approach.

015: Hydrocarbons

Fracking should not take place under National Parks/AONBs due to the uncertainties and risks shown to exist in areas where this has taken place (albeit outside the UK). In view of the intrusive nature of surface constructions and HGV traffic generated there should be a buffer zone around the National Park/AONBs. The setting of these designated landscapes is often key for tourism.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16 Q04 1746 It has been reported that there are supplies of shale gas in the underground rocks across much of the area. Shale gas could enhance the energy independence of the UK and contribute to local employment.

015: Hydrocarbons

There is uncertainty about the safety of fracking and concerns have been raised regarding possible pollution of water, low level seismic activity which can damage infrastructure and release of toxic chemicals into the environment. Also concern over construction of a large number of industrial well heads and increase in HGVs.

The concerns should be voiced to Central Government by the Authorities about their policy of allowing fracking in the areas which were exempt until the 14th round of licencing was finalised, public safety should be paramount.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16 Q04 2206 Object to any fracking in the area.

015: Hydrocarbons

Support not allowing unconventional oil and gas development in designated areas, but oppose allowing unconventional gas development across the rest of the Parish area.

Unconventional gas development would have an adverse impact upon: the local economy in terms of tourism and agriculture; the environment and wildlife and rural way of life. The policy should be strengthened to protect the environment, industry and community.

New PEDL licences were issued in December 2015, these pose a threat to the spread of fracking and this could lead to the industrialisation of the countryside.

The policy should consider the protection of the 'setting' of designated areas and of the areas and dwellings around fracking wells outside the designated areas. Fracking sites at the edge of these areas could have a negative impact on the area and public views.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

M16 Q04 0215 Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers.

015: Hydrocarbons

Are there criteria available to identify which areas would be acceptable for fracking?

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate' does not have much meaning.

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M16 Q4 0120 Support the intention not to support development of unconventional hydrocarbons where they are within one of the designated heritage assets of the AONB or National Park. The County has a high quality environment and it is essential that the assets which are seen as being of special importance are not harmed.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

DNS

M17 P5.11 0280 The policy M17 is strongly worded but clarification about some of the terms is required. What does 'appropriately mitigated' mean in practical terms, and what tools are required for a 'robust assessment'? The Environment Agency and HSE do not have any criteria to apply to the risks of fracking. DECC is prepared to over-rule difficult questions. What happens to a site in terms of restoration if the company has gone out of business as fracking seems to transfer from company to company more often than most businesses.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

M17 P5.11 0406 The policy M17 is strongly worded but clarification about some of the terms is required. What does 'appropriately mitigated' mean in practical terms, and what tools are required for a 'robust assessment'?

015: Hydrocarbons

The Environment Agency and HSE do not have any criteria to apply to the risks of fracking. DECC is prepared to over-rule difficult questions.

What happens to a site in terms of restoration if the company has gone out of business as fracking seems to transfer from company to company more often than most businesses.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 P5.11 0216 The policy M17 is strongly worded but clarification about some of the terms is required. What does 'appropriately mitigated' mean in practical terms, and what tools are required for a 'robust assessment'?

015: Hydrocarbons

The Environment Agency and HSE do not have any criteria to apply to the risks of fracking. DECC is prepared to over-rule difficult questions.

What happens to a site in terms of restoration if the company has gone out of business as fracking seems to transfer from company to company more often than most businesses.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 P5.11 0345 The policy M17 is strongly worded but clarification about some of the terms is required. What does 'appropriately mitigated' mean in practical terms, and what tools are required for a 'robust assessment'?

015: Hydrocarbons

The Environment Agency and HSE do not have any criteria to apply to the risks of fracking. DECC is prepared to over-rule difficult questions.

What happens to a site in terms of restoration if the company has gone out of business as fracking seems to transfer from company to company more often than most businesses.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

M17

P5.11 0346

The seismic consequences of fracking are not certain, horizontal drilling at depth can have dangerous consequences. The policy suggests not worrying about this at exploration stage, so will rely on the readings provided by the operators and trust they will be accurate.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

M17

P5.11 0217

The seismic consequences of fracking are not certain, horizontal drilling at depth can have dangerous consequences. The policy suggests not worrying about this at exploration stage, so will rely on the readings provided by the operators and trust they will be accurate.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3821

O

M17

P5.11 1890

How can it be guaranteed that seismic investigation evidence provided by fracking companies is reliable?

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

DNS

M17

P5.11 0281

The seismic consequences of fracking are now known following the exploration for unconventional hydrocarbon in Lancashire, two earthquakes were caused by this. The well at the site was 'compromised' as the casing was damaged. Evidence from the USA shows increased seismic activity around fracking sites and this should not be ignored.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

M17

P5.11 0407

The seismic consequences of fracking are not certain, horizontal drilling at depth can have dangerous consequences. The policy suggests not worrying about this at exploration stage, so will rely on the readings provided by the operators and trust they will be accurate.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3821

O

M17

P5.11 1891

How can it be guaranteed that geological structure, faulting information and potential for seismic event evidence provided by fracking companies is reliable?

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

M17

P5.11 0218

The paragraph outlines important issues, these will determined by industry and only looked at in the office of the agencies. The requirement appears to be the provision of information from industry and not on the ground monitoring by agencies.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

M17

P5.11 0347

The paragraph outlines important issues, these will determined by industry and only looked at in the office of the agencies. The requirement appears to be the provision of information from industry and no on the ground monitoring by agencies.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

DNS

M17

P5.11 0282

The paragraph outlines important issues, these will be determined by industry and only looked at in the office of the agencies. The requirement appears to be the provision of information from industry. The range of impacts should be looked at by an independent person or agency, not by the operators themselves.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

M17

P5.12 0219

Welcome that the concerns of local communities are acknowledged. The authority needs to recognise that other regulatory agencies are not accountable to local communities. There is scepticism about the 'robust assessments' which the policy refers to.

015: Hydrocarbons

Industry seems to have the power as the instruments and agencies are not fit for purpose.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

M17

P5.12 0348

Welcome that the concerns of local communities are acknowledged. The authority needs to recognise that other regulatory agencies are not accountable to local communities. There is scepticism about the 'robust assessments' which the policy refers to.

015: Hydrocarbons

Industry seems to have the power as the instruments and agencies are not fit for purpose

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

P5.12 0283

Welcome that the concerns of local communities are acknowledged. The authority needs to recognise that other regulatory agencies are not accountable to local communities.

015: Hydrocarbons

There is scepticism about the 'robust assessments' which the policy refers to industry seems to have the power as the instruments and agencies are not fit for purpose.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

M17

P5.12 0220

The Environment Agency may have issued guidelines on the dispersal of contaminated waste water but they have underestimated the nature of the problem.

015: Hydrocarbons

Concerned the contents of fracking fluids has not been listed in the Plan and industry are reluctant to reveal the contents. Evidence from elsewhere indicates that the waste water from fracking contains heavy metals, toxic chemicals and radio active materials.

Industry should provide evidence relating to the contents of the waste water and how they intend to store and dispose of it before permission is granted. ReInjection is dangerous and negates the supposed benefits of fracking occurring only at great depth.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

DNS

M17

P5.12 0284

The Environment Agency may have issued guidelines on the dispersal of contaminated waste water but they have underestimated the nature of the problem. Concerned the contents of fracking fluids has not been listed in the Plan and industry are reluctant to reveal the contents.

015: Hydrocarbons

Evidence from elsewhere indicates that the waste water from fracking contains heavy metals, toxic chemicals and radio active materials.

☒

Industry should provide evidence relating to the contents of the waste water and how they intend to store and dispose of it before permission is granted. Reinjection is dangerous and negates the supposed benefits of fracking occurring only at great depth.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

M17

P5.12 0349

The Environment Agency may have issued guidelines on the dispersal of contaminated waste water but they have underestimated the nature of the problem.

015: Hydrocarbons

Concerned the contents of fracking fluids has not been listed in the Plan and industry are reluctant to reveal the contents. Evidence from elsewhere indicates that the waste water from fracking contains heavy metals, toxic chemicals and radio active materials.

Industry should provide evidence relating to the contents of the waste water and how they intend to store and dispose of it before permission is granted. Reinjection is dangerous and negates the supposed benefits of fracking occurring only at great depth.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

M17

P5.12 0410

The Environment Agency may have issued guidelines on the dispersal of contaminated waste water but they have underestimated the nature of the problem.

015: Hydrocarbons

Concerned the contents of fracking fluids has not been listed in the Plan and industry are reluctant to reveal the contents. Evidence from elsewhere indicates that the waste water from fracking contains heavy metals, toxic chemicals and radio active materials.

Industry should provide evidence relating to the contents of the waste water and how they intend to store and dispose of it before permission is granted. ReInjection is dangerous and negates the supposed benefits of fracking occurring only at great depth.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

526 Edstone Parish Council

O

M17

Q04 2207

Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area. Local opinion should be taken into account.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

O

M17

Q04 0411 Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers.

015: Hydrocarbons

Are there criteria available to identify which areas would be acceptable for fracking?

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate' does not have much meaning.

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

Sustainability appraisal - the SA accepts there is uncertainty about the risks of fracking. The term 'minor negative effects' is not accurate based on evidence from other countries. This evidence should be considered by the authorities before policies are produced.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2981

O

M17

Q04 1642 Oppose this policy. Adverse impact on the environment cannot be mitigated if hydrocarbon extraction goes ahead, unless those materials are just buried somewhere else. The majority of the carbon extracted will end up in the atmosphere and public health and safety will be compromised.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 1996

Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers.

015: Hydrocarbons

Are there criteria available to identify which areas would be acceptable for fracking?

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate' does not have much meaning.

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

Sustainability appraisal - the SA accepts there is uncertainty about the risks of fracking. The term 'minor negative effects' is not accurate based on evidence from other countries. This evidence should be considered by the authorities before policies are produced.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

015: Hydrocarbons

Q04 2126 Para 3 line 1 – reword to ‘Where proposals for CONVENTIONAL AND UNCONVENTIONAL HYDROCARBONS are within...’ to eliminate doubt.

Para 3 line 1 - Replace ‘National Park or AONBs’ with ‘DESIGNATED AREAS DESCRIBED ABOVE’, as other protected areas such as SSSIs are given the same protection under the Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015.

Paragraph 3 – should include restrictions to prevent fracking wells from being located around the edge of designated protected areas to prevent adverse impact in terms of noise, light pollution, air quality and high levels of traffic. The Plan should include provision for ‘A BUFFER ZONE, OR SET BACK AREA, OF AT LEAST 2 MILES’ around designated protected areas where fracking will not be allowed.

Para 4 – Oppose the view that unconventional hydrocarbons should be supported as default. Propose alternative wording ‘Proposals for conventional hydrocarbon development across the rest of the plan area will be supported ONLY where it can be demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures ... PROPOSALS FOR UNCONVENTIONAL HYDROCARBONS DEVELOPMENT ACROSS THE REST OF THE PLAN AREA WILL NOT BE SUPPORTED.’ If the current wording is retained then this should be rephrased so there is a default to refuse applications for unconventional gas production.

Para 4 line 6 – Should be a stipulation that development should avoid areas regarded as having the best and most versatile agricultural quality land to protect the agricultural industry.

Para 5 – Cumulative impacts should include all industry not just hydrocarbon development. The final sentence of the paragraph should read ‘PROPOSALS WILL NOT BE SUPPORTED UNLESS IT CAN BE CLEARLY DEMONSTRATED THAT THERE WOULD BE NO UNACCEPTABLE CUMULATIVE IMPACTS ON THE LOCAL AREA, TAKING INTO ACCOUNT ALL OTHER INDUSTRIES, DEVELOPMENTS AND OTHER PROJECTS THAT ARE ALREADY IN PLACE, HAVE BEEN APPROVED, OR ARE CURRENTLY WITHIN THE PLANNING SYSTEM.’

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 2049

Paragraph 1 - recommend that the Plan should adopt a default stance against unconventional extraction anywhere in the Plan area. 'Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are UNEQUIVOCALLY in accordance with the overall spatial policy....'

015: Hydrocarbons

Paragraph 1 (i) - Remove the phrase 'so far as practicable' as is a get out clause for developers.

Paragraph 1 (iii) - This condition should include provision for COMPULSORY LONG-TERM MONITORING OF SEALED WELLS' as independent monitoring is essential for ongoing safety.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3703 INEOS Upstream Ltd

O

M17

Q04 1312

Do not support the drafted policies as negatively worded and too prescriptive

015: Hydrocarbons

The policy needs to be changed in light of secondary legislation and a distinction made between shale gas proposals and other non-shale unconventional hydrocarbons.

The Onshore Hydraulic Fracturing Regulations 2015 permits hydraulic fracturing taking place more than 1200m from the surface of National Parks, AONBs, World Heritage sites and SSSIs, there is no requirement in the granting of licences for operators to fully consider non-designated areas before bringing forward proposals in designated areas.

It is important that the Minerals Plan provides a supportive policy framework for unconventional gas in line with Government energy policies. Onshore hydrocarbons are potentially a long term source of indigenous gas. The Plan requires a policy to cover all the hydrocarbons that are potentially found in the area that could be extracted.

The Plan should address in a positive way the full range of onshore hydrocarbon extraction including, conventional onshore oil and gas development, extraction of petroleum or hydrocarbon oils and gases by drilling and pumping, capture of methane that has accumulated in mines and coal bed methane and gas derived from shale reservoirs.

It is important that the minerals Plan recognises the guidance contained in Minerals PPG and the importance of unworked coal seams And oil and shale reservoirs establishing a vision for the area for the next 10-15 years.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 0621 Particularly support part (ii) protection of ground water sources etc.

015: Hydrocarbons

Response to comment: *Noted*

3874

O

M17 Q04 2143 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment: *The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.*

3981 3895 - 3980, 2797, 2798, 2905, 2917, 3007, 3011, 3020, 3853

O

M17 Q04 2078 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2761

O

M17 Q04 1835 Object to the Policy.

015: Hydrocarbons

Support the policy in general terms but areas of registered common land and other areas of public open access should not be considered for unconventional hydrocarbons. Areas for public recreation are as important as areas scheduled for their nature conservation.

Concerned that the area between the YDNP and Bowland AONB is particularly vulnerable as a base for exploration of the two protected areas to the north and south. The local roads in this area are unsuitable for HGVs.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 0776 To date no health impact assessments have been presented to NHS Vale of York CCG. We would expect to be consulted in the event of any such assessment being carried out.
015: Hydrocarbons

Response to comment: *Noted*

3872

O

M17 Q04 2121 Object to the Policy.
015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment: *The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.*

M17

Q04 2149 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

The Plan should focus upon sustainable energy from renewable sources, not extracting fossil fuels that can contaminate water sources and negatively effect surface land and the health of people and animals.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 2110 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 1702 Object to the Policy.

015: Hydrocarbons

The Plan has failed to reference S19 of the PCPA 2004 and does not 'include policies....[which] contribute to the mitigation of, and adaptation to, climate change'. When coupled with the test of soundness that the Plan should be 'consistent with national policy' the Plan requires better consideration of climate change mitigation. The Policy should contribute to Objective 11 so that the Plan contributes overall to the mitigation of climate change.

The Policy wording does not reference GHGs which, along with water resource use and pollution, is an unavoidable impact of the activity. The need to reduce GHGs, in line with Para 93 of the NPPF, the Planning Act 2008, Climate Change Act and the Paris Accord, mean that this must be clearly referenced. Policy D11 in itself is not an adequate response to climate change mitigation as it is concerned with design rather than the nature of the activity.

Rationale needs to be given for excluding the consideration of GHG emissions from the extracted mineral itself, which appears to be opposed by the Secretary of State in the Chat Moss peat Works Appeal.

It would be more appropriate to divide conventional and unconventional hydrocarbons to acknowledge the particular risks and impacts of the later. The Water Framework Directive states 'Union policy on the environment shall be based on the precautionary principle' including unconventional hydrocarbons. The precautionary approach is supported by the NPPF, the NPPG (in relation to EIA), the 1992 Rio Declaration on the Environment and Development, and the Interdepartmental Liaison Group on Risk Assessment.

Underground Coal Gasification should not be contemplated given its GHG and pollution impact. It is recommended that EIA and Health Impact Assessments are required for unconventional fossil fuel proposals, in contrast to Para. 5.117. The term 'precautionary' should be used and the significance of the impacts should be stated as consideration for decision makers. The term 'other relevant policies in the Plan' in the Policy should be clarified.

Suggested new wording: 'Proposals for the exploration and appraisal of hydrocarbon resources will be CONSIDERED where they are ASSESSED to be in accordance with the overall spatial policy as set out in Policy M16....

- i) any unacceptable adverse impact on the environment, TRANSPORT, local amenity, and heritage assets is avoided or can be appropriately mitigated taking into account.....
- ii) a robust assessment has been carried out to demonstrate BEYOND REASONABLE DOUBT that there will be no harm to the quality and availability of ground surface water resources....
- iii) prevent the risk of any contamination of ground or surface waters or any emissions to air AND MEASURES FOR MONITORING ARE SECURED; and
- iv) THE development AS A WHOLE would be consistent with other relevant policies in the Plan, IN PARTICULAR THE NEED TO RADICALLY REDUCE GREENHOUSE GAS EMISSIONS.

Sustainability Appraisal Summary:

The SA has been inadequate, given the consideration of the climate change mitigation. In line with the SEA Directive to consider 'reasonable alternatives', the SA should assess the impact of hydrocarbon exploration in terms of the fuel extracted and not just the design considerations of the activity.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1112 RSPB North

O

M17
015: Hydrocarbons

Q04 0769

Do not support the policy in its current form as concerned about direct negative impacts on climate change and carbon emissions if the policy was implemented.

The policy is in conflict with the Plan objectives and policies to reduce carbon change impacts. The Plan does not go far enough to address the impact of the policies on climate change.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3829

O

M17
015: Hydrocarbons

Q04 1821

Object to fracking in North Yorkshire. The negative impacts outweigh any beneficial ones. Bio and eco systems and tourism will be adversely impacted. Health, welfare, peace and tranquillity will be affected. Enforcement data needs to be included. Existing hazards need to be pre-assessed and enforcement measures included. The Plan needs to be more rigorous to prevent legal challenges. Using expertise or recommendations from other countries who already have fracking would be advisable before progressing fracking further.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04

2242

Object to all unconventional gas in the Plan area as could possibly be an increase in greenhouse gas emissions, water and air pollution, harm to biodiversity and landscape and increased levels of traffic.

015: Hydrocarbons

There should be no presumption in favour of sustainable development for hydrocarbon development as an assessment under the habitats regulations took place during the 14th licencing round which means paragraph 119 of the NPPF does not apply.

The policy should include a specific reference to air pollution, especially for unconventional hydrocarbon development. Applications for oil and gas wells and associated infrastructure should not be supported in AQMAs or near built up areas.

Hydrocarbon applications which would impact on climate change should not be permitted and they could contribute to climate change targets being missed.

The policy should consider not allowing hydrocarbon development in areas at risk of flooding due to risk of contamination from hazardous waste produced during fracking.

The policy should specifically mention issues of soil pollution in terms of protecting the environment, impact from noise should also be included.

Applications for unconventional hydrocarbons should be supported by a transport assessment and a travel plan.

The precautionary principle should be incorporated into the policy.

This policy should require that an Environmental Impact Assessment is carried out for unconventional hydrocarbon developments so high levels of environmental protection are maintained, this will support the precautionary principle.

The policy should state that any development that would give rise to unacceptable impacts due to flaring or venting of natural gas would not be supported.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 2021

The policy does not do enough to protect the countryside from fracking apart from the areas already mentioned. Concerned the process would impact on the local residents.

015: Hydrocarbons

The policy should detail the local amenities which could potentially suffer including noise levels, air quality, local environment, wildlife and residents.

Need to include stringent provision for long term monitoring of abandoned wells by the license holders.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2173 CPRE (North Yorkshire Region)

DNS

M17

Q04 0743

The policy reflects national guidance.

015: Hydrocarbons

Although the MPA is advised by the Environment Agency and other statutory bodies this does not guarantee that the fracking process will be safe as it is unpredictable. Concerned that several licence holders will come forward at the same time and cause a cumulative impact in the Plan area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 2183 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur. If a well is repeatedly fracked then the integrity of the pipes are more likely to be compromised and leaks may occur. Monitoring is essential.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2239 Yorkshire Water Services

S

M17

Q04 0537 Particularly support part (ii) protection of ground water sources etc.

015: Hydrocarbons

Response to comment:

Noted

M17 Q04 2133 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur. A monitoring regime must be proposed and implemented and be overseen by independent scrutiny. National Policy emphasis is on renewable energy source, clearly hydrocarbon development is not renewable and developments of this type are not in line with the UK commitments to climate change.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3843

O

M17

Q04

1880

The term 'unacceptable adverse impacts' requires clarification. The SA notes 'residual effects which are difficult to avoid or mitigate will remain' these are likely to be unacceptable impacts.
Will be hard to prove that no harm to the environment or public health and safety will occur. Evidence is emerging which proves the risks.
The Plan should oppose unconventional gas development in the Plan area and the policy altered to reflect this.
The phrase 'as far as practicable' should be deleted., as this allows activities to take place without mitigation.
The SA states that this policy contradicts Objective 11, in that the exploitation of hydrocarbon resources is the major cause of climate change, leading to the environment, public health and the economy being harmed.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3866

O

M17

Q04

2221

Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to 'Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....'

Para 1 point (i) – Remove 'so far as practicable' in line 2 as is a 'get out' clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term 'local amenity' needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 2100 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 0221 Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers.
015: Hydrocarbons

Are there criteria available to identify which areas would be acceptable for fracking?

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate' does not have much meaning.

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

Sustainability appraisal - the SA accepts there is uncertainty about the risks of fracking. The term 'minor negative effects' is not accurate based on evidence from other countries. This evidence should be considered by the authorities before policies are produced.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2841

DNS

M17 Q04 0034 'or can be appropriately mitigated so far as practicable taking into account the geological target being explored or appraised' should be removed from Paragraph I, as it could remove protection in some cases.
015: Hydrocarbons

Should follow recommendations of Sustainability Appraisal and have better links to Policy D11.

Agree with the Sustainability Appraisal regarding fugitive methane and CO2 emissions from traffic.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3867

O

M17

Q04 2211 Object to the Policy.

015: Hydrocarbons

This section needs revising in line with the requested amendments to Policy M16.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3868

O

M17

Q04 2189 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3841

O

M17

Q04 1874 Object to the Policy.

015: Hydrocarbons

The following criteria, which would be required as opposed to 'where possible', should be set: Minimum 1 mile (2 mile preferred) distance of fracking sites to residential dwellings, schools and hospitals; 6 mile distance between each fracking site/related activity; Fracking sites to be within 0.5 mile of an A road; Ban fracking traffic through centre of villages; Ban fracking near protected drinking water zones (set by water companies); Cumulative impact of fracking sites taken in account; Requirement for Economic Impact Assessments to accompany planning applications.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

412 Barugh (Great & Little) Parish Council

DNS

M17

Q04 1871 Given the Government changes in planning, such as not requiring permission for seismic testing, testing for gas and drilling of boreholes, the relevance of many sub-parts of the policy justification is questioned.

015: Hydrocarbons

In addition, with the proposed changes to Environmental Permitting and the Environment Agency, how does the lack of public consultation and consultation with other outside regulatory bodies sit with the JWMP? Current Planning law means NYCC will assume all monitoring and regulation is being adhered to but with the changes, how can this be policed in the JMWP?

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3838

O

M17

Q04 1863 Object to the Policy.

015: Hydrocarbons

Unconventional oil and gas will be damaging to the countryside, health of local residents and the local economy.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 2137 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 1235 Concerned about part ii- The joint plan concerns matters relating to the development of land and should be advised by the technical expertise of parallel assessments. A Planning application should not be delayed by other permitting schemes outside the remit of the MPA.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 1370 The preferred policy approach is supported.

015: Hydrocarbons

Bullet point iii is unclear- what does the sealing of the well related to? Does it mean decommissioning? During construction the well is sealed at various stages with casing and cement. Following exploration and/or appraisal that well may go into production. Only when production has ceased will the well be decommissioned.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3007

DNS

M17 Q04 2035 Will support the policy if following text added to paragraph 5.119 of justification

015: Hydrocarbons

'...When determining applications for the testing of unconventional hydrocarbon resources additional details will also be required on the geographical structure, including faulting information and the potential for seismic events TAKING INTO CONSIDERATION THAT THESE EVENTS DO NOT NECESSARILY OCCUR IMMEDIATELY BUT DEVELOP OVER TIME AND THAT THE PRECAUTIONARY PRINCIPLE SHOULD APPLY IN MAKING ANY DETERMINATION.'

In other countries seismic events only appeared after repeated fracking and water reinjection, so needs to be included in the justification.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3364

DNS

M17 Q04 2217 The use of the word 'unacceptable' is inappropriate as this meaning of this differs and what might be acceptable to some may not be to others.

015: Hydrocarbons

The term 'so far as practicable' is meaningless when the extent of the potential damage is unknown.
'Robust assessment' is vague as it can only address, at best, the known risks.

Paragraph iii) requires wells to be sealed. This provides a false assurance of safety as seismic events triggered elsewhere can affect the integrity of the well, whether sealed or not. Sealed well would require monitoring in perpetuity.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17
015: Hydrocarbons

Q04 1922

In distinguishing the three phases in local policy it should be made very clear that explorative activities will not necessarily lead to permission for production.

Bullet point 2- need to be made clear about what is required as part of the 'robust assessment' this is likely to be done by computer modelling by operators. All modelling should be carried out by a fully independent intermediary and information requests and discussions should be accompanied by an independent regulator.

If permission is granted for production would drilling take place in the existing well?

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3884

O

M17
015: Hydrocarbons

Q04 2074

Object to the Policy.

I am in agreement with the objection made to this Policy by Frack Free Ryedale.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3840

O

M17
015: Hydrocarbons

Q04 1866

Need to develop clean greener energy using water/wind etc.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 2292

It has been reported that there are supplies of shale gas in the underground rocks across much of the area. Shale gas could enhance the energy independence of the UK and contribute to local employment.

There is uncertainty about the safety of fracking and concerns have been raised regarding possible pollution of water, low level seismic activity which can damage infrastructure and release of toxic chemicals into the environment. Also concern over construction of a large number of industrial well heads and increase in HGVs.

The concerns should be voiced to Central Government by the Authorities about their policy of allowing fracking in the areas which were exempt until the 14th round of licencing was finalised, public safety should be paramount.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3871

O

M17

Q04 2194

Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 0710 Do not support the Preferred Policy approach.

015: Hydrocarbons

Operators of sites identified for exploration/appraisal should indicate how and where gas will be transported, and whether there is an intention to process gas on the same site as the exploration/appraisal site.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 1653 Amend i) (new text in bold):

015: Hydrocarbons

'any unacceptable adverse impacts on the environment , local amenity, RESIDENTS WELL BEING, heritage assets, LANDSCAPE CHARACTER AND/OR QUALITY, OR EXPERIENTIAL ENJOYMENT OF THE COUNTRYSIDE is avoided or can be appropriately mitigated so far as practicable taking into account the geological target being explored or appraised; and'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 1185 Support the inclusion of a policy which identifies and clarifies the requirements of the main phases of hydrocarbon development as required by national policy.

015: Hydrocarbons

Response to comment:

Noted

M17 Q04 2262 Object to the Policy.

015: Hydrocarbons

The reasons for this objection are as follows: Potential seismic activity; contamination of groundwater be it from well fractures or spillages on the surface; subsidence; reduction in ability to obtain home insurance; provision of compensation to local house and landowners; demand on water resources; reduced water pressure in the surrounding area; water courses will have reduced flow detrimental to local environment; treatment and safe disposal of waste water; cumulative impact from the number of well sites and the number of incidents; methane gas leakage (which is a powerful GHG) due to poor well design; well sites, processing and distribution plants, gas storage tanks and pipelines will be detrimental to the visual landscape and historic character of the area; negative impact upon quality of life of local residents; the large number of well sites required to extract 10% of the estimated resource; traffic problems; noise pollution, fragmentation and reduction of habitat will effect wildlife and biodiversity; negatively impact peoples right to the enjoyment of the countryside; the claim that fracking will reduce energy prices is questionable; any changes to the fundamental land rights to use of their property to accommodate gas extraction should be rejected; fracking underneath designated areas would be detrimental to the purpose of these areas.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2771 Kent County Council

S

M17 Q04 0864 Support this Policy.

015: Hydrocarbons

The Policy's approach retains planning control of the assessment of the environmental impacts of such activities.

Response to comment:

Noted

M17

Q04 2039 Object to the Policy.

015: Hydrocarbons

Concerned that the highly developed spatial plans of elements such as waste, gravel and clay extraction is not replicated for the hydrocarbon industry. How will applications for fracking be determined, what are the potential suitable sites and what is the scale of the industry? Policy M16 suggests that anywhere outside of a designated area is suitable raising concerns that North Yorkshire could become one of the largest onshore gas fields in Europe.

There appears to be little consideration in the criteria to assess fracking applications for impact upon residential, business or tourism. The term 'local amenity' should be better described.

Concerned about the extent to which fracking is being backed by Government, the potential environmental impacts, the unpredictability of incidents such as contamination of water supply or seismic events, and the lack of safeguards for the public.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 2089 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 1264 This policy sets out a robust assessment to demonstrate there will be no harm to a robust assessment to demonstrate there will be no harm to the quality and availability of ground and surface waters, ground stability and public health and safety considerations, as well as well integrity. It is important that this policy is not used to control matters which are controlled by other regulatory regimes. Paragraph 12 of the National Planning practice Guidance on minerals is explicit in that it is not the role of planning regime to control matters under the control of other regulatory regimes.

015: Hydrocarbons

It is also important for Policy M17 to recognise that wells may be required to remain suspended (or shut in) whilst allowing for consideration with other wells and activity for hydrocarbon development, where other development may take place in the same area.

It is suggested that the following wording be added to the end of criterion ii) and iii) " where this is not controlled by other regulatory regimes;" in addition criterion iii) should be reworded to say "and / or appraisal wells THAT ARE NOT TO BE RETAINED FOR FURTHER HYDROCARBON DEVELOPMENT are sealed...."

It is also suggested that an additional criterion be added as follows " WHERE WELLS ARE TO BE RETAINED FOR FURTHER HYDROCARBON DEVELOPMENT, THAT MEASURES ARE PUT IN PLACE TO PREVENT CONTAMINATION OF GROUND AND SURFACE WATERS AND EMISSIONS TO AIR, WHERE THIS IS NOT CONTROLLED BY OTHER REGULATORY REGIMES."

it is not necessary to refer to developments complying with Policy M16 and other relevant policies in the MWJP, as any development will have to be considered against all relevant policies in the plan. This can be applied across other policies in the Plan where other policies do not need to be cross referenced.

As this policy progresses it is important to take account of the Governments proposals to amend permitted development rights for exploratory boreholes.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1174

S

M17 Q04 1684 Support this policy.

015: Hydrocarbons

Response to comment:

Noted

M17

Q04 2177 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3501

O

M17

Q04 2053 Object to the Policy.

015: Hydrocarbons

The reasons for this objection are as follows: Potential seismic activity; contamination of groundwater be it from well fractures or spillages on the surface; subsidence; reduction in ability to obtain home insurance; provision of compensation to local house and landowners; demand on water resources; reduced water pressure in the surrounding area; water courses will have reduced flow detrimental to local environment; treatment and safe disposal of waste water; cumulative impact from the number of well sites and the number of incidents; methane gas leakage (which is a powerful GHG) due to poor well design; well sites, processing and distribution plants, gas storage tanks and pipelines will be detrimental to the visual landscape and historic character of the area; negative impact upon quality of life of local residents; the large number of well sites required to extract 10% of the estimated resource; traffic problems; noise pollution, fragmentation and reduction of habitat will effect wildlife and biodiversity; negatively impact peoples right to the enjoyment of the countryside; the claim that fracking will reduce energy prices is questionable; any changes to the fundamental land rights to use of their property to accommodate gas extraction should be rejected; fracking underneath designated areas would be detrimental to the purpose of these areas.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

113 Howardian Hills AONB

S

M17

Q04 0830 Support preferred policy approach.

015: Hydrocarbons

Response to comment:

Noted

3542

O

M17

Q04 1106 Shouldn't frack anywhere (either inside or outside NPs or AONBs).

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 2166 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3684 Frack free Ryedale

O

M17

Q04 0438

The approach to hydrocarbons policy has not been the same as for other minerals. Potential suitable sites have not been identified nor the expected scale of the industry. Evidence from British Geological Survey that the Bowland Shale is prospective throughout Ryedale and adjoining areas in the Plan.

015: Hydrocarbons

Policy M17 points to M16 which generally states that anywhere is suitable provided it is not located on top of a listed designated area. North Yorkshire could potentially become one of the largest onshore gas fields in Europe.

Concerned that the policy does not offer enough environmental protection, fracking is volatile and even when using industry best practice and high standards of British environmental regulation there is still a risk of an accident.

The Government supports fracking and there are concerns that several license holders could apply to explore for unconventional hydrocarbons anywhere in the large area covered by PEDL licences as no specific sites have been identified.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

127 Harworth Estates (UK Coal Operations Ltd)

S

M17

Q04 1100

Generally supports the policy as it supports proposals for conventional and unconventional hydrocarbons developments outside of sensitive areas where it is demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation.

015: Hydrocarbons

Response to comment:

Noted

385 Amotherby Parish Council

S

M17

Q04 1957

Support the preferred policy approach and would welcome inclusion of references to other policies as recommended in the sustainability appraisals for each policy.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 1167

015: Hydrocarbons

The policy needs to be more specific as at present there is a lack of legislation and information as to what the best practise will be. If the authorities are among the first to give permission for such developments in the UK it is vital that the precautionary principle is fully taken into account. The following points need to be considered.

The policy needs to prevent gas flaring during the exploration stage and expect that methane will be captured, best practise is 'green completion' which ensures the gas emissions from wells are captured and no flaring takes place.

Long term monitoring for methane emissions will also be vital so shale gas extraction does not lead to methane emissions after wells are closed, an adequate and fully funded monitoring plan will need to be in place. As a result of gas extraction 'orphan wells' without monitoring regimes or ownership can result. Policy needs to ensure no 'orphan wells' are found along term in the Plan area.

The handling of waste products and traffic impacts need to be covered in some detail as substantial quantities of waste water and mud will be produced and need to be processed. There will be both waste handling and disposal impacts and increase in traffic. Links to waste policies and strengthening of waste policies is necessary.

Seismic monitoring must be robust. Although the seismic shocks are low on the seismic scale there are still possibilities of damage to buildings close to a site and also the fracturing of well casings of current and disused wells allowing pollution of groundwater or air pollution and methane escape.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 2171 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3881

O

M17

Q04 2115 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3855

O

M17

Q04 2025 Object to the Policy.

015: Hydrocarbons

Para i) of the Policy is too weak, allowing companies to argue that certain measures are not practicable.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

O

M17

Q04 0285 Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers. Are there criteria available to identify which areas would be acceptable for fracking?

015: Hydrocarbons

☒

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate' does not have much meaning.

Concerned about the contents of the waste water and how it is going to be dealt with.

☒

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

☒

The SA accepts there is uncertainty about the risks of fracking. The term 'minor negative effects' is not accurate based on evidence from other countries. This evidence should be considered by the authorities before policies are produced.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3821

O

M17

Q04 1892 Sustainability Appraisal Summary:

015: Hydrocarbons

3rd Para: Replace 'could' with 'WILL' in the last sentence of this Para as all hydrocarbon extraction is non-renewable.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 2155 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 2084 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 1953 Object to the Policy.

015: Hydrocarbons

With regard to Para i) the term 'so far as practicable' is impossible to define without excluding any exploration and appraisal. The attempt at mitigation is illusory, meaningless and subjective.

Sustainability Appraisal Summary:

How can the SA assert that the climate change objective reported outright minor negative effects but the policy ultimately supports hydrocarbon exploration? A report by a Mr Paul Mobbs found 'shale gas has a far higher impact upon the climate than the Government wishes to acknowledge' (see full response for further details).

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3826

S

M17 Q04 1613 Support the exploration and extraction by conventional and unconventional means as conventional gas exploration and extraction has occurred for decade in the region. Historically there have been no issues with well abandonment. There is a strong regulatory and planning system in place which have worked so far.

015: Hydrocarbons

Response to comment:

Noted

M17

Q04 2161 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 2094 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 1889 Object to the Policy.

015: Hydrocarbons

Para i) the term 'appropriately mitigated as far as practicable' is too vague. Para ii) fracking will always pose a risk to the quality of ground and surface water resources. Para iii) What provisions will be put in place to ensure sealed wells do not contaminate water and air over the next 50-300 years onwards?

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 2201 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 lines 1-4 – Emphasis should be changed to reflect that developers need to prove that this can be done safely without impacting the local population. Change wording to ‘Proposals for the exploration and appraisal of hydrocarbon resources will NOT be supported UNLESS they are considered to be in accordance with the overall spatial policy....’

Para 1 point (i) – Remove ‘so far as practicable’ in line 2 as is a ‘get out’ clause for industry where mitigation cannot be provided.

Para 1 point (i) – The term ‘local amenity’ needs defining.

Para 1 point (ii) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals.

Para 1 point (iii) – This should include provision for compulsory long-term monitoring of sealed wells to prevent methane leaks.

Fracking is volatile and unpredictable and cannot predict where problems will occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 0848

The policy sets four requirements that must be met in order for proposals for then exploration and appraisal of hydrocarbon resources to be considered acceptable.

015: Hydrocarbons

Point ii) requires a 'robust assessment' of factors which are subject to controls by other bodies. Authorisations by these bodies require detailed assessments which may not be complete at the time of applying for planning permission, these assessments may also go beyond the level of detail which is reasonably necessary to allow a planning decision to be made.

The NPPG paragraph 90 advises that MPAs should rely on the assessments of other regulatory bodies, it also advises that those bodies should be consulted and the MPA satisfied that any issues can be adequately addressed before granting permission.

In this context the terminology 'a robust assessment' should be altered to require 'AN ASSESSMENT'. This will still require the work to address water protection, stability and public health to the satisfaction of both the MPA and other regulatory bodies, but will remove the onus to undertake enough work to be able to secure other consents, before a planning position on a particular site has been established.

This will ensure the Plan is consistent with national policy.

Consider the requirement for there to be 'no harm' to groundwater, surface water and ground stability to be onerous at the planning stage of the process.

The Environment Agency will control any emissions to groundwater through the permitting process and will not accept any hazardous substances entering ground water, but they will accept non-hazardous pollutants provided they are limited, subject to a permit and will not cause pollution. Also DECC will not issue a well consent unless the Secretary of State is satisfied that a range of water protection measures are in place. DECC will also control seismic risk through a sign off on a Hydraulic Fracturing Plan.

Given that these controls by other agencies will be in place the wording should be changed from 'no harm' to 'NO UNACCEPTABLE HARM'.

This would not dilute the policy as it will still require operators to demonstrate lack of harm.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17 Q04 0985 Delete the reference to policy M16 as it duplicates criterion (iv).

015: Hydrocarbons

Criterion ii) states that proposals must be accompanied by a robust assessment to demonstrate that harm will not arise from ground stability considerations. The policy justification should make it clear that mitigation of any potential seismic risks is not the responsibility of the MPA.

Need to qualify the references to dust, air quality, soil resources, blast vibration and best and most versatile agricultural land as these are unlikely to be material planning issues in determining hydrocarbon applications.

It would be helpful if the supporting text could summarise the issues that other regulatory bodies are expected to access. These are set out in paragraph 112 of the Planning Practice Guidance.

Paragraph 5.120 sets out specific considerations in relation to development of shale gas using hydraulic fracturing, such as contamination from fracking fluids, potential for earth tremors and protection of public health and safety. The supporting text suggests that these issues should be assessed in all hydrocarbon proposals, but the use of fracking fluids only occurs in hydraulic fracturing for shale gas. The risk of potential contamination to water supplies from fracking fluid is very low, protected groundwater resource areas will be fully safeguarded. Any assessment should be proportional to the actual risks and take account of the fact that other regulatory frameworks have a responsibility to regulate these matters,

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q04 0350

Support the first 2 paragraphs. Paragraph 3 is more ambiguous but Paragraph 4 seems to encourage developers.

015: Hydrocarbons

Are there criteria available to identify which areas would be acceptable for fracking?

'Unacceptable impacts' should include Green Belt, amenity and environment. The word 'mitigate does not have much meaning.

Sustainability Appraisal - the policies are endorsed as they steer developments away from nice areas. Biodiversity needs corridors and tranquillity and so cannot be singled out. The SA only sees the big picture and not the complexity of the environment.

Sustainability appraisal - the SA accepts there is uncertainty about the risks of fracking. The term 'minor negative effects' is not accurate based on evidence from other countries. This evidence should be considered by the authorities before policies are produced.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M17

Q14 0617

Support the Policy approach.

015: Hydrocarbons

The following needs to be in place: Independent supervision of regulations; Inspectors with experience and qualifications in well casing construction and integrity, and Environmental Impact (especially air and water pollution); No notice inspections; Defined minimum frequency of visits; A 'local plan' for fracking covering a five year rollout and detailed solutions for key concerns including traffic plans, minimum distance from settlements and schools, impacts on important parts of the economy, and visual impact on the countryside; Real-time, publicly available, environmental monitoring; Community financial benefits (estimated at between £5m - £10m per 10-well pad) directly going to the communities most affected; Long-term, secure investment, in subsidies to nurture renewable energy and Carbon, Capture and Storage.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

M18

P5.12 0352

It seems weak to be taking the issues listed in the paragraph 'into account in considering proposals'. Public Health an Safety should be of paramount importance for the authorities.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

M18

P5.12 0413

It seems weak to be taking the issues listed in the paragraph 'into account in considering proposals'. Public Health an Safety should be of paramount importance for the authorities.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

DNS

M18

P5.12 0287

It seems weak to be taking the issues listed in the paragraph 'into account in considering proposals'. Public Health an Safety should be of paramount importance for the authorities.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

M18

P5.12 0223

It seems weak to be taking the issues listed in the paragraph 'into account in considering proposals'. Public Health an Safety should be of paramount importance for the authorities.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

DNS

M18

P5.12 0353

Waste water from fracking will pose a big problem due to the volume and toxicity. Technology and facilities for dealing with this are not available yet and a location for a new facility has not been identified.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

M18

P5.12 0414

Waste water from fracking will pose a big problem due to the volume and toxicity. Technology and facilities for dealing with this are not available yet and a location for a new facility has not been identified.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

DNS

M18

P5.12 0288

Waste water from fracking will pose a big problem due to the volume and toxicity. Technology and facilities for dealing with this are not available yet and a location for a new facility has not been identified.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

362 Harrogate Friends of the Earth

DNS

M18

P5.12 0224

Waste water from fracking will pose a big problem due to the volume and toxicity. Technology and facilities for dealing with this are not available yet and a location for a new facility has not been identified.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

359 North York Moors Association

O

M18 Q04 0711 Do not support the Preferred Policy approach.

015: Hydrocarbons

Shale gas production should not take place due to uncertainties regarding well integrity, inappropriate industrial activity and the possibility of seismic disturbance.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1112 RSPB North

O

M18 Q04 0550 Do not support the policy in its current form as concerned about direct negative impacts on climate change and carbon emissions if the policy was implemented.

015: Hydrocarbons

The policy are in conflict with the Plan objectives and policies to reduce carbon change impacts. The Plan does not go far enough to address the impact of the policies on climate change.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1111 The Coal Authority

S

M18 Q04 1186 Support the inclusion of a policy which identifies and clarifies the requirements of the main phases of hydrocarbon development as required by national policy.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 1926

The introductory paragraph should include ' WILL BE SUPPORTED WHERE THEY ARE IN ACCORDANCE WITH THE OVERALL SPATIAL POLICY AND SUSTAINABLE DEVELOPMENT OBJECTIVES.

015: Hydrocarbons

Bullet point i- the best form of mitigation is to stop the harm before it becomes serious. Therefore good baseline monitoring is essential, followed by periodic appraisal to establish rates of change. Clarification would be needed on what would be an unacceptable level of change and what action should be taken if there is a breach. At present the bullet point is aspirational but ineffective.

Bullet pint ii) include the text 'underground pipelines THAT SHOULD BE MONITORED THROUGHOUT THEIR LIFETIME OF USE FOR LEAKAGE.'

Add an additional bullet point that requires gas to be used efficiently where it is processed.

The penultimate paragraph is woolly and encourages the use of inefficient generating plants.

The final paragraph is short on detail. Responsibility for abandoned sites and associated infrastructure should be taken by a named company who can show that they have the resources to monitor the site in perpetuity, and deal with harms arising.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 0439 This policy does not address the issue of waste water which cannot be taken off the site via pipeline to environment agency licenced treatment facilities, nor does it address the need for processing plants to be in situ to store and process the gas before any exploration is carried out.
015: Hydrocarbons

The second paragraph refers to the industry being directed towards brownfield, industrial and employment land for any new processing plant before looking at agricultural land. There should be safeguards in place to avoid potential contamination of industrial works where processing plants are located.

The LEP does not mention fracking within the Strategic Economic Plan 2014 but concentrates on food manufacturing, agriculture and bio renewables, this should remain the case as there is a lot of best and good versatile land in the County.

There should be a section in this policy which relates to air pollution, risks from flaring and how this will be managed/monitored, such as where production land is close or downwind of a hydrocarbon site.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2841

DNS

M18 Q04 0035 'or can be appropriately mitigated' should be removed from I) in the policy. Mitigation just means making it less bad, not getting rid if it all together.
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3852

DNS

M18 Q04 2022 Policy suggests that any site, apart from the areas mentioned, could be suitable for fracking. It has been suggested that sites should be at least a mile for residential properties, six miles apart and close to an A road, and processing infrastructure more than a mile from residences and schools.
015: Hydrocarbons
Concerned about the disposal od waste water, reinjection of waste water should not be allowed.
Industry should set aside money in case there is an accident. Five years monitoring by the Environment Agency once the operation ceases is not enough.

Response to comment:

Noted

M18 Q04 2090 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2200

O

M18

Q04 1663

There will be an increase in HGV movements on the roads due to water and waste water being taken to and from the sites, this will impact on the structure of the roads. The operators should have a duty to maintain and if necessary upgrade the roads they use, this should ne included in Paragraph 5.123. Transport assessments and transport policies need to be more robust.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2239 Yorkshire Water Services

S

M18

Q04 0538

Particularly support policies designed to protect water supply, water and waste water infrastructure and prevent pollution of the aquatic environment. Pleased to see M18 included decommissioning of wells and measures to prevent contamination of ground or surface waters once hydraulic fracturing have ceased.

015: Hydrocarbons

Response to comment:

Noted

2968 York Green Party

O

M18

Q04 1858

Reference should be made to the management of waste flow-back water, which will be contaminated and need to be kept secure from water courses until treated or disposed of remote from groundwater and the aquifer.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2111 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04

2243

Object to all unconventional gas in the Plan area as could possibly be an increase in greenhouse gas emissions, water and air pollution, harm to biodiversity and landscape and increased levels of traffic.

015: Hydrocarbons

There should be no presumption in favour of sustainable development for hydrocarbon development as an assessment under the habitats regulations took place during the 14th licencing round which means paragraph 119 of the NPPF does not apply.

The policy should include a specific reference to air pollution, especially for unconventional hydrocarbon development. Applications for oil and gas wells and associated infrastructure should not be supported in AQMAs or near built up areas.

Hydrocarbon applications which would impact on climate change should not be permitted and they could contribute to climate change targets being missed.

The policy should consider not allowing hydrocarbon development in areas at risk of flooding due to risk of contamination from hazardous waste produced during fracking.

The policy should specifically mention issues of soil pollution terms of protecting the environment, impact from noise should also be included.

Applications for unconventional hydrocarbons should be supported by a transport assessment and a travel plan.

The precautionary principle should be incorporated into the policy.

This policy should require that an Environmental Impact Assessment is carried out for unconventional hydrocarbon developments so high levels of environmental protection are maintained, this will support the precautionary principle.

The policy should state that any development that would give rise to unacceptable impacts due to flaring or venting of natural gas would not be supported.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2202 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

015: Hydrocarbons

Q04 2051 Paragraph 1 - change text to ' proposals for the production and processing of the production and processing of hydrocarbon resources will NOT be supported UNLESS they are UNEQUIVOCALLY in accordance with...'

Paragraph 1 (i) - The term local amenity needs clarifying/strengthening. The Plan should spell out the issues such as visual impacts, water contamination, health, noise levels, light pollution, flaring and venting, methane leaks, effect on wildlife and farm animals, heavy traffic movements, property values etc., as they may affect residents, businesses or visitors.

Paragraph 1 (i) - it has been proposed that a 1 mile buffer zone around sites for properties and water protection zones and a 6 mile buffer between fracking sites, and the adjacency of an A road is incorporated into the Plan.

Paragraph 1 (iv) - an extra section should be added relating to the disposal of waste water that cannot be piped off site to a licensed treatment plant. There should be restrictions on the movement of tankers and prevention of reinjection of the water.

Paragraph 2 - Brownfield/industrial/employment sites are preferable for processing infrastructure but restrictions should be added relating to the proximity of other workers, noise levels, traffic levels, flaring and venting, effect on other industries nearby etc.

Paragraph 2 line 5 - change wording to '...applicants should be REQUIRED to steer...' not just 'seek'

Paragraph 4 - Add a clause to require the monitoring of methane leaks from abandoned and decommissioned wells to be mandatory. The whole area around the well should be monitored in case fugitive gas escapes.

Paragraph 5 - A paragraph requiring a substantial financial bond to be set aside by the developer should be added, in order to safeguard the mitigation/compensation/cleaning up of accidents which may occur.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04

0286

The comments made in relation the Policy M17 are also relevant against Policy M18. Policy M18 also steers industry away fro best and most versatile agricultural land.

If all the limitations are taken into account there will be nowhere for fracking wells to go.

The final paragraph of the Policy may be wishful thinking as the site may change hands several times so hard to identify who will be liable for the final restoration in the future.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 2101 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

DNS

M18

Q04

1997

The comments made in relation the Policy M17 are also relevant against Policy M18.

015: Hydrocarbons

Policy M18 also steers industry away fro best and most versatile agricultural land, if all the limitations are taken into account there will be nowhere for fracking wells to go.

The final paragraph of the Policy may be wishful thinking as the site may change hands several times so hard to identify who will be liable for the final restoration in the future.

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

385 Amotherby Parish Council

S

M18

Q04

1958

Support the preferred policy approach and would welcome inclusion of references to other policies as recommended in the sustainability appraisals for each policy.

015: Hydrocarbons

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3007

DNS

M18

Q04

2036

Will support the policy if additional text added to paragraph 5.120 of the justification

015: Hydrocarbons

'...These include the potential for pollution to water supplies, for example as a result of contamination from fracking fluids, the potential for earth tremors and protection of public health and safety. THE PROTECTION OF PUBLIC HEALTH AND SAFETY WILL BE PARAMOUNT AND WILL TAKE INTO CONSIDERATION THE LONG TERM COMPOUNDING IMPACT OF THE PROPOSED DEVELOPMENT ON RESIDENTS WELL BEING AND LIFE EXPECTANCY.'

In other countries there has been a rapid increase in health related litigation as health related issues surface over time.

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2981

O

M18 Q04 1643 Oppose this policy as need to protect long term health and safety.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

113 Howardian Hills AONB

S

M18 Q04 0831 Support preferred policy approach.

015: Hydrocarbons

Response to comment:

Noted

3704 Cuadrilla Resources Ltd

O

M18 Q04 1236 Concerned about part ii). It is not always possible to put gas within an underground pipe network. There may be cases where converting the gas into electricity, for use in the electricity grid, or converting it into a liquefied or compressible state would be the most acceptable development. The Policy should be re-wording to include an element of flexibility on this matter to ensure that development can achieve the lease environmental impact.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2184 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile. Flaring of gas is a waste of time.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate, they should be decommissioned and removed by the operator once not needed any more.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 0290 The comments made in relation the Policy M17 are also relevant against Policy M18.

015: Hydrocarbons

Policy M18 also steers industry away from best and most versatile agricultural land, if all the limitations are taken into account there will be nowhere for fracking wells to go.

The final paragraph of the Policy may be wishful thinking as the site may change hands several times so hard to identify who will be liable for the final restoration in the future.

Public health and safety and water protection are the key issues which need to be considered.

Sustainability appraisal - The SA seems inadequate, it just balances the positives and the negatives. The negatives are so substantial that a different approach is required. Public Health and Safety are a major concern along with climate change issues. Fracking should not be inflicted on communities already facing serious changes to their environment and health.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2222 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2040 Object to the Policy.

015: Hydrocarbons

The Policy does not adequately address waste water that cannot be taken off site via a pipeline to treatment facilities or the need for processing, compressing and dehydration plants to be in situ to store and process gas.

Whilst supporting the brownfield first policy for processing plants I would hope sufficient safeguards are in place to avoid potential contamination of industrial works. It should be noted that the LEP does not include fracking within the Strategic Economic Plan for the area.

Potential risks from air pollution and flaring, and possible monitoring methods, should be included in the Policy.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

879 Strensall & Towthorpe Parish Council

DNS**M18**

Q04 2293 It has been reported that there are supplies of shale gas in the underground rocks across much of the area. Shale gas could enhance the energy independence of the UK and contribute to local employment.

015: Hydrocarbons

There is uncertainty about the safety of fracking and concerns have been raised regarding possible pollution of water, low level seismic activity which can damage infrastructure and release of toxic chemicals into the environment. Also concern over construction of a large number of industrial well heads and increase in HGVs.

The concerns should be voiced to Central Government by the Authorities about their policy of allowing fracking in the areas which were exempt until the 14th round of licencing was finalised, public safety should be paramount.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3855

O

M18

Q04 2026 Object to the Policy.

015: Hydrocarbons

This Policy should exclude industrial development from the Plan area. Testing for methane should be stringent and the re-injection of fracking water should be banned, as it is linked to causing earthquakes. Ryedale is a small rural area which does not have space to accommodate the large infrastructure needed. Drinking water sources should be protected.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3884

O

M18

Q04 2075 Object to the Policy.

015: Hydrocarbons

I am in agreement with the objection made to this Policy by Frack Free Ryedale.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 2085 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2079 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2144 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04

1881

The term 'unacceptable impacts' requires clarification.

015: Hydrocarbons

The Plan should oppose unconventional gas development in the Plan area and the policy altered to reflect this.

The policy should include a requirement for the developer to put forward a financial bond to cover the costs of remediation and compensation in the event of either having an accident or the company ceasing to exist while site maintenance is required. The developer should be required too pay for independent site monitoring.

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2150 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

The Plan should focus upon sustainable energy from renewable sources, not extracting fossil fuels that can contaminate water sources and negatively effect surface land and the health of people and animals.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 2208 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Fracking will bring industry into unsuitable areas and close to buildings. The Plan directs industry onto brownfield sites, but these are limited and some may be unsuitable, so agricultural land could be targeted.

Fracking will generate a large amount of waste and associated traffic which must be controlled. Cumulative impacts of fracking will be felt more in a rural area. Fracking related traffic should not be allowed to travel through villages or settlements, and sites should be close to an A road.

There should be at least a 1 mile set back distance from settlements from fracking sites, supporting infrastructure should be at least 6 miles away from any settlement.

Waste from the sites should be treated and transported appropriately, waste water should not be allowed to be reinjected.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2173 CPRE (North Yorkshire Region)

O

M18 Q04 0744 This section should include a section on air pollution and the risks from flaring and how this will be managed/monitored.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3827

O

M18 Q04 1635 Object to the Policy.

015: Hydrocarbons

Tourist areas and other attractive areas such as Kirby Misperton should be protected.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

O

M18 Q04 0354 The comments made in relation the Policy M17 are also relevant against Policy M18.

015: Hydrocarbons

Policy M18 also steers industry away from best and most versatile agricultural land, if all the limitations are taken into account there will be nowhere for fracking wells to go.

The final paragraph of the Policy may be wishful thinking as the site may change hands several times so hard to identify who will be liable for the final restoration in the future.

Sustainability appraisal - The SA seems inadequate, it just balances the positives and the negatives. The negatives are so substantial that a different approach is required. Public Health and Safety are a major concern along with climate change issues.

Fracking should not be inflicted on communities already facing serious changes to their environment and health.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3826

S

M18 Q04 1614 This has been well thought through and includes basic requirements of good practice to ensure the environment is not unnecessarily disrupted for too long.

015: Hydrocarbons

Need to source energy and cannot expect the landscape not to be disrupted. Gas exploration and extraction is temporary and can be restored.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2156 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 1893 Object to the Policy.

015: Hydrocarbons

Para ii) Is adequate brownfield and vacant industrial and employment land available to host the processing infrastructure and well sites required for fracking. The requirement for an underground pipeline will cause damage to the environment and amenity.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

295 Northumbrian Water Ltd

M18

Q04 0622 Particularly support policies designed to protect water supply, water and waste water infrastructure and prevent pollution of the aquatic environment. Pleased to see M18 included decommissioning of wells and measures to prevent contamination of ground or surface waters once hydraulic fracturing operations have ceased.

015: Hydrocarbons

NWL are statutory consulted for all stage of applications for exploration/exploitation of hydrocarbons by hydraulic fracturing.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2162 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 1655 Criterion i) should be amended to include the new text in bold:

015: Hydrocarbons

'any unacceptable adverse impacts on the environment , local amenity, RESIDENTS WELLBEING, heritage assets, LANDSCAPE CHARACTER AND/OR QUALITY, OR EXPERIENTIAL ENJOYMENT OF THE COUNTRYSIDE is avoided or can be appropriately mitigated

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1363 Thirsk and Malton MP

S

M18 Q04 0618 Support the Policy approach.

015: Hydrocarbons

The following needs to be in place: independent supervision of regulations; Inspectors with experience and qualifications in well casing construction and integrity, and environmental impact (especially air and water pollution); no notice inspections; defined minimum frequency of visits; a 'local plan' for fracking covering a five year rollout and detailed solutions for key concerns including traffic plans, minimum distance from settlements and schools, impacts on important parts of the economy, and visual impact on the countryside; real-time, publicly available, environmental monitoring; community financial benefits (estimated at between £5m - £10m per 10-well pad) directly going to the communities most affected; long-term, secure investment, in subsidies to nurture renewable energy and carbon, capture and storage.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2167 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2054 Object to the Policy.

015: Hydrocarbons

The reasons for this objection are as follows: potential seismic activity; contamination of groundwater be it from well fractures or spillages on the surface; subsidence; reduction in ability to obtain home insurance; provision of compensation to local house and landowners; demand on water resources; reduced water pressure in the surrounding area; water courses will have reduced flow detrimental to local environment; treatment and safe disposal of waste water; cumulative impact from the number of well sites and the number of incidents; methane gas leakage (which is a powerful GHG) due to poor well design; well sites, processing and distribution plants, gas storage tanks and pipelines will be detrimental to the visual landscape and historic character of the area; negative impact upon quality of life of local residents; the large number of well sites required to extract 10% of the estimated resource; traffic problems; noise pollution, fragmentation and reduction of habitat will effect wildlife and biodiversity; negatively impact peoples right to the enjoyment of the countryside; the claim that fracking will reduce energy prices is questionable; any changes to the fundamental land rights to use of their property to accommodate gas extraction should be rejected; fracking underneath designated areas would be detrimental to the purpose of these areas.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2178 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04

1265

The desire for a coordinated approach is not likely to be a viable option as the environmental benefits need to be balanced against the additional infrastructure which may be required, and there may be financial considerations that the developer may not have control over i.e. due to landowner, other developer etc.

015: Hydrocarbons

Using is previously developed land and avoiding best quality agricultural land, in a predominantly rural area such as North Yorkshire, is unlikely to be practical.

It is suggested that the second paragraph on this policy be deleted.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3502

O

M18

Q04

2263

Object to the Policy.

015: Hydrocarbons

The reasons for this objection are as follows: Potential seismic activity; contamination of groundwater be it from well fractures or spillages on the surface; subsidence; reduction in ability to obtain home insurance; provision of compensation to local house and landowners; demand on water resources; reduced water pressure in the surrounding area; water courses will have reduced flow detrimental to local environment; treatment and safe disposal of waste water; cumulative impact from the number of well sites and the number of incidents; methane gas leakage (which is a powerful GHG) due to poor well design; well sites, processing and distribution plants, gas storage tanks and pipelines will be detrimental to the visual landscape and historic character of the area; negative impact upon quality of life of local residents; the large number of well sites required to extract 10% of the estimated resource; traffic problems; noise pollution, fragmentation and reduction of habitat will effect wildlife and biodiversity; negatively impact peoples right to the enjoyment of the countryside; the claim that fracking will reduce energy prices is questionable; any changes to the fundamental land rights to use of their property to accommodate gas extraction should be rejected; fracking underneath designated areas would be detrimental to the purpose of these areas.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2172 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 0351 The comments made in relation the Policy M17 are also relevant against Policy M18.

015: Hydrocarbons

Policy M18 also steers industry away from best and most versatile agricultural land, if all the limitations are taken into account there will be nowhere for fracking wells to go.

The final paragraph of the Policy may be wishful thinking as the site may change hands several times so hard to identify who will be liable for the final restoration in the future.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2116 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3734 Peel Gas and Oil

DNS

M18

Q04

0849

The policy requires that any gas transport from point of production to processing should be by underground pipeline, support this approach and agree routing should take into account environmental and amenity concerns.

015: Hydrocarbons

However, the policy should be flexible enough to allow for instances where there may be technical difficulties installing a underground pipeline. Criterion ii) should be amended to include the words 'WHEREVER POSSIBLE' before 'will be via underground pipeline'. This will not undermine the objective of the policy but will add some flexibility to aid its delivery.

In line with comments on M17 the term 'no harm' should be changed to 'NO UNACCEPTABLE HARM'.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3542

O

M18

Q04

1107

Shouldn't frack anywhere (either inside or outside NPs or AONBs).

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3754 Settrington Estate

O

M18

Q04

1952

Object to the Policy

015: Hydrocarbons

The reference to 'facilities should be dismantled' is not sufficient to protect the public as it does not take account of existing problems with monitoring and sealing of wells nor does it apportion responsibility on to anyone to do this work indefinitely.

Sustainability Appraisal Summary:

The statement 'preferred policy mostly acts as a positive safeguard against the main impacts of hydrocarbon extraction' is inaccurate. The negative effects described in the 2nd para illuminate the reality more clearly.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2761

O

M18

Q04 1836 Object to the Policy.

015: Hydrocarbons

Support the policy in general terms but areas of registered common land and other areas of public open access should not be considered for unconventional hydrocarbons. Areas for public recreation are as important as areas scheduled for their nature conservation.

Concerned that the area between the YDNP and Bowland AONB is particularly vulnerable as a base for exploration of the two protected areas to the north and south. The local roads in this area are unsuitable for HGVs.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

O

M18

Q04 2000 The comments made in relation the Policy M17 are also relevant against Policy M18.

015: Hydrocarbons

Policy M18 also steers industry away from best and most versatile agricultural land, if all the limitations are taken into account there will be nowhere for fracking wells to go.

The final paragraph of the Policy may be wishful thinking as the site may change hands several times so hard to identify who will be liable for the final restoration in the future.

Sustainability appraisal - The SA seems inadequate, it just balances the positives and the negatives. The negatives are so substantial that a different approach is required. Public Health and Safety are a major concern along with climate change issues.

Fracking should not be inflicted on communities already facing serious changes to their environment and health.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

112 Highways England

S

M18

Q04 0571 Support the intention to transport gas via underground pipeline and that proposals are required to be in accordance with the Plan.

015: Hydrocarbons

Support the preference to site new gas processing infrastructure on brownfield, industrial and employment land.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2145 Petroleum Safety Services Ltd

DNS

M18 Q04 1379 Change 'sealed' to 'DECOMMISSIONED'.

015: Hydrocarbons

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3867

O

M18 Q04 2212 Object to the Policy.

015: Hydrocarbons

This section needs revising in line with the requested amendments to Policy M16.

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

412 Barugh (Great & Little) Parish Council

DNS

M18 Q04 1872 How will the changes in the Infrastructure Act be taken into account in this policy?

015: Hydrocarbons

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2190 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 0222 The comments made in relation the Policy M17 are also relevant against Policy M18.

015: Hydrocarbons

Policy M18 also steers industry away fro best and most versatile agricultural land, if all the limitations are taken into account there will be nowhere for fracking wells to go.

The final paragraph of the Policy may be wishful thinking as the site may change hands several times so hard to identify who will be liable for the final restoration in the future.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 0865 Support this Policy.

015: Hydrocarbons

The Policy's approach retains planning control of the assessment of the environmental impacts of such activities.

Response to comment:

Noted

M18 Q04 2138 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18
015: Hydrocarbons

Q04 1875 Object to the Policy.

International experience has shown that extensive above ground infrastructure would be required including drilling pads, compressor stations, gas processing plants (which need to be in situ) and dehydration plants. The Policy does not take the scale of the industry into account.

The Strategic Economic Plan produced by the LEP does not reference fracking and this should remain the case given the quantity and quality of versatile land found throughout the County.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18
015: Hydrocarbons

Q04 2218 There is inadequate provision within the Plan for the treatment of waste water from fracking activities. This must be securely be conveyed to a treatment facility of treated on site (industrial process) and should under no circumstances be re-injected. Financial bonds should be required to address the societal, economic and environmental harm caused.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 2134 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored, with the plan taking account of the recommendation of the report 'potential greenhouse gas emissions Associated with Shale gas extraction and use (DECC 2013, MacKay and Stone). The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan. Great weight should be given to the protection of landscape and scenic beauty.

Operators should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 1867 Need to develop clean greener energy using water/wind etc.

015: Hydrocarbons

[Response to comment:](#)

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2195 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3708

DNS

M18

Q04 0412 The comments made in relation the Policy M17 are also relevant against Policy M18.

015: Hydrocarbons

Policy M18 also steers industry away fro best and most versatile agricultural land, if all the limitations are taken into account there will be nowhere for fracking wells to go.

The final paragraph of the Policy may be wishful thinking as the site may change hands several times so hard to identify who will be liable for the final restoration in the future.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3873

O

M18

Q04 2127

015: Hydrocarbons

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators of involved in hydrocarbon development should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored past the proposed five year period to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 0225 The comments made in relation the Policy M17 are also relevant against Policy M18.

015: Hydrocarbons

Policy M18 also steers industry away from best and most versatile agricultural land, if all the limitations are taken into account there will be nowhere for fracking wells to go.

The final paragraph of the Policy may be wishful thinking as the site may change hands several times so hard to identify who will be liable for the final restoration in the future.

Sustainability appraisal - The SA seems inadequate, it just balances the positives and the negatives. The negatives are so substantial that a different approach is required. Public Health and Safety are a major concern along with climate change issues.

Fracking should not be inflicted on communities already facing serious changes to their environment and health.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 0415 The comments made in relation the Policy M17 are also relevant against Policy M18.

015: Hydrocarbons

Policy M18 also steers industry away from best and most versatile agricultural land, if all the limitations are taken into account there will be nowhere for fracking wells to go.

The final paragraph of the Policy may be wishful thinking as the site may change hands several times so hard to identify who will be liable for the final restoration in the future.

Sustainability appraisal - The SA seems inadequate, it just balances the positives and the negatives. The negatives are so substantial that a different approach is required. Public Health and Safety are a major concern along with climate change issues.

Fracking should not be inflicted on communities already facing serious changes to their environment and health.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18 Q04 2095 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators should provide a financial bond which would be used for environmental clean-up and compensation if a fracking accident occurs. Abandoned wells should be monitored past beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M18

Q04 2122 Object to the Policy.

015: Hydrocarbons

This policy merely points to Policy M16. Oppose the development of unconventional hydrocarbons across the rest of the Plan area.

Policy wording should be changed as below:

Paragraph 1 line 2 – Wording should be changed to ‘Proposals for the production and processing of hydrocarbon resources will ONLY be supported IF IT CAN BE SHOWN BEYOND DOUBT that they are in accordance with the overall...’

Para 1 point (i) – The paragraph should also include reference to other potentially negative impacts of hydrocarbon production such as air quality, the local environment, noise levels and its effect on wildlife and farm animals. ‘Local amenity’ needs to be defined.

Para 1 point (ii) – The proposal that processing infrastructure should be established on brownfield, industrial and employment land should include extra restrictions relating to the proximity of other workers, noise levels, traffic levels etc. Safeguards need to be in place to avoid potential contamination of industrial works. New processing infrastructure should be located in areas set back from residential areas, with a set back distance of at least 1 mile.

Para 1 point (ii) line 5 – Change ‘applicants should seek to steer...’ to ‘applicants should BE REQUIRED to steer...’. No processing infrastructure should be allowed within one mile of schools or homes. The description of ‘best and most versatile quality agricultural land’ may not be robust and the way this criteria is to be determined should be considered and defined in the Plan.

Para 4 – A clause needs adding to make monitoring for methane leaks from abandoned and decommissioned wells mandatory.

The issue of waste water is not mentioned in the policy, a condition needs to be added into the policy to prevent the re-injection of waste water from fracking back into the ground. The policy does not consider the need for infrastructure to be in place to store and process the gas. A section needs to be included to deal with potential air pollution and risks from flaring and venting and how this will be managed and monitored. The potential increase in traffic levels needs to be considered in the policy, with stringent limits imposed through the Plan.

Operators should provide a financial bond which would be used for environmental clean-up and compensation for if a fracking accident occurs. Abandoned wells should be monitored beyond five years to monitor risk to the environment, human health and the climate.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3838

O

M18

Q04 1864 Object to the Policy.

015: Hydrocarbons

Why degrade the local environment by utilising brownfield sites and damaging the health of local residents.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3849 Harrogate and District Green Party

S

M19

Q04 2001 The technology for CCS should be encouraged, there is a risk of it not being taken forward.

015: Hydrocarbons

Response to comment:

Noted

3754 Settrington Estate

O

M19

Q04 1954 Object to the Policy.

015: Hydrocarbons

The Government has recently turned its back on carbon storage which is contrary to what is suggested in the supporting text of this Policy, demonstrated by the cancelling of the Drax Power Station project.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2841

S

M19

Q04 0036 Support this policy if CCS can work, as could be important in mitigating against climate change.

015: Hydrocarbons

Response to comment:

Noted

M19 Q04 2091 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... Health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19 Q04 0986 The reference to policy M16 should be deleted as this duplicates criterion (iii)

015: Hydrocarbons

The routing of pipelines may not always be able to achieve the 'least' environmental or amenity impact as this will depend upon other factors such as access rights and landownership. Therefore either 'AN ACCEPTABLE' should replace 'the least' in criteria (ii) or criterion (ii) should be deleted.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19 Q04 2080 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

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Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19 Q04 1657 Criterion iii) should be amended to include the new text in bold:

015: Hydrocarbons

'there would be no unacceptable impacts on the environment , local amenity, RESIDENTS WELL BEING, LANDSCAPE CHARACTER AND/OR QUALITY, OR EXPERIENTIAL ENJOYMENT OF THE COUNTRYSIDE;.....'

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

295 Northumbrian Water Ltd

S

M19 Q04 0623 Support this policy designed to protect water supply, water waste and waste water infrastructure and prevent pollution of the aquatic environment.

015: Hydrocarbons

Response to comment:

Noted

M19 Q04 2086 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

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Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19 Q04 1868 Need to develop clean greener energy using water/wind etc.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19 Q04 1168 Underground gas storage can carry considerable risks and the authorities should beware of major recent problems with gas storage.
015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3826

S

M19 Q04 1630 Support this policy as need to provide storage and carbon capture may be developed in the future .
015: Hydrocarbons

Response to comment:

Noted

879 Strensall & Towthorpe Parish Council

S

M19 Q04 1747 This policy is supported.
015: Hydrocarbons

Response to comment:

Noted

362 Harrogate Friends of the Earth

S

M19 Q04 0226 The technology for CCS should be encouraged, there is a risk of it not being taken forward.
015: Hydrocarbons

Response to comment:

Noted

M19 Q04 2050 CCS is considered a necessary condition of the safe development of the shale gas industry, the technology is years away so fracking should be prohibited until CCS is in place.
015: Hydrocarbons

There are concerns about the safety of underground gas storage. The Plan should be more robust in its wording.

Paragraph 1 - add text ' The local geological circumstances are UNEQUIVOCALLY suitable, DESPITE BEING KNOWN TO BE HEAVILY FRACTURED AND FISSURED.'

Paragraph 1 - should express a presumption of refusal 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been UNEQUIVOCALLY demonstrated that...'

Paragraph 1 (iii) - A definition of 'local amenity' would be helpful.

Paragraph 2 - This clause should proactively prohibit the transportation of gas by tanker so the wording should read 'REQUIRED' not just 'expected'.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3709 Harrogate Greenpeace

S

M19 Q04 0355 The technology for CCS should be encouraged, there is a risk of it not being taken forward.
015: Hydrocarbons

Response to comment:

Noted.

3708

S

M19 Q04 0416 The technology for CCS should be encouraged, there is a risk of it not being taken forward.
015: Hydrocarbons

Response to comment:

Noted

3884

O

M19

Q04 2076 Object to the Policy.

015: Hydrocarbons

I am in agreement with the objection made to this Policy by Frack Free Ryedale.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2937

DNS

M19

Q04 0291 The technology for CCS should be encouraged, there is a risk of it not being taken forward.

015: Hydrocarbons

Response to comment:

Noted

3852

DNS

M19

Q04 2023 Currently no plans for CCS in the Plan area. It has been suggested that CCS is essential in the shale gas industry, so shale gas should not start until CCS is in place.
Concerned about underground gas storage, a lot depends on the geology of the area.
There needs to be stringent regulations in place for hydrocarbon development.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2145 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 1644 Gas storage in rock strata or natural cavities is extremely risky and should be rejected.

015: Hydrocarbons

CCS is a useful technology. Currently it is seen as being part of the 'kit' of a large electricity generation plant which currently burns coal, gas, biomass or waste. Do not approve of burning fossil fuels but approve CCS use for large biomass/waste plants which generate electricity and heat as would reduce carbon in the atmosphere.

The two technologies should be separated.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2223 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

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Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1111 The Coal Authority

S

M19

Q04 1187 Supports the inclusion of a policy to deal with carbon and gas storage.

015: Hydrocarbons

Response to comment:

Noted

M19

Q04 2213 Object to the Policy.

015: Hydrocarbons

This section needs revising in line with the requested amendments to Policy M16.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2199 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

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Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19 Q04 2139 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

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Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3364

DNS

M19 Q04 2219 CCS is not at present sufficiently developed to be a viable solution of fossil fuel's contribution to global warming. The risks are unknown. Combustion of shale gas locally is unlikely to provide sufficient concentrations to make capture realistic.

015: Hydrocarbons

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19 Q04 2135 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

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Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

1112 RSPB North

O

M19

Q04

0779

Do not support the policy in its current form as concerned about direct negative impacts on climate change and carbon emissions if the policy was implemented.

015: Hydrocarbons

The policy are in conflict with the Plan objectives and policies to reduce carbon change impacts. The Plan does not go far enough to address the impact of the policies on climate change.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3865

O

M19

Q04

2112

Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

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Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2128 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

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Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2196 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

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Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2151 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2157 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2163 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2209

There is no provision for CCS, it is considered essential if shale gas is to comply with the reduction of dangerous green house gasses and climate change.

015: Hydrocarbons

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population CCS should be considered as Nationally Significant Infrastructure Projects. No one will want to live near one of these facilities.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2168 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3501

O

M19

Q04 2055 Object to the Policy.

015: Hydrocarbons

If gas storage has any connection with fracking it should be opposed.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

3502

O

M19

Q04 2264 Object to the Policy.

015: Hydrocarbons

If gas storage has any connection with fracking it should be opposed.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2179 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... Health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2173 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2117 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

The Precautionary Principle should be adopted in the Plan.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... Health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2123 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19 Q04 2096 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... Health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2185 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2239 Yorkshire Water Services

S

M19

Q04 0539 Particularly support policies designed to protect water supply, water and waste water infrastructure and prevent pollution of the aquatic environment.

015: Hydrocarbons

Response to comment:

Noted

M19 Q04 2102 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... Health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

M19

Q04 2027 Object to the Policy.

015: Hydrocarbons

The underground storage of gas is too dangerous and should be prohibited.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2253

O

M19

Q04 2203 Object to the Policy.

015: Hydrocarbons

Why has this Policy being included in the Plan when current proposals in the Plan area do not include the potential for Carbon Capture and Storage (CCS)?

CCS is currently not a viable industrial technique. The Shale Gas Task Force have stated 'if a shale gas industry begins to develop at scale CCS will become essential' and has questioned the medium term viability of shale gas without CCS. Therefore, the Plan should prohibit fracking, at least until CCS becomes commercially viable.

Concerned about the prospect of gas storage given the fractured geology and the unreliability of the industry demonstrated by examples of facilities leaking methane which has significant negative impacts upon the local population and GHG emissions. Have these issues been considered in producing the Policy. Allowing underground gas storage within the Plan area is inappropriate under any circumstances.

Suggested rewording of the Policy:

Para 1 should require the applicant to prove the worthiness and safety of the proposal i.e. 'Proposals for carbon capture and storage and the underground storage of gas will NOT be permitted UNLESS it has been demonstrated that:'

Point ii) should include reference to other potentially negative impacts of unconventional hydrocarbon production i.e. 'There will be no harm to quality and availability of ground and surface..... health and safety, AIR QUALITY, THE LOCAL ENVIRONMENT, NOISE LEVELS, THE EFFECT ON WILDLIFE AND FARM ANIMALS'.

Point iii) should include a clear description of the term 'local amenity'.

Para 2 should prohibit the transportation of gas via tanker, as the additional traffic would negatively affect the surrounding area.

Response to comment:

The Authorities response to representations submitted in relation to the hydrocarbons chapter and policies are recorded in an additional section at the end of the report.

2771 Kent County Council

S

M19

Q04 0866 Support this Policy.

015: Hydrocarbons

This Policy underpins the sustainable development thrust of the NPPF.

Response to comment:

Noted

790 Newby & Scalby Parish Council

DNS

016: Coal

2061 Now Kellingley Colliery is closed the wording of paragraphs 2.61, 2.65, 2.67, 5.50 and various other paragraphs which make reference Kellingley Colliery and/or coal.

Response to comment:

Amendments made to reflect closure of Kellingley Colliery.

127 Harworth Estates (UK Coal Operations Ltd)

DNS

016: Coal

1090 Kellingley Colliery is not specifically included within the Plan, which is appropriate now the Colliery has closed and there is no prospect of it reopening.

The colliery represents a significant brownfield site and redevelopment opportunity to provide environmental, social and economic benefits through its future use and discussions are ongoing.

The colliery site is adjacent to Southmoor Energy Centre and in close proximity to safeguarded transport infrastructure.

A cooperative approach is required between all stakeholders to facilitate the redevelopment of the site.

Response to comment:

Noted. Plan has been updated to reflect closure of Kellingley Colliery.

968 Womersley Parish Council

DNS

016: Coal

1736 The Plan requires revision in light of the closure of Kellingley Colliery, in relation to mining of coal and disposal of colliery spoil.

Response to comment:

Amendments made to reflect closure of Kellingley Colliery.

M20

Q04 1731 Will the Plan be revised to take into account the closure of Kellingley Colliery in December 2015? Is it feasible for the Colliery to reopen, as Para 5.130 seems to suggest?

016: Coal

Suggested new wording for Para 134: 'Disposal of spoil, WOULD/SHOULD REQUIRE a new arrangement'. The policy should reference use of spoil as a secondary aggregate.

Sustainability Appraisal Summary:

It should state 'should be strengthened' rather than 'could be strengthened'. The wording is not strong enough and should contain more detail of what is 'acceptable' rather than subjective interpretation. A target percentage use for secondary aggregates should be stated and be included as a condition of planning permissions.

Response to comment:

Amendments made to reflect closure of Kellingley Colliery.

2981

M20

Q04 1645 Oppose continued extraction of coal, Kellingley should remain closed.

016: Coal

O

Response to comment:

Noted.

127 Harworth Estates (UK Coal Operations Ltd)

M20

Q04 1071 Object to the policy.

016: Coal

O

The policy relates to potential extensions to the working area of Kellingley Colliery. The colliery is now permanently closed and the prospective future use and regeneration of the site is being discussed.

There is no prospect of the colliery being reopened and so no requirement to support possible future lateral extensions. The inclusion of this policy is likely to be detrimental to the redevelopment and regeneration of the colliery site and the surrounding area.

The policy and supporting text should be deleted as not required any more.

Response to comment:

Amendments made to reflect closure of Kellingley Colliery.

879 Strensall & Towthorpe Parish Council

DNS

M20

Q04 1748 There are now no working collieries in North Yorkshire and no shallow coal extraction so policies do not require any comments.

016: Coal

Response to comment: *Policy has been amended to reflect closure of Kellingley Colliery.*

74 Selby District Council

O

M20

Q04 1302 Kellingley Colliery is now permanently closed and there is believed to be no prospect of the colliery re-opening. The need for safeguarding the land of the licenced area is therefore questioned. This approach could have significant impacts on the future regeneration opportunities for the area.

016: Coal

Response to comment: *Amendments made to reflect closure of Kellingley Colliery.*

1112 RSPB North

O

M20

Q04 0780 Do not support the policy in its current form as concerned about direct negative impacts on climate change and carbon emissions if the policy was implemented.

016: Coal

The policy is in conflict with the Plan objectives and policies to reduce carbon change impacts. The Plan does not go far enough to address the impact of the policies on climate change.

Response to comment: *National Policy does not preclude working of coal for climate change reasons as part of a mix of energy supply. Climate change mitigation and adaptation for development is covered in policy D11 and does not need to be repeated here. Reference is made in the supporting text.*

2771 Kent County Council

S

M20

Q04 0867 Support this Policy.

016: Coal

The Policy approach to deep mine coal extraction is in accordance with the NPPF.

Response to comment: *Noted.*

2841

O

M20

Q04 0037

Do not support. Should say 'FURTHER PROPOSALS FOR THE MINING OF COAL WILL NOT BE SUPPORTED AS BURNING OF COAL WILL MAKE IT VERYT HARD TO REACH THE GOALS SET OUT IN THE CLIMATE ACT.'

016: Coal

Response to comment:

Amendments made to reflect closure of Kellingley Colliery.

3689 Friends Of the Earth

O

M20

Q04 1704

Object to the Policy.

016: Coal

Has the Government's announcement of phasing out coal and the implications of the Paris Agreement for the further exploitation of coal in terms of GHG impacts been considered?

Response to comment:

Amendments made to reflect closure of Kellingley Colliery.

1111 The Coal Authority

DNS

M20

Q04 1188

The policy refers specifically to Kellingley Colliery, this mine is now closed, the policy will need to be reviewed in light of this.

016: Coal

Response to comment:

Amendments made to reflect closure of Kellingley Colliery.

3689 Friends Of the Earth

O

M21

Q04 1705

Object to the Policy.

016: Coal

The NPPF sets open cast coal mining apart from other coal extraction (Para 149). Has this being considered? Has the Governments announcement of phasing out coal also being considered?

Response to comment:

Shallow coal is extracted by open cast mining so this is covered by this policy.

879 Strensall & Towthorpe Parish Council

DNS

M21

Q04 2294 There are now no working collieries in North Yorkshire and no shallow coal extraction so policies do not require any comments.

016: Coal

Response to comment: *Noted*

968 Womersley Parish Council

O

M21

Q04 1732 Object to the Policy.

016: Coal

In addition to the SA recommendations, shallow coal should only be considered for extraction where prior to planning permission being granted there is a legally binding performance restoration bond. Robust and enforceable conditions should be imposed to protect the community from environmental pollution and detrimental impact upon amenity.

Response to comment: *Points raised are development management issues and will be covered in the development management section.*

2981

O

M21

Q04 1646 Oppose extraction of shallow coal due to its impact on climate change.

016: Coal

Response to comment: *National Policy does not preclude working of coal for climate change reasons as part of a mix of energy supply. Climate change mitigation and adaptation for development is covered in policy D11 and does not need to be repeated here. Reference is made in the supporting text.*

M21

Q04 1072 Supports in principle the extraction of shallow coal as part of surface development proposals of the same site. However, given that the potential cost, duration and complication of such coal extraction could detrimentally impact on the delivery of development, the policy should state that it is applicable only where the coal extraction is feasible, economically viable and does not prevent or restrict the delivery of development.

016: Coal

Additional wording to the policy is suggested:

'Proposal for the extraction of shallow coal will be supported where extraction would take place as part of an agreed programme of development WHERE THIS IS FEASIBLE, ECONOMICALLY VIABLE AND DOES NOT PREVENT OR RESTRICT THE DELIVERY OF DEVELOPMENT. THIS IS INTENDED to avoid sterilisation....'

Response to comment:

Whilst these may be considerations the policy does not require the extraction of coal as part of other development proposals for prior extraction would not come forward where it would not be feasible, viable or restrict delivery of development.

2841

O

M21

Q04 0054 Do not support, should say 'FURTHER PROPOSALS FOR THE MINING OF COAL WILL NOT BE SUPPORTED AS BURNING OF COAL WILL MAKE IT VERYT HARD TO REACH THE GOALS SET OUT IN THE CLIMATE ACT.'

016: Coal

Response to comment:

National Policy does not preclude working of coal for climate change reasons as part of a mix of energy supply. Climate change mitigation and adaptation for development is covered in policy D11 and does not need to be repeated here. Reference is made in the supporting text.

2771 Kent County Council

S

M21

Q04 0868 Support this Policy.

016: Coal

The Policy approach to surface/shallow coal extraction is in accordance with the NPPF.

Response to comment:

Noted

359 North York Moors Association

O

M21 Q04 0712 Do not support the Preferred Policy approach because it should exclude Green Belt.

016: Coal

Response to comment: *Minerals extraction is allowed in the Green Belt.*

130 Leeds City Council

DNS

M21 Q04 1205 Support prior extraction of coal but consider it would be beneficial to have a specific policy for this and define a surface coal mineral safeguarding area.

016: Coal

Response to comment: *Safeguarding on minerals is covered under policy S01 and mineral safeguarding areas will be shown on the policies map.*

1112 RSPB North

O

M21 Q04 0781 Do not support the policy in its current form as concerned about direct negative impacts on climate change and carbon emissions if the policy was implemented.

016: Coal

The policy is in conflict with the Plan objectives and policies to reduce carbon change impacts. The Plan does not go far enough to address the impact of the policies on climate change.

Response to comment: *National Policy does not preclude working of coal for climate change reasons as part of a mix of energy supply. Climate change mitigation and adaptation for development is covered in policy D11 and does not need to be repeated here. Reference is made in the supporting text.*

128 Yorkshire Wildlife Trust

DNS

M21 Q04 1169 Applications for shallow coal extraction should have robust restoration plans. Some sites in other parts of the Country have not been restored and communities and the environment have been adversely affected. Open coal sites can also have high impacts on nearby residents health due to air pollution and dust.

016: Coal

Response to comment: *Points raised are Development Management matters and covered in Development Management policies.*

1111 The Coal Authority

S

M21

Q04 1189

Supports the inclusion of this policy which supports the prior extraction of shallow coal as part of the development process and sets out criteria against which proposals for extraction of shallow coal outside the development process will be considered.

016: Coal

Response to comment:

Noted.

2771 Kent County Council

S

M22

Q04 0869

Support this Policy.

016: Coal

The Policy approach to the disposal of colliery spoil is in accordance with the NPPF.

Response to comment:

Noted

879 Strensall & Towthorpe Parish Council

DNS

M22

Q04 2295

There are now no working collieries in North Yorkshire and no shallow coal extraction so policies do not require any comments.

016: Coal

Response to comment:

Noted

1111 The Coal Authority

DNS

M22

Q04 1190

This policy refers specifically to disposal of spoil from Kellingley Colliery, this mine is now closed so the policy will need reviewing.

016: Coal

Response to comment:

Policy M22 is incorporated into Policy M20 due to closure of Kellingley Colliery.

1112 RSPB North

O

M22

Q04 0782

Do not support the policy in its current form as concerned about direct negative impacts on climate change and carbon emissions if the policy was implemented.

016: Coal

The policy is in conflict with the Plan objectives and policies to reduce carbon change impacts. The Plan does not go far enough to address the impact of the policies on climate change.

Response to comment:

National Policy does not preclude working of coal for climate change reasons as part of a mix of energy supply. Climate change mitigation and adaptation for development is covered in policy D11 and does not need to be repeated here. Reference is made in the supporting text.

112 Highways England

DNS

M22

Q04 0572

Support criteria for additional spoil disposal capacity that would require the need for new disposal facilities, in particular criteria v) and locating such facilities where spoil can be transported via sustainable means or where transportation via the highway network is required that the movement of spoil would not result in unacceptable impacts.

016: Coal

Welcome the requirement for proposals to be compliant with development management policies in the Plan.

Response to comment:

Noted.

M22

Q04 1733 When this Policy is revised in light of the Kellingley Colliery closure will it be reconsulted upon, as we believe it should be? Support the intention to 'infill quarry voids' and other alternatives.

016: Coal

A bond must be supplied by the operator to protect the environment and communities from failed restoration. Operators producing colliery spoil should provide evidence of short, medium and long term disposal options using the 'Procedural Manual Evaluative Framework: Assessment of Alternative Colliery Spoil Options' demonstrating the economic and environmental effects of alternatives. Operators should also be set a target to incentivise the use of colliery spoil as a secondary aggregate.

Reference should be made to close collaboration with other regulatory bodies such as the Environment Agency and it should be clear where accountability lies for potential failures in monitoring, enforcement and regulation. Para 5.143 needs strengthening and expanding.

Sustainability Appraisal Summary:

The 'potential loss of the SINC at Womersley' was an element of the Planning Application which has now been withdrawn and therefore, is no longer relevant. The last sentence of the first para. Should be expanded to detail potential impacts.

Response to comment:

Policy M22 is incorporated into Policy M20 due to closure of Kellingley Colliery. Reference to other bodies is made in the policy justification text.

M22

Q04 1231 Support the Policy.

016: Coal

Response to comment:

Noted

M22

Q04 1073 This policy refers to Womersley Spoil Disposal Site, Kellingley Colliery closed in December 2015 the site will not be required to receive colliery spoil from mining at the colliery. It may be required to receive spoil material already existing at the Kellingley site or generated through its remediation, restoration and future development.

016: Coal

The policy should be amended to reflect this and facilitate the restoration of the spoil disposal site. Suggested text is:

' disposal of spoil from THE FORMER Kellingley Colliery SITE at the Womersley spoil disposal site, including proposals for increased capacity required to provide for the REMEDIATION AND RESTORATION OF THE SITE will be supported subject to the compliance with development management policies in the Plan

Any FUTURE spoil capacity....'

An additional sentence should be added to the policy to state:

FOLLOWING THE CLOSURE OF KELLINGLEY COLLIERY IN 2015, DISPOSAL OF COLLIERY SPOIL AT WOMERSLEY SPOIL DISPOSAL SITE IS NOW ONLY REQUIRED TO RECEIVE EXISTING MATERIAL OR THAT GENERATED BY THE REMEDIATION AND RESTORATION OF THE SITE. THEREAFTER, PROPOSALS TO REMEDIATE AND RESTORE THIS FORMER SPOIL DISPOSAL SITE WILL BE SUPPORTED.

The remediation and restoration of the Womersley Spoil Disposal Site will require ground treatments including the importation of lime and organic material.

Response to comment:

Policy M22 is incorporated into Policy M20 due to closure of Kellingley Colliery. Additional text added to the policy.

1779 The Parish do not object to the extraction of potash in the Whitby area.

017: Potash Polyhalite & Salt

Response to comment:

Noted

3835

DNS

1839 Although this a very comprehensive Plan, it is unexpected that the exploitation of Polyhalite between Sandsend and Scarborough is not included.
017: Potash Polyhalite & Salt

Response to comment:

The area suggested was put forward as a Site Allocation and was dealt with through the site assessment process. A permission has recently been granted for extraction of polyhalite in the National Park.

333 Tees Valley Unlimited (Joint Strategy Unit)

S

M23 Q04 1225 This policy is supported.
017: Potash Polyhalite & Salt

Response to comment:

Noted

112 Highways England

DNS

M23 Q04 0573 Welcome the inclusion of criteria iv) and the requirement for proposals in locations accessible from the existing sites at Boulby Potash Mine and the Doves Nest Farm site as well as for new sites outside of the National Park to be in accordance with the requirements of Policy I01 for transport and infrastructure.
017: Potash Polyhalite & Salt

Response to comment:

Noted

M23 Q04 0914 Support elements of this policy with amendments.

017: Potash Polyhalite & Salt

Welcome policy support for development of non-major surface development and associated infrastructure related to existing polyhalite mining in the National Park, but this should also include the proposed mining approved at Doves Nest Farm.

Welcome policy support for increased volumes of potash extraction, the extraction of other forms of potash not included in existing permissions, and sub-surface lateral to permitted working areas. A specific reference to polyhalite should be included. Applications for salt extraction from approved mining sites should be supported.

The inclusion of clause i) is unjustified in terms of paragraph 182 of the NPPF. It is not considered that a requirement for new proposals to reduce the impact of the currently approved works on the 'special qualities' of the National Park, or to improve the special qualities through mitigation, is a justifiable approach.

The York Potash Project has been designed to reduce its impact on its sensitive environmental setting. It is unlikely that new proposals at the site could reduce the impact of approved works, underground extensions of the mine could be achieved without change to the above-ground infrastructure. A policy requirement to deliver enhancements to the National Park in this context is not justified.

The NPPF encourages protection for valued landscapes and enhancement through the planning system, but there is no requirement to deliver a net benefit. Paragraph 115 and 116 of the NPPF emphasise the need to 'conserve the landscape, wildlife and cultural heritage', and to 'moderate' and detrimental impacts, so enhancement to the 'special qualities beyond this is not required.

Only proposals that are perceived to be harmful should be resisted. The policy should be amended to remove reference for the need for new developments at existing mineral sites to deliver an improved impact on the special qualities of the National Park.

Response to comment:

It is agreed that criterion i) should be revised to indicate that proposals should have 'no increased impact' rather than lead to a reduction in impact as this would be more in line with the objectives of the relevant national policy.

128 Yorkshire Wildlife Trust

DNS

M23 Q04 1170 Granting permission for the new potash mine at Doves Nest Farm is unacceptable development in the National Park and expansion should not be supported. Object to expansion of potash mining operations in NYMNPA.

017: Potash Polyhalite & Salt

Response to comment:

Noted. The planning application was decided outside the scope of this Plan.

2173 CPRE (North Yorkshire Region)

S

M23 Q04 0745 Support this policy and the reference to the major development test. Any further development at either of the potash mines will have to be assessed against this test.
017: Potash Polyhalite & Salt

Response to comment:

Noted

252 York Potash

DNS

M23 Q04 0918 The York Potash Project will make substantial contributions to the supply of a nationally significant mineral.
017: Potash Polyhalite & Salt

There should be appropriate policy support for its successful implementation ensuring consistency between the Development Plan and Development Management tiers of the planning process.

It is important that the Plan should recognise the York Potash Project status in terms of wording and associated implication of the various other policies in the Plan.

Response to comment:

It is agreed that further clarification of the position should be provided in the supporting text.

359 North York Moors Association

O

M23 Q04 0713 Do not support the Preferred Policy approach.
017: Potash Polyhalite & Salt

There is no certainty that the mine at Doves Nest Farm will commence operations. No further development which increases the scale of surface structures should be allowed at Doves Nest Farm or at Mineral Transport System tunnel access points or along the route within or near the National Park.

Response to comment:

Whilst it is not considered appropriate to include a policy which would prevent surface infrastructure development as this location, it is considered that the policy provides sufficient safeguards to ensure that any further development would be acceptable within the context of the highly constrained nature of this location.

132 Pendle Borough Council

DNS

M25 Q04 0005 The potential for the reactivation of dormant permissions for the mining of fluorspar, barytes and lead deposits at Cononley, west of Skipton is noted, as is the fact that this seems unlikely.
019: Vein Minerals

However should a proposal to recommence mining at either Cononley or Glusburn Moor before 2030 'transport infrastructure' should be added to the list of considerations in Policy M25 so the impact on minor roads in both Lothersdale and Pendle is addressed at the application stage.

Response to comment:

359 North York Moors Association

DNS

M25 Q04 0714 No proposals are envisaged.
019: Vein Minerals

Response to comment:

120 Historic England

S

M25 Q04 0121 Support Criterion iii . The part of the Plan area where these minerals occur have a rich historic environment which makes an important contribution to the local tourism economy, so is essential that any extraction pays attention to ensuring heritage assets are not harmed.
019: Vein Minerals

Response to comment:

2771 Kent County Council

S

M26 Q04 0870 Support this Policy.
020: Borrow Pits

Borrow Pits can serve a valuable purpose when development sites are poorly located with regard to quarried mineral resources and secondary and recycled materials.

Response to comment:

112 Highways England

DNS

M26

Q04 0574

Support the inclusion of criteria i) and the requirement for minerals from borrow pits to be sourced from sites on or adjoining the proposed construction scheme to enable to transportation of the mineral without significant use of the public highway. This is beneficial in terms of reducing traffic generation on the highway network and reduces the likelihood of material from vehicles being deposited on the highway.

020: Borrow Pits

Response to comment:

Noted

2841

S

M26

Q04 0038

Support this policy.

020: Borrow Pits

Response to comment:

Noted

115 Minerals Products Association

S

M26

Q04 0640

This policy is supported.

020: Borrow Pits

Response to comment:

Noted.

359 North York Moors Association

S

M26

Q04 0715

Support the Preferred Policy approach.

020: Borrow Pits

Response to comment:

Noted

128 Yorkshire Wildlife Trust

DNS

M26

Q04 1171

Some borrow pits have become valuable for wildlife when designed as wildlife ponds so this type of restoration would be supported.

020: Borrow Pits

Response to comment:

The point about the type of restoration can be picked up at the planning application stage and agreed then.

2173 CPRE (North Yorkshire Region)

S

M26

Q04 0746

Supports this policy which encourages the use of secondary or recycled material first before creating a borrow pit. Having a borrow pit adjacent to development will reduce the carbon footprint and traffic flows to the development.

020: Borrow Pits

Response to comment:

Noted

879 Strensall & Towthorpe Parish Council

S

M26

Q04 1750

Policy supported as the use of borrow pits enhances sustainability.

020: Borrow Pits

Response to comment:

Noted.

3829

DNS

1822 Waste control for highly hazardous pollutants are cause for concern as what is included as hazardous waste has been downgraded, so some toxic waste is not monitored in the Plan. Storm water run off and flood water runs are also not included in the Plan. Concerned waste water from fracking will not be processed in extreme weather events. The Plan is allowing some waste to be ignored.

Waste needs to be better regulated by the Authorities producing the Plan.

The Plan needs to include and enforce a toxic release inventory along with a policy of community right to know so all industry has to report significant toxic substances to the Authorities who can report back to the residents.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and 11. The text for W08 has been revised to focus on waste water and sewage arising from other sources. Detailed regulation of waste activities is a matter for other regulatory bodies.

M13

Q04 2289 It is essential that there is a plentiful supply of building materials available from the local area to support the building of new housing in the region.

013: Clay

Response to comment:

Noted

2981

DNS

1647 Broadly support the waste hierarchy concept.
Needs to be clarification about what will make up the greatest proportion of waste to be disposed of at incinerators.
In favour of Anaerobic Digestion, composting, waste minimisation and recycling.

021: Moving Waste up the
Waste hierarchy

Response to comment:

Noted.

2031 Encourage an increase in recycling and agree that the clean burning of waste should be investigated as this can produce several advantageous by-products. Rural roads should be protected from an increase in heavy traffic and use of the railway network should be encouraged.

021: Moving Waste up the
Waste hierarchy

Response to comment:

Noted.

2995

O

0002 Do not support waste incineration and related pollution. Should prioritise zero waste approach in manufacturing and food industries and should promote more recycling.

021: Moving Waste up the
Waste hierarchy

Response to comment:

Whilst this is noted, permission has already been granted for the Allerton Waste recovery facility. The Plan presents a practicable approach to moving waste further up the hierarchy taking into account relevant context for the area.

3846 Ryedale Liberal Party

DNS

P6.07 1927
*021: Moving Waste up the
Waste hierarchy*

Table 4- no data for waste water is included and only a very small amount for low-lever radioactive waste. This is surprising given the potential of millions of gallons of waste water from fracking.

Waste water from fracking should not be considered the same as sewage sludge. There are no allocation for water treatment in the plan.

Response to comment:

As detailed in the Table there is no data available for waste water arisings. The information provided is an estimate of current arisings and therefore does not indicate potential future arisings of waste. As potential arisings and location of waste produced by hydraulic fracturing is uncertain there is no basis for allocation of sites to manage this waste stream. However, Policies W10 and W11 provide the relevant approach if this waste stream was to increase. The supporting text has been amended to provide further clarity on this issue.

2180 Peel Environmental Limited

DNS

P6.20 0820
*021: Moving Waste up the
Waste hierarchy*

Paragraph 6.20 established a threshold of 75,000tpa as large scale facilities for the recovery of energy from waste. This seems to be inconsistent with policy IO1 (paragraph 7.8) which uses a threshold of 250,000tpa for 'major waste facilities. This apparent inconsistency should be clarified and resolved.

Response to comment:

the use of 75,000tpa as a threshold for 'large scale' has been clarified. The use of 250,000tpa as a threshold in IO1 has been removed so there is no longer an inconsistency.

127 Harworth Estates (UK Coal Operations Ltd)

S

W01 Q04 1074 Support the policy in principle, but object to limitation of the policy to support large scale schemes only, smaller scale facilities can also make a contribution to waste management and energy generation. The wording of the second paragraph of the policy should be amended to exclude the words 'large scale'.
021: Moving Waste up the Waste hierarchy

Response to comment:

The current approach has been retained as a requirement for 'large scale' facilities but the supporting text has been amended to clarify that all Energy from Waste facilities are encouraged to utilise heat generated.

121 Environment Agency

S

W01 Q04 1328 Broadly support the policy of moving waste up the hierarchy and encouraging high quality recycling.
021: Moving Waste up the Waste hierarchy

Response to comment:

Noted

286 Scarborough Borough Council

DNS

W01 Q04 0592 The ongoing commitment of the County Council to achieve the Government target to shift waste up the 'waste hierarchy' thereby reducing the amount deposited at landfill and maximising recycling and re-use of waste is noted.
021: Moving Waste up the Waste hierarchy

Response to comment:

Noted.

75 Bradford Metropolitan District Council

S

W01 Q04 0900 The policy uses the term 'biodegradable residual waste' not all waste from waste management processes is biodegradable, therefore a reference to residual waste may prevent confusion.
021: Moving Waste up the Waste hierarchy

Response to comment:

The text has been amended to change the term 'biodegradable waste' to 'residual waste'.

2173 CPRE (North Yorkshire Region)

S

W01 Q04 0747 Support the policy and managing waste as far up the hierarchy as possible.

021: Moving Waste up the Waste hierarchy

Response to comment: *Noted.*

92 Durham County Council

S

W01 Q04 0532 Support the Policy approach to moving waste up the waste hierarchy.

021: Moving Waste up the Waste hierarchy

Response to comment: *Noted*

734 Kirby Hill, Little Ouseburn & Thorpe Underwood Parish Council

O

W01 Q04 1715 Policy text states that landfill is still being endorsed for quarry reclamation, there must be alternative ways to reclaim a quarry.

021: Moving Waste up the Waste hierarchy

Paragraph 6.20 states that energy from waste facilities will be developed in association with large scale schemes. This has not happened with AWRP, The housing development at Flaxby came along after AWRP was decided.

Response to comment: *Reducing landfill is a key objective of national and local policy and in some cases may be an essential, appropriate and agreed element of quarry restoration. Where a deposit of waste is proposed for the purposes of improving derelict or degraded land, however, there is a need for balance between benefits of bringing such land into beneficial use and the scale of disposal needed to achieve this. The Policy as drafted will help ensure that excessive volumes of waste are not disposed of in return for relatively limited benefits. The current approach has been retained as a requirement for 'large scale' facilities but the supporting text has been amended to clarify that all Energy from Waste facilities are encouraged to utilise heat generated.*

3748 Meldgaard UK Ltd

DNS

W01 Q04 1217
*021: Moving Waste up the
Waste hierarchy*

It is important to recognise that Energy from Waste facilities create waste residue that needs to be managed. The creation of Incinerator Bottom Ash Aggregate allows for additional benefits to be accrued in that the residue can be moved up the waste hierarchy, effectively substituting for land won natural aggregates. This approach supports national and local policies by helping the sub-region to become 'net self-sufficient' and preserving existing landfill void and natural resources.

Response to comment:

It is agreed clarification of the approach towards such material should be provided in the supporting text.

879 Strensall & Towthorpe Parish Council

S

W01 Q04 1751
*021: Moving Waste up the
Waste hierarchy*

The basic strategy of these policies is supported as it provides an emphasis on recycling and minimising disposal to landfill, so reduces the cost of landfill tax and extends the life of the current landfill sites.

Response to comment:

Noted.

W01

Q04 0800

The provisions and direction of the policy are supported in principle. However, do not agree with the wording of the policy or its justification.

Q21: Moving Waste up the Waste hierarchy

Whilst it is agreed that the use of heat should be encouraged, it is considered that this should not be limited to 'large scale facilities' and such an approach is not consistent with policies of the National Planning Policy for Waste, which encourages the development of all low carbon energy facilities in close proximity to potential heat customers.

In addition the focus of the policy wording should be on the efficient generation of energy, rather than the efficient use. National policy specifically supports and encourages the most efficient generation of energy for waste.

Furthermore the policy only identifies energy recovery facilities should recover energy via heat and / or electricity. This fails to take account of the benefits of Advanced Thermal Treatment technologies, such as gasification and pyrolysis, which produce syngas which has the potential of producing hydrogen (for use in fuel cells or in liquid state) or other liquid fuels (e.g. biomethane, bioethanol etc.) or synthetic natural gas (used in gas to grid projects). It is considered that these should be recognised in both the policy and the justification.

It is therefore suggested that the policy be amended to remove the reference to 'large scale' and the reference to 'the efficient use of electrical energy....' be replaced with 'the efficient recovery of energy...'

Response to comment:

The current approach has been retained as a requirement for 'large scale' facilities but the supporting text has been amended to clarify that all Energy from Waste facilities are encouraged to utilise heat generated. The Policy and supporting text has been amended to include reference to Advanced Thermal Treatment Energy recovery facilities. Text has been amended to refer to 'efficient recovery of energy' instead of 'efficient use of electrical energy'.

W01 Q04 1293 Para 6.4 states that certain quarry wastes can be managed locally and do not enter the 'wider waste market', however these wastes are subject to Mining Waste Regulations and a permit for disposal may be required and this does not move the waste up the waste hierarchy.

021: Moving Waste up the Waste hierarchy

Varying targets for recovery of CDEW have been stated, but there is no data available to demonstrate that quantity of excavation waste in the CDEW stream and no justification for the difference in targets. Experience of recycling inert, construction and demolition waste indicates that a recovery of quality, saleable products will be no more than 50% of waste input.

Policy W01, which concerns moving waste up the hierarchy, appears to discriminate against the landfill of waste on derelict and degraded land and the deposit of waste for quarry reclamation, which is unreasonable.

Response to comment:

Reducing landfill is a key objective of national and local policy and in some cases may be an essential, appropriate and agreed element of quarry restoration. Where a deposit of waste is proposed for the purposes of improving derelict or degraded land, however, there is a need for balance between benefits of bringing such land into beneficial use and the scale of disposal needed to achieve this. The Policy as drafted will help ensure that excessive volumes of waste are not disposed of in return for relatively limited benefits.

W01 Q04 0641 This policy is supported, particularly its comments about the recycling of CD&E waste and the landfill of inert waste to aid quarry restoration.

021: Moving Waste up the Waste hierarchy

Response to comment:

Noted

W01 Q04 0871 Support this Policy.

021: Moving Waste up the Waste hierarchy

It is clear that the Preferred Policy for the joint areas waste arisings is to ensure diversion from landfill to up the waste hierarchy, which is in accordance with the NPPF and waste guidance.

Response to comment:

Noted.

2841

S

W01 Q04 0039 Support this policy.

021: Moving Waste up the Waste hierarchy

Response to comment:

129 Yorwaste Ltd

S

W01 Q04 0919 Support the Policy.

021: Moving Waste up the Waste hierarchy

Particularly in relation to extending the time for sites with existing permitted void space. This policy should also allow for the use of inert material for daily cover and restoration materials used at Harewood Whin Landfill.

Response to comment:

2817

O

W01 Q04 1619 Object

021: Moving Waste up the Waste hierarchy

Response to comment:

333 Tees Valley Unlimited (Joint Strategy Unit)

S

022: Strategic role of the Plan area in the Management of Waste 1227 The aim of net self sufficiency is supported, as are policies which support the provision of waste to reduce reliance on export of waste and help deal with waste in proximity to where it arises. It is noted that some movement of waste beyond the boundaries of the plan area, including into Tees Valley, may be necessary, particularly in relation to specialist waste management.

Response to comment:

3756 East Riding of Yorkshire Council and Hull City Council (Joint Local Plan Team Minerals and Waste)

S

1324 The Councils support the proposed waste policies that aim for net self-sufficiency and note the use of policy criteria to achieve this.

022: Strategic role of the Plan area in the Management of Waste

Response to comment:

Noted.

2180 Peel Environmental Limited

DNS

P6.27 0802 Concerned that there is inconsistency between the data presented and the evidence base underpinning the plan. The figures presented in the plan differ significantly to those presented in the Urban Vision Report (May 2015) Appendix A. For example Appendix A identifies circa 246,438 tonnes of waste being exported where as the plan presents 334,000. Clarification on these inconsistencies are needed as this is particularly important as the amount imported can influence the amount of new waste infrastructure that is required.

022: Strategic role of the Plan area in the Management of Waste

Response to comment:

The Plan will be amended to reflect an updated Waste Arisings and Capacity Requirements Report which takes into account concerns regarding consistency.

3696

S

W02

Q04 0021 Recycling should be enhanced from current levels.

022: Strategic role of the Plan area in the Management of Waste

Response to comment:

Policy W01 supports moving management of waste up the waste hierarchy i.e. towards recycling.

W02 Q04 0920 Support the Policy.

022: Strategic role of the Plan area in the Management of Waste

Response to comment:

Noted

2180 Peel Environmental Limited

O

W02 Q04 0801 Policy W02 key aim is to "support....proposals for additional waste management capacity needed to achieve an increased net self-sufficiency in the management of waste to a level equivalent to expected arisings in the Plan area..."

022: Strategic role of the Plan area in the Management of Waste

Paragraph 6.33 acknowledges that commercial consideration and operation of the market play a fundamental role in determining the actual pattern of movement of waste, and in most cases administrative boundaries have little influence on this, and that import and exports are likely to continue in response to market factors outside the control of the Planning Authorities.

Paragraph 6.34 continues to justify the proposed 'net self-sufficiency' approach based on: exports from the plan area in effect being balanced by imports from elsewhere; and the fact that waste planning authorities adjoining the plan area, including those which have exported significant amounts of waste to the area, are also planning on the basis of net self-sufficiency. As a consequence the joint plan authorities consider it unlikely that a significant increase in imports will occur.

However, whilst there is clearly some logic in the Joint Plan Authorities approach, it is considered that due to the considerable uncertainty regarding actual levels of waste (see comment 0802) and the fact that the Authorities cannot control the movements of waste, there should be a greater degree of flexibility in the plan to take account of waste movements. Policy WO2 and the justification be reworded as follows:

"It is recognised that waste will continue to be imported from outside of the plan area and that the levels of waste imports and exports may not necessarily always balance. Where a facility is proposed to manage waste arisings mainly outside the plan area, it will not be supported unless it can be demonstrated that the facility would represent the nearest appropriate installation for the waste to be managed."

Response to comment:

The comment has been accepted, the Policy text and supporting text have been updated to reflect the reference to the suggested text. The point about flexibility has been addressed in a revision to the Policy and supporting text.

92 Durham County Council

S

W02 Q04 0533 Support the Policy approach.

022: Strategic role of the Plan area in the Management of Waste

Support the approach which seeks to achieve an increase in net self-sufficiency in the management of waste to a level equivalent to expected arisings in the Plan area by the end of the Plan period.

Response to comment: *Noted.*

3720 Rufforth with Knapton Neighbourhood Planning Group

DNS

W02 Q04 0449 Broad in support of the approach of the policy. Given that Harewood Whin is currently an operational waste management site the strategic significance of the site is reluctantly accepted. However in terms of this site operations must be restricted to within the current site boundary.

022: Strategic role of the Plan area in the Management of Waste

Response to comment: *Noted. The area proposed to be allocated at Harewood Whin reflects the current site boundary*

121 Environment Agency

S

W02 Q04 1329 Support the aim of net self sufficiency and agree that some forms of waste treatment are better carried out on a sub regional basis.

022: Strategic role of the Plan area in the Management of Waste

Clarification is needed on the intention of the plan of the Plan when it comes to hazardous waste landfills. Unsure whether the policy is ruling out hazardous waste landfills within the Plan area or just using hazardous waste as an example of where specialist management is needed under a regional strategic approach.

Response to comment: *Policy does not rule out new capacity for hazardous waste landfills or other specialised provision but it would be appropriate to revise the Policy and supporting text to clarify the approach and to ensure that a suitably positive approach to meeting future needs is established.*

1097 Rufforth and Knapton Parish Council

DNS

W02 Q04 0376 Although the strategic role of Harwood Whin is, albeit reluctantly, acknowledged the site area must be restricted to within the current operational site boundary.
022: Strategic role of the Plan area in the Management of Waste

Response to comment: *Noted. The area proposed to be allocated at Harewood Whin reflects the current site boundary*

128 Yorkshire Wildlife Trust

DNS

W02 Q04 1172 Has the possible increase in hazardous waste associated with shale gas extraction been taken into account? This could lead to larger quantities of higher level radioactive hazardous waste.
022: Strategic role of the Plan area in the Management of Waste

Response to comment: *Accepted, The supporting text has been amended to reflect the possible increase in specialist waste streams.*

115 Minerals Products Association

S

W02 Q04 0642 This policy is supported.
022: Strategic role of the Plan area in the Management of Waste

Response to comment: *Noted.*

3846 Ryedale Liberal Party

DNS

W02 Q04 1928 Second Paragraph- do not agree that most of all fracking water should be treated out of the plan area. No site allocations are included for waste water from fracking, this would lead to significant vehicle movements for treatment of water outside the area.
022: Strategic role of the Plan area in the Management of Waste

Response to comment: *The Policy provides these as examples specifically because they have small arisings in the Plan area, if they were to increase to a level which would justify a facility within the Plan area then this could be addressed under Policies W10 and W11. This is clarified in the Policy and supporting text.*

W02 Q04 2296 The basic strategy of these policies is supported as it provides an emphasis on recycling and minimising disposal to landfill, so reduces the cost of landfill tax and extends the life of the current landfill sites.

022: Strategic role of the Plan area in the Management of Waste

Response to comment:

W02 Q04 0575 Support National Planning Policy which encourages the management of waste in proximity to where it arises, and the intention to increase self-sufficiency which can facilitate the reduction in the need to transport waste outwith the authority, so the SRN may be used.

022: Strategic role of the Plan area in the Management of Waste

Response to comment:

W02 Q04 0040 Support this policy, local management is best. First sentence hard to read.

022: Strategic role of the Plan area in the Management of Waste

Response to comment:

0804 Do not agree with the manner in which the capacity information is presented in the Plan. As it is currently presented it is not considered to provide the local residents or waste sector with the transparency or certainty needed for investment in new facilities in the area.

023: Meeting Future Waste Management Needs

In particular: the plan should clearly identify the existing levels of arisings and the future levels of waste arisings for all waste streams. Clearly showing different levels of waste that could be produced as a result of various growth and waste management practice scenarios. The Plan should clearly identify the levels of existing waste management capacity that is available within the plan, clearly identifying if any of this capacity is restricted to the management of a particular waste stream; Table 7 should clearly identify the annual capacity gap for each waste capacity type and each waste stream, irrespective of whether there is a capacity gap or not.

Other authorities have followed this approach, e.g. Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD.

Response to comment:

The Plan will be amended to reflect an updated Waste Arisings and Capacity Requirements Report which takes into account these concerns. This will include a clear summary of the data used to determine waste management capacity requirements for the Plan area.

0872 The Preferred Policies are not clear that net waste self-sufficiency is to be attained by 2030, which appears to be a weakness of the overall preferred policy provisions for the principle waste streams.

023: Meeting Future Waste Management Needs

It is noted that of the main waste streams there is a capacity gap between predicted arisings and the management capacity to achieve net waste self-sufficiency by the end of the Plan period. This is illustrated by the 500 tonnes of LACW transferred to Kent in 2014 from North Yorkshire, despite the significant distance between the WPAs.

Response to comment:

The issue has been clarified in the Policy, by including the end of the Plan period as the target by which to achieve net self-sufficiency.

P6.45 0853 Agree with the assumptions 1,2 and 3 in paragraph 6.45, even though the scenarios themselves are not supported. However, the fourth assumption does not accord with National Policy. Paragraph 3 of the National Waste Planning Policy for waste states that 'in preparing local plans, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need'. As a consequence the identification of future capacity requirements should be re-calculated based only on the capacity of operational facilities and not facilities with planning consent.

023: Meeting Future Waste Management Needs

Concerned about the statement in Paragraph 6.46. firstly no account or flexibility has been included in the figures to account for waste that is imported into the Plan area (see comment 0801). Secondly, in light of the comments regarding the importation of waste, the scenarios relating to growth and waste management practices, and the assumptions that underpin the assessment of future capacity requirements. It is not possible to support the assumption that figures presented in Table 7 (and the assessment carried out by urban vision) actually represent a 'worst case' scenario in terms of the scale of additional provision that may be required.

At the present time it is not considered that the Plan contains a full or objective assessment of future waste management requirements.

Response to comment:

The Plan will be amended to reflect an updated Waste Arisings and Capacity Requirements Report which takes into account these concerns, including the approach to how the inclusion of 'capacity of existing operational facilities would satisfy any identified need'.

Q06 0803
 023: Meeting Future Waste
 Management Needs

Do not agree with the assumptions made and suggest that an alternative approach is adopted. Having reviewed this section of the Plan, and its supporting documentation in the evidence base, there are concerns regarding the assumptions that underpin the figures within the plan and the manner in which they are presented. Primarily the following comments focus upon the work carried out to identify the future capacity requirements for management of C&I waste.

Despite the clear quantitative calculations, in the Urban Vision report, based upon published economic modelling data, the figures for growth and minimised growth have been adjusted on the basis of qualitative assumptions. Specifically, that there would be no increase in commercial waste due to the impact of waste minimisation initiatives and a reduction in industrial waste as a result of a continued move away from traditional industrial activities. It is not considered appropriate for the Joint Authorities to make qualitative assumptions on what 'might' happen as a result of certain activities and use these to off-set results of clear quantitative evidence. Furthermore, it would appear that the approach being adopted within the Plan would be contrary to recent forecasting of C&I waste growth contained in the Defra forecasting 2020 waste Arisings and Treatment Capacity Revised Feb 2013 (published October 2013). In this report, for all scenarios, Defra anticipates that there will be growth in C&I waste between 2015-2020. As a consequence it is considered that the Plan should use at least one scenario (potentially for growth) should reflect the modelled economic based growth of 0.89% pa, without any counter-balancing. In addition, it is considered that the minimised growth scenario should indicate negative growth for the two waste streams as this would be more consistent with the Government's waste forecast.

Comments on Scenarios relating to waste management practice.

There is no clear basis on which Urban Vision has arrived at their current estimate for C&I recycling of between 55% and 58% as continued in Table 6. The Plan should use the latest published data, for C&I waste this was published in the National C&I waste survey 2010, which identified a rate of recycling of 52%. The NW C&I survey, which the Joint Authorities relied upon in the formulation of their own C&I waste arising figures, indicated the recycling rate of circa 50%. Thus, the current estimates should be stated as being between 50-52% as this is derived from published reliable data.

The scenarios for both maximised and median recycling assume that there is going to require something of a step change in the level of recycling in the next 5 years. It is considered that these scenarios do not provide an accurate reflection of the actual potential for recycling rates to increase. The principle driver of C&I waste away from landfill is landfill tax. Neither scenario are considered appropriate as they under-estimate the amount of residual waste likely to require management over the plan period. Therefore an alternative scenario should be considered which adopts a steady (year-on-year) growth in recycling to achieve the maximum and median recycled targets by the end of the plan period (85% and 65% by 2030). It is considered that this would provide a more accurate reflection of likely growth in recycling and levels of waste requiring management.

Response to comment:

The Plan will be amended to reflect an updated Waste Arisings and Capacity Requirements Report which takes into account these concerns. This will include revision of the approach to future capacity requirements for management of C&I waste.

115 Minerals Products Association

S

Q06 0643 The approach to forecasts is supported.

023: Meeting Future Waste
Management Needs

Response to comment:

Noted.

3720 Rufforth with Knapton Neighbourhood Planning Group

S

W03

P6.54 0450

This paragraph is supported as it recognises that waste management sites are considered by national policy to be inappropriate development. The SoS (October 16th) strengthened the policy making it clear that brown field sites should be used first and Councils can no longer use local circumstances or economic benefit to justify development in green belt. The proposals for Harewood Whin within the plan seek to extent the operational area into the green belt.

023: Meeting Future Waste
Management Needs

Response to comment:

Noted. The area proposed to be allocated at Harewood Whin reflects the current site boundary

1097 Rufforth and Knapton Parish Council

DNS

W03

P6.54 0377

Recognition of the need for any future proposals to be consistent with relevant green belt policy is supported. The NPPF states that waste management development is inappropriate development in the green belt. The SoS (Oct 2014) strengthened the policy making it clear that Councils should first look for sites on brownfield land and councils can no longer give special consideration to local needs or wider economic benefits as justifications for building on green belt. An application at Harewood Whin was recently called in by the SoS on these grounds. Proposals at Harewood Whin are out side the operational area and proposed within the green belt, developing this site would be contrary to national policy. The green belt should be safeguarded and activities at Harewood Whin should be restricted to within the current operational boundary.

023: Meeting Future Waste
Management Needs

Response to comment:

Noted. The area proposed to be allocated at Harewood Whin reflects the current site boundary

1097 Rufforth and Knapton Parish Council

DNS

W03 P6.55 0378 Support the policy of waste being managed near to source of arisings. It is therefore important that a waste transfer station be built in the Selby area to prevent waste being transported to Harewood Whin.
023: Meeting Future Waste Management Needs

Response to comment: *Noted. The allocation of Site WJP16 (Common Lane, Burn) will meet this requirement.*

121 Environment Agency

S

W03 Q04 1330 Support the policies' preference for increased recycling capacity which is in line with recent legislation which requires adherence to the waste hierarchy and separate collection of recyclables wherever possible.
023: Meeting Future Waste Management Needs

Energy recovery is an option for 'residual waste' management. However, the Plan should clarify what constitutes 'residual waste' in terms of plan policy.

Response to comment: *First point Noted. Definition of the term 'residual waste' has been added to the introductory text of the Section.*

879 Strensall & Towthorpe Parish Council

S

W03 Q04 2297 The basic strategy of these policies is supported as it provides an emphasis on recycling and minimising disposal to landfill, so reduces the cost of landfill tax and extends the life of the current landfill sites.
023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

74 Selby District Council

DNS

W03 Q04 1303 Within the Selby District Council Core Strategy 2013, Selby is identified as one of the three main towns in the district, with the strategy seeking to concentrate growth in Selby.
023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

3542

O

W03

Q04 1108

How many more extensions of time are CYC going to grant at Harewood Whin. Height of the landfill site is blocking views of the Minster.

023: Meeting Future Waste Management Needs

Plan states that Harewood Whin is in the green belt. Why hasn't CYC looked for alternative sites? The Plan seems to include all proposed developments on the assumption that planning permissions would be granted.

Response to comment:

The Harewood Whin site is an established strategically important location for the management of waste arising in the area and provision of support in principle for its continued availability is appropriate, subject to certain criteria

3745

O

W03

Q04 2256

Object to the Policy.

023: Meeting Future Waste Management Needs

The Harewood Whin Site (WJP11) is within the Green Belt and, although recognised as a strategic waste management site, any development must be restricted to the current footprint of the Site.

Response to comment:

Noted. The area proposed to be allocated at Harewood Whin does not extend beyond the existing site footprint

3742

O

W03

Q04 2056

Object to the Policy.

023: Meeting Future Waste Management Needs

Harewood Whin is within the Green Belt and any development on the site must be in line with Green Belt policy. Any future development should be restricted to the current operation site footprint i.e. exclude the two fields adjacent to the B1224.

Response to comment:

Noted. The area proposed to be allocated at Harewood Whin does not extend beyond the existing site footprint

3451

O

W03 Q04 2253 Object to the Policy.

023: Meeting Future Waste Management Needs

The Harewood Whin Proposal (WJP11) is within the Green Belt and any further development must be within the existing footprint of the Site i.e. extension to the adjacent fields along the B1224 must be removed.

Response to comment:

Noted. The area proposed to be allocated at Harewood Whin does not extend beyond the existing site footprint

1523 Hartoft Parish Council

DNS

W03 Q04 0018

023: Meeting Future Waste Management Needs

Concerned about the amount of items which are working or are in good condition which are thrown away at HWRCs. HWRCs should be allowed to sell these as in the past to reduce amount of landfill. Do not support outsourcing of waste services at HWRCs as expensive and inefficient.

There is a lack of understanding about incineration resulting in a level of opposition to the process.

Response to comment:

Noted. The detailed management practices for waste at HWRC's is a matter outside the control of the Plan.

129 Yorwaste Ltd

S

W03 Q04 0921 Support the Policy.

023: Meeting Future Waste Management Needs

However, it is noted that only transfer stations for York (Harewood Whin) and Selby (Burn Airfield) have been mentioned in the policy. It is our understanding that a transfer station will be required in all of the Waste Collection Authorities, including Ryedale where no facility exists. This issue requires further clarification.

Response to comment:

Noted. Transfer stations for LACW are already in place in Hambleton District and permission has been granted for a facility in the Ryedale District. Notwithstanding this, the Policies in the Plan do not preclude the development of further transfer station capacity in these areas should suitable proposals come forward.

3720 Rufforth with Knapton Neighbourhood Planning Group

S

W03 Q04 0451 The approach of dealing with waste as close to source of arisings is supported. Considers that additional waste transfer capacity be granted in Selby area to prevent additional waste volumes being managed at Harewood Whin.
023: Meeting Future Waste Management Needs

Response to comment:

Noted. The allocation of Site WJP16 (Common Lane, Burn) will meet this requirement.

2841

S

W03 Q04 0041 Support the policy, should be more localised treatment facilities rather than Allerton Park to minimise transport.
023: Meeting Future Waste Management Needs
Definitely support section 3.

Response to comment:

Noted but no changes proposed. Economies of scale limit the use of small scale localised EfW facilities, and EfW has been chosen as the final disposal route for LACW in NYCC and CYC.

75 Bradford Metropolitan District Council

S

W03 Q04 0901 There is reference to 'net-self-sufficiency' and 'self-sufficiency' - possibly consider how this is referenced throughout the policies.
023: Meeting Future Waste Management Needs

Response to comment:

Supporting text has been amended to ensure consistency throughout the Plan.

112 Highways England

DNS

W03 Q04 0576 Support National Planning Policy which encourages the management of waste in proximity to where it arises, and the intention to increase self-sufficiency.
023: Meeting Future Waste Management Needs

Response to comment:

Noted.

3846 Ryedale Liberal Party

DNS

W03 Q04 1929
*023: Meeting Future Waste
Management Needs*

The inclusion of EFW such as Allerton Park within the Plan encourages waste production, discouraging recycling, as the facilities need a certain amount of fuel. This could lead to an increase in imports of waste. This policy can only be supported where these issues are addressed. There is a preference for EfW to be considered well down the waste hierarchy.

Response to comment:

Noted but no change proposed. AWRP has been procured to meet LACW projected arisings for NYCC and CYC and includes a recycling element.

129 Yorwaste Ltd

S

W04 Q04 0922
*023: Meeting Future Waste
Management Needs*

Support the Policy.

However, it is noted that there is an absence of any mention of transfer facilities in the Ryedale area or the current transfer facility at Tancred. It is noted that a transfer station at Harmby (Richmondshire) is included in the policy. This issue requires further clarification.

Response to comment:

Noted. Planning permission has been granted for a Waste Transfer facility in the Ryedale District. Notwithstanding this, the Policies in the Plan do not preclude the development of further transfer station capacity in these areas should suitable proposals come forward.

1097 Rufforth and Knapton Parish Council

DNS

W04 Q04 0442
*023: Meeting Future Waste
Management Needs*

As the site at Harewood Whin currently handles such material its continuation in the plan is logical. However, this should be under strict controls (no hazardous material and no new waste material types).

Response to comment:

Noted

W04 Q04 1206 The policy should indicate where hazardous waste will be managed. It would be helpful to include details of the landfill sites that can take hazardous waste from North Yorkshire and the likely amounts. The way that Leeds has dealt with this is to indicate which of the existing landfill sites could be suitable for hazardous waste.

023: Meeting Future Waste Management Needs

Response to comment:

Agree. Supporting text has been amended to include reference to other areas with landfill sites that could receive hazardous waste from the Plan area. However, it is not considered appropriate to refer to specific sites as the market will influence the actual locations where waste is managed.

3701 Merseyside Environmental Advisory Service (advisors to Liverpool, Knowsley, Halton, Sefton, St Helens and Wirral Councils)

DNS

W04 Q04 0016 According to the latest waste interrogator information the quantities of hazardous waste sent from North Yorkshire to Liverpool City Region have reduced by approximately 450 tonnes compared to 2013 levels.

023: Meeting Future Waste Management Needs

While this quantity is above Liverpool's strategic threshold for hazardous waste there is not expected to be any significant planning or capacity issues arising if this level of cross boundary movement continues.

Response to comment:

Noted.

W04

Q04 1075

Q23: Meeting Future Waste Management Needs

Text suggests that there is no substantial predicted capacity gap within the Plan area. Cross boundary waste movements may be appropriate and represent cooperation between authorities. Reference should be made to the engagement and cooperation with neighbouring authorities regarding possible cross-boundary waste movement where appropriate.

Part 1) iii) - supports provision for strategic energy from waste facilities listed and the in-principle support for the delivery of additional energy recovery capacity for suitable C&I waste. North Selby Mine is mentioned in the supporting text, but should also be included as one of the sites listed in the policy itself.

Part 2)- Support policy approach. However object to the omission of the approved waste facilities at the Southmoor Energy Centre and North Selby Mine. The sites have not been allocated as have planning permission. Do not support this approach, sites with planning permission should be allocated to assist facilitating delivery in the event that a planning permission was to expire or an alternative facility was proposed. Suggest that the text in the policy is amended to include these sites:

'Additional provision to help increase self-sufficiency in capacity for management of C&I waste is made through site allocations for:

ALLOCATIONS FOR ENERGY RECOVERY AND/OR RECYCLING, TRANSFER AND TREATMENT OF C&I WASTE:

* SOUTHMOOR ENERGY CENTRE SITE AT KELLINGLEY COLLIERY (PLANNING PERMISSION GRANTED)

* LAND AT NORTH SELBY MINE (PLANNING PERMISSION GRANTED)

Allocations for recycling, transfer and treatment....

Response to comment:

It is agreed that the issue of whether major sites for waste recovery capacity of C&I waste should be allocated needs to be reconsidered. This will take into account evidence from the updated waste capacity requirements report.

W04 Q04 0122 Appendix 1 sets out details of the key sensitivities of each site and the mitigation measures that are likely to be required in order for development at those sites to be acceptable. To ensure that these developments principles are effectively tied into the Local Plan the following text should be added to Policy W04
023: Meeting Future Waste Management Needs

'PROPOSALS FOR THE DEVELOPMENT OF THESE SITES WILL BE REQUIRED TO TAKE ACCOUNT OF THE KEY SENSITIVITIES AND INCORPORATE THE NECESSARY MITIGATION MEASURES THAT ARE SET OUT IN APPENDIX 1'

Such an approach would help provide certainty to both potential developers and local communities about what precisely what will, and will not, be permitted on those sites.

Additional words suggested are in capital letters.

Response to comment: *Agree. Policy text amended.*

W04 Q04 0452 As this material is already managed on site at Harewood Whin its continuation is logical however this must be done under strict controls including limiting the site to only manage those waste materials currently managed (WEEE and certain liquids).
023: Meeting Future Waste Management Needs

Response to comment: *Noted*

W04 Q04 1218 The Policy needs to clarify the waste stream status of Incinerator Bottom Ash arising from waste managed at Allerton Waste Recovery Park. Does this waste remain LACW or is it C&I waste? If IBA is designated as C&I the text of the Policy needs to clearly state that it relates to IBA processing.
023: Meeting Future Waste Management Needs

Response to comment: *IBA is classified as C&I waste. It is agreed clarification of the approach towards such material should be provided in the supporting text.*

W04 Q04 0577 Support National Planning Policy which encourages the management of waste in proximity to where it arises, and the intention to increase self-sufficiency.
023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

2180 Peel Environmental Limited

O

W04 Q04 0805 Do not support the approach to the allocation of strategic sites or the management of C&I waste, in particular the decision not to allocate Southmoor Energy Centre (WJP03) or North Selby Mine AD Facility (WJP02). Instead these sites have been identified as 'committed sites' due to their permitted status. The approach the Authorities are taking in relation to sites which benefit from an extant planning permission is not supported. It is considered that further assessment is needed. The reasons why the two sites should be allocated are: the strategic importance of the sites and their contribution to the delivery of the emerging Plan, and the Joint Authorities suggested approach to the sites not being in conformity with the requirements of national policy contained within the National Planning Policy for Waste.
023: Meeting Future Waste Management Needs

In this context the plan should also consider allocating other strategic sites such as the Arbre Power Station.

Response to comment: *It is agreed that the issue of whether major sites for waste recovery capacity of C&I waste should be allocated needs to be reconsidered. This will take into account evidence from the updated waste capacity requirements report.*

879 Strensall & Towthorpe Parish Council

S

W04 Q04 2298 The basic strategy of these policies is supported as it provides an emphasis on recycling and minimising disposal to landfill, so reduces the cost of landfill tax and extends the life of the current landfill sites.
023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

75 Bradford Metropolitan District Council

S

W04 Q04 0904 Reference to where provision will be outside the Plan area would be useful.
023: Meeting Future Waste Management Needs

Response to comment: *Agree. Supporting text has been amended to include reference to landfill sites that could receive hazardous waste from the Plan area.*

W04 Q04 0006 The nearest site allocations to Pendle for recycling, transfer and treatment of C&I waste are at Halton East (WJP13) and Skibeden (WJP17). These will not result in and strategic cross boundary issues.
 023: Meeting Future Waste Management Needs

Response to comment:

2841

S

W04 Q04 0042 Support, it seems to minimise transport.
 023: Meeting Future Waste Management Needs

Response to comment:

3542

O

W04 Q04 1109 Harewood Whin should be excluded from this section for recycling, transfer and treatment of C&I waste in view of the called in planning application 14/00041/FULM?
 023: Meeting Future Waste Management Needs

Response to comment:

75 Bradford Metropolitan District Council

S

W04 Q04 0902 There is reference to 'net-self-sufficiency' and 'self-sufficiency' - possibly consider how this is referenced throughout the policies.
 023: Meeting Future Waste Management Needs

Response to comment:

W05 Q04 2299 The basic strategy of these policies is supported as it provides an emphasis on recycling and minimising disposal to landfill, so reduces the cost of landfill tax and extends the life of the current landfill sites.

023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

W05 Q04 0923 Support the Policy.

023: Meeting Future Waste Management Needs

However, it is noted that Harewood Whin, Seamer Carr, Whitby and Tancred are not mentioned as allocated sites for the treatment and disposal of this type of waste, which is currently being undertaken. This issue requires further clarification.

Response to comment: *Noted. Supporting text has been amended to reflect that some sites will manage a range of waste streams, including CD&E waste, but are not referred to in Policy.*

W05 Q04 1001 Support the approach in the policy together with the inclusion of the land adjacent to the former Escrick Brickworks (WJP06) for the landfilling of CD&E waste to facilitate restoration.

023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

W05 Q04 0644 This policy is supported but cannot comment on the merits of individual allocations.

023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

116 Ryedale District Council

S

W05 Q04 1132 This is an appropriate policy for meeting the requirements of recycling of construction, demolition and excavation waste.
023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

75 Bradford Metropolitan District Council

S

W05 Q04 0903 There is reference to 'net-self-sufficiency' and 'self-sufficiency' - possibly consider how this is referenced throughout the policies.
023: Meeting Future Waste Management Needs
Reference to CD&E in-situ may be useful within the policy.

Response to comment: *The Policy has been amended to ensure consistency throughout the Plan.*

112 Highways England

DNS

W05 Q04 0578 Support National Planning Policy which encourages the management of waste in proximity to where it arises, and the intention to increase self-sufficiency.
023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

120 Historic England

DNS

W05

Q04 0123

023: Meeting Future Waste Management Needs

Appendix 1 sets out details of the key sensitivities of each site and the mitigation measures that are likely to be required in order for development at those sites to be acceptable. To ensure that these developments principles are effectively tied into the Local Plan the following text should be added to Policy M09
'PROPOSALS FOR THE DEVELOPMENT OF THESE SITES WILL BE REQUIRED TO TAKE ACCOUNT OF THE KEY SENSITIVITIES AND INCORPORATE THE NECESSARY MITIGATION MEASURES THAT ARE SET OUT IN APPENDIX 1'

Such an approach would help provide certainty to both potential developers and local communities about what precisely what will, and will not, be permitted on those sites.

Site WJP06 could harm elements which contribute to the significance of a number of heritage assets, but there has been no evaluation to assess this, so an assessment needs to take place.

Additional words suggested are in capital letters.

Response to comment: *Agree. Policy text amended.*

342 Mone Brothers Excavations Ltd

S

W05

Q04 1294

023: Meeting Future Waste Management Needs

Agree with the approach to deliver increased capacity for the recycling of CDEW, and also the principle of an extension of time for the utilisation of existing CDEW landfill sites. Would like to see this approach and principle extended to incorporate associated CDEW recycling facilities.

Request that Eggborough Sandpit site is added to the list of facilities set out under section 2 in the policy.

Response to comment: *Noted. Sufficient information has not been submitted in order to consider this site for allocation.*

317 Tarmac

S

W05

Q04 0071

023: Meeting Future Waste Management Needs

This policy is supported, in particular part 1iii) which supports the restoration of quarry voids with inert waste.

Response to comment: *Noted.*

2173 CPRE (North Yorkshire Region)

DNS

W05 Q04 0748 Concerned about the allocation of WJP18 in this policy. Concerned that the quarry may be reopened to excavate below the water table, and if this happens how the quarry and the waste site will coexist.
023: Meeting Future Waste Management Needs

Response to comment: *Noted. Site WJP18 will be considered through the site allocations process.*

121 Environment Agency

S

W06 Q04 1331 Support this policy. Key concern is to ensure it does not cause pollution of water or have a detrimental impact on amenity.
023: Meeting Future Waste Management Needs

Agree that it is sensible to have a specific policy on-farm waste development due to the growth in the sector and the variety of technology available.

Response to comment: *Supporting text amended to include reference to Policies D02 and D09.*

129 Yorwaste Ltd

S

W06 Q04 0924 Support the Policy.
023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

128 Yorkshire Wildlife Trust

O

W06 Q04 1173 Objects to this policy if food crops such as maize can be used. Maize and similar crops will divert agricultural land from food production and can cause increased surface water runoff and silt entering water courses.
023: Meeting Future Waste Management Needs

Response to comment: *The AD strategy states that 'crops grown specifically for AD are not considered waste in terms of the Waste Framework Directive therefore this Policy does not apply to AD facilities accepting purpose grown feedstock. The supporting text has been amended to clarify this.*

3846 Ryedale Liberal Party

DNS

W06 Q04 1930
023: Meeting Future Waste
Management Needs

Food waste is not mentioned. Although AD can be a good option where there is sufficient waste streams (large livestock enterprises) the growing of crop purely for energy production should not be supported. There is no mention plastic from agriculture.

Response to comment:

The AD strategy states that 'crops grown specifically for AD are not considered waste in terms of the Waste Framework Directive therefore this Policy does not apply to AD facilities accepting purpose grown feedstock. The supporting text has been amended to clarify this. The supporting text has also been amended to include reference to non-organic agricultural waste.

879 Strensall & Towthorpe Parish Council

S

W06 Q04 2300
023: Meeting Future Waste
Management Needs

The basic strategy of these policies is supported as it provides an emphasis on recycling and minimising disposal to landfill, so reduces the cost of landfill tax and extends the life of the current landfill sites.

Response to comment:

Noted.

2841

S

W06 Q04 0043
023: Meeting Future Waste
Management Needs

Support if include the amendments made by the Sustainability Appraisal.

Response to comment:

This is addressed in the supporting text.

W07 Q04 1207 The policy should indicate where low level radioactive waste will be managed. If it is to be exported outside the Plan area there should be an indication of where it will go to and the amount.
 023: Meeting Future Waste Management Needs

Response to comment:

It is not practicable and nor would it be appropriate to seek to specify in the Plan exactly where waste would be managed and the amounts. There is substantial uncertainty over the volume and exact nature of any future arisings of this waste stream and commercial considerations outside the control of the Waste Planning Authorities will, be relevant. Evidence suggests that there are three main sites in Yorkshire and Humber capable of receiving such wastes, in Leeds, Bradford and Sheffield. Where new capacity is proposed in the Plan area to deal with such wastes these can be addressed through policies W10 and W11. Other Policy in the Plan (M17) supports on site management of waste fluids from drilling activity through treatment and reuse where practicable.

879 Strensall & Towthorpe Parish Council

S

W07 Q04 2301 The basic strategy of these policies is supported as it provides an emphasis on recycling and minimising disposal to landfill, so reduces the cost of landfill tax and extends the life of the current landfill sites.
 023: Meeting Future Waste Management Needs

Response to comment:

Noted.

129 Yorwaste Ltd

S

W07 Q04 0925 Support the Policy.
 023: Meeting Future Waste Management Needs

Response to comment:

Noted.

2970 Frack Free York

O

W07 Q04 2250
023: Meeting Future Waste
Management Needs

The justification for this policy fails to take account of the impact of the unconventional oil and gas industry and the large amounts of flow back water which could be classified as Low Level Radioactive Waste. It cannot be assumed that this level will be small.

The policy does not deal with the risks of reinjection or reuse of the water in fracking would have if the casing failed and the water escaped into the groundwater. The policy does not deal with the disposal of the waste water from fracking. The transportation of low level radioactive waste is not considered in this policy and may lead to large amounts of traffic transporting the waste.

If unconventional hydrocarbon development is to be allowed the issue of low level radioactive waste must be given much more detailed consideration as there will be large volumes and it will be difficult to dispose of safely.

Response to comment:

It is not practicable and nor would it be appropriate to seek to specify in the Plan exactly where waste would be managed and the amounts. There is substantial uncertainty over the volume and exact nature of any future arisings of this waste stream and commercial considerations outside the control of the Waste Planning Authorities will b relevant. Evidence suggests that there are three main existing sites in Yorkshire and Humber capable of receiving such waste, Leeds, Bradford and Sheffield. Where new capacity is proposed in the Plan area to deal with such wastes these can be addressed through Policies W10 and W11. Other Policy in the Plan (M17) supports onsite management of waste fluids from drilling activity through treatment and reuse where practicable. Reinjection of waste fluids from hydrocarbon development is addressed in Policy W08.

2771 Kent County Council

DNS

W07 Q04 0873
023: Meeting Future Waste
Management Needs

The Policy approach is in accordance with Government's regulations for the treatment and disposal of this nationally important waste stream.

Response to comment:

Noted.

3846 Ryedale Liberal Party

DNS

W07 Q04 1931
023: Meeting Future Waste
Management Needs

There is no mention of NORM or radioactive waste water from fracking (only briefly in para 6.86). Clarity is need on the treatment of this type of waste, for example how long it will need to 'settle' for.

Response to comment:

Reference to NORM has been included in the Policy text. Detailed regulation of the management of such waste is a matter for other regulatory bodies

W07 Q04 0009 The issue of LLRW and NORM has not been fully addressed specifically in relation to the waste water produced through the fracking process. The disposal and transport of this waste water need to be addressed.
 023: Meeting Future Waste Management Needs

Response to comment:

Noted. Further consideration of this issue has been given in the hydrocarbons policies and other relevant waste policies in the Plan

96 Cumbria County Council

DNS

W07 Q04 0675 The word 'industry' is needed after 'non-nuclear' in the title (and in any associated text e.g. Para 6.83).
 023: Meeting Future Waste Management Needs
 Neither the nuclear industry nor Government policy use the acronym LLRW for Low-Level Radioactive Waste, the accepted acronym is LLW.
 Para 6.83 states that 100m³ LLW arises in the Plan area, but no indication of timescale is given, is this per annum?
 Para 6.84 states 'given the small volume of LLW arising in the area specific provision within the Plan area is unlikely to be viable', however Para 6.83 states that the small volume of LLW arisings in the area is often incinerated at source or co-disposed with other waste. It is assumed that no further provision/facilities would be viable, please can this be clarified.

Response to comment:

Both comments are accepted and the Policy and supporting text has been amended to reflect this.

75 Bradford Metropolitan District Council

S

W07 Q04 0905 Reference to where provision will be outside the Plan area would be useful.
 023: Meeting Future Waste Management Needs

Response to comment:

It is not practicable and nor would it be appropriate to seek to specify in the Plan exactly where waste would be managed and the amounts. There is substantial uncertainty over the volume and exact nature of any future arisings of this waste stream and commercial considerations outside the control of the Waste Planning Authorities will, be relevant. Evidence suggests that there are three main sites in Yorkshire and Humber capable of receiving such wastes, in Leeds, Bradford and Sheffield. Where new capacity is proposed in the Plan area to deal with such wastes these can be addressed through policies W10 and W11. Other Policy in the Plan (M17) supports on site management of waste fluids from drilling activity through treatment and reuse where practicable.

2937

DNS

W08

P6.88 0292

023: Meeting Future Waste
Management Needs

This paragraph understates the nature of waste fluids used in fracking. There will be large volumes of contaminated waste water which may be hazardous and operators will need to indicate how this is going to be dealt with. Reinjection of the water is high risk. Reprocessing will require investment in new infrastructure.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and W11, with further references in the supporting text. Policy and text for W08 has been revised to focus on waste water and sewage arising from other sources..

3849 Harrogate and District Green Party

DNS

W08

P6.88 2002

023: Meeting Future Waste
Management Needs

This paragraph understates the nature of waste fluids used in fracking. There will be large volumes of contaminated waste water which may be hazardous and operators will need to indicate how this is going to be dealt with. Reinjection of the water is high risk. Reprocessing will require investment in new infrastructure.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and 11. The text for W08 has been revised to focus on waste water and sewage arising from other sources.

362 Harrogate Friends of the Earth

DNS

W08

P6.88 0227

023: Meeting Future Waste
Management Needs

This paragraph understates the nature of waste fluids used in fracking. There will be large volumes of contaminated waste water which may be hazardous and operators will need to indicate how this is going to be dealt with.

Reinjection of the water is high risk. Reprocessing will require investment in new infrastructure.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and W11, with further references in the supporting text. Policy and text for W08 has been revised to focus on waste water and sewage arising from other sources.

3709 Harrogate Greenpeace

DNS

W08 P6.88 0356
*023: Meeting Future Waste
Management Needs*

This paragraph understates the nature of waste fluids used in fracking. There will be large volumes of contaminated waste water which may be hazardous and operators will need to indicate how this is going to be dealt with.

Reinjection of the water is high risk. Reprocessing will require investment in new infrastructure.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and W11, with further references in the supporting text. Policy and text for W08 has been revised to focus on waste water and sewage arising from other sources.

3708

DNS

W08 P6.88 0417
*023: Meeting Future Waste
Management Needs*

This paragraph understates the nature of waste fluids used in fracking. There will be large volumes of contaminated waste water which may be hazardous and operators will need to indicate how this is going to be dealt with.

Reinjection of the water is high risk. Reprocessing will require investment in new infrastructure.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and W11, with further references in the supporting text. Policy and text for W08 has been revised to focus on waste water and sewage arising from other sources..

3828

O

W08 Q04 1639
*023: Meeting Future Waste
Management Needs*

Do not support the policy as provides no certainty that potentially new radioactive waste generated by hydraulic fracturing could be suitably treated. Flow back water and waste from the process can contain radioactive elements and this is not recognised in the policy.

The policy should provide some guidance as to how the radioactive waste, if produced, will be dealt with, especially as there may be large volumes.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and 11. The text for W08 has been revised to focus on waste water and sewage arising from other sources.

1097 Rufforth and Knapton Parish Council

DNS

W08 Q04 0443 There are indications in that Plan of increased volumes of waste water being handled by Harewood Whin. Variations from existing activities should be strictly controlled.
023: Meeting Future Waste Management Needs

Response to comment: *Noted*

3849 Harrogate and District Green Party

DNS

W08 Q04 2003 The contaminated waste water from fracking cannot be dealt with at existing facilities as may be hazardous so new infrastructure will be required. Operators should identify how they intend to deal with the waste water.
023: Meeting Future Waste Management Needs

Sustainability Appraisal - The appraisal appears not to consider the waste water generated from fracking.

Response to comment: *The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and 11. The text for W08 has been revised to focus on waste water and sewage arising from other sources.*

3709 Harrogate Greenpeace

O

W08 Q04 0357 The contaminated waste water from fracking cannot be dealt with at existing facilities as may be hazardous so new infrastructure will be required. Operators should identify how they intend to deal with the waste water.
023: Meeting Future Waste Management Needs

Sustainability Appraisal - The appraisal appears not to consider the waste water generated from fracking.

Response to comment: *The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and W11, with further references in the supporting text. Policy and text for W08 has been revised to focus on waste water and sewage arising from other sources.*

879 Strensall & Towthorpe Parish Council

S

W08 Q04 2302 The basic strategy of these policies is supported as it provides an emphasis on recycling and minimising disposal to landfill, so reduces the cost of landfill tax and extends the life of the current landfill sites.
023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

3846 Ryedale Liberal Party

DNS

W08 Q04 1932
*023: Meeting Future Waste
Management Needs*

This policy seems to be a continuation of the current approach, that does not recognise the need to change. The policy should address the loss of phosphate through the sewage system, which is unsustainable, the failure to reuse human and animal sewage on land. The policy should move away from the view as a waste stream and encourage its use as a resource.

Fracking waste water is not addressed. If it is not addressed in the plan there would be a significant increase in traffic impacts.

Response to comment:

This comment is noted but no change is suggested in the Policy. The potential loss of phosphate through the sewage system is not a matter that can be addressed in the Plan. The re-use and recovery of waste is promoted through Policy W01.

3708

O

W08 Q04 0419
*023: Meeting Future Waste
Management Needs*

The contaminated waste water from fracking cannot be dealt with at existing facilities as may be hazardous so new infrastructure will be required. Operators should identify how they intend to deal with the waste water.

Sustainability Appraisal - The appraisal appears not to consider the waste water generated from fracking.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and W11, with further references in the supporting text. Policy and text for W08 has been revised to focus on waste water and sewage arising from other sources.

2771 Kent County Council

S

W08 Q04 0874
*023: Meeting Future Waste
Management Needs*

Support this Policy.

The Policy approach is in accordance with Government's regulations for the treatment and disposal of this nationally important waste stream, including the provision for further anaerobic digestion capacity.

Response to comment:

Noted.

W08 Q04 0293 The contaminated waste water from fracking cannot be dealt with at existing facilities as may be hazardous so new infrastructure will be required. Operators should identify how they intend to deal with the waste water.

023: Meeting Future Waste Management Needs

Sustainability Appraisal - The appraisal appears not to consider the waste water generated from fracking.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and W11, with further references in the supporting text. Policy and text for W08 has been revised to focus on waste water and sewage arising from other sources.

2970 Frack Free York

O

W08 Q04 2251 This policy does not give consideration to the large quantities of hazardous waste water that would be generated by unconventional hydrocarbon development. The issues needs dealing with specifically in this policy, as fracking generates large quantities of flow back and produced water that is hazardous. This water cannot be disposed of safely at normal waste water treatment and disposal facilities which is acknowledged in paragraph 6.88.

023: Meeting Future Waste Management Needs

The policy gives no consideration to what environmental safeguards must be in place for the site selection, or operation of specialist facilities. The requirements for these facilities must be made clear in the policy.

If unconventional hydrocarbon development is to be allowed the issue of hazardous water must be given much more detailed consideration as there will be large volumes and it will be difficult to dispose of safely.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and 11. The text for W08 has been revised to focus on waste water and sewage arising from other sources.

129 Yorwaste Ltd

S

W08 Q04 0926 Support the Policy.

023: Meeting Future Waste Management Needs

Response to comment:

Noted

362 Harrogate Friends of the Earth

O

W08

Q04 0229

The contaminated waste water from fracking cannot be dealt with at existing facilities as may be hazardous so new infrastructure will be required. Operators should identify how they intend to deal with the waste water.

023: Meeting Future Waste Management Needs

Sustainability Appraisal - The appraisal appears not to consider the waste water generated from fracking.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and W11, with further references in the supporting text. Policy and text for W08 has been revised to focus on waste water and sewage arising from other sources..

3821

O

W08

Q04 1894

Object to this Policy.

023: Meeting Future Waste Management Needs

No consideration has been given to the large volumes of contaminated and radioactive waste water produced by fracking activities.

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and 11. The text for W08 has been revised to focus on waste water and sewage arising from other sources.

2173 CPRE (North Yorkshire Region)

DNS

W08

Q04 0749

This policy could be strengthened by including a reference to policy D07

023: Meeting Future Waste Management Needs

Response to comment:

It is not considered necessary to refer to this specific Policy in preference to any other Policy in Chapter 9.

W09 Q04 2303 The basic strategy of these policies is supported as it provides an emphasis on recycling and minimising disposal to landfill, so reduces the cost of landfill tax and extends the life of the current landfill sites.

023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

W09 Q04 0927 Support the Policy.

023: Meeting Future Waste Management Needs

However, it is noted that the Policy is silent on Incinerator Bottom Ash (IBA), particularly that produced by Allerton Park EfW. This issue requires further clarification, including where this could be treated for use as an aggregate and what limits would be imposed.

Response to comment: *It is agreed that clarification of the approach towards such material should be provided in the supporting text.*

W09 Q04 0444 Concerned about incinerator Bottom Ash being processed at Harewood Whin as this would significantly increase the number of vehicle movements to and from the site.

023: Meeting Future Waste Management Needs

Response to comment: *A scoping opinion has been submitted to City of York Council for an Incinerator Bottom Ash facility at Harewood Whin.*

W09 Q04 0044 Support this policy, particularly in respect of increased use of ash for aggregates.

023: Meeting Future Waste Management Needs

Response to comment: *Noted.*

3741

O

W10 Q04 1097 Object to waste sites being too close to local towns also in a densely populated area for tourism.

*024: Overall Locational
Approach to provision of new
waste management capacity*

Response to comment:

this comment is noted but the Development Management Policies, including D02, provide robust protection for built up areas and tourist locations. However, this needs to be balanced with the need to locate waste management facilities close to sources of waste in order to reduce impacts from transport.

2841

S

W10 Q04 0045 Support this policy.

*024: Overall Locational
Approach to provision of new
waste management capacity*

Response to comment:

Noted.

879 Strensall & Towthorpe Parish Council

S

W10 Q04 2304 The basic strategy of these policies is supported as it provides an emphasis on recycling and minimising disposal to landfill, so reduces the cost of landfill tax and extends the life of the current landfill sites.

*024: Overall Locational
Approach to provision of new
waste management capacity*

Response to comment:

Noted.

2771 Kent County Council

S

W10 Q04 0875 Support this Policy.

*024: Overall Locational
Approach to provision of new
waste management capacity*

The need to maximise capacity at existing sites, helping to reduce the identified capacity gap, is a rational and sustainable approach that is supported by planning policy and guidance. New sites will inevitably be required to maximise the areas potential to become more self-sufficient and allocations for these will be addressed through the plan making process.

Response to comment:

Noted.

115 Minerals Products Association

S

W10 Q04 0645 This policy approach is supported.

*024: Overall Locational
Approach to provision of new
waste management capacity*

Response to comment: *Noted.*

113 Howardian Hills AONB

S

W10 Q04 0832 Support preferred policy approach.

*024: Overall Locational
Approach to provision of new
waste management capacity*

Response to comment: *Noted.*

129 Yorwaste Ltd

S

W10 Q04 0928 Support the Policy.

*024: Overall Locational
Approach to provision of new
waste management capacity*

However, it is noted that point a) refers to smaller scale facilities serving district markets for waste, which is at odds with the omission of transfer stations for the Ryedale and Hambleton areas.

Response to comment: *Transfer stations for LACW are already in place in Hambleton District and permission has been granted for a facility in the Ryedale District. Notwithstanding this, the Policies in the Plan do not preclude the development of further transfer station capacity in these areas should suitable proposals come forward.*

1097 Rufforth and Knapton Parish Council

O

W10 Q04 0445 Sites within Green belt should not be allowed (Harewood Whin).

*024: Overall Locational
Approach to provision of new
waste management capacity*

Response to comment: *Policy D05 provides a robust Policy limiting waste development in the Green Belt. Providing no flexibility for development in the Green Belt would be contrary to the NPPF.*

W10 Q04 0579 Support National Planning Policy which encourages the management of waste in proximity to where it arises.

024: Overall Locational

Approach to provision of new waste management capacity

Support inclusion of criteria b) and the requirement for larger scale and specialist facilities that have a strategic role to be located so as to minimise the overall resulting transportation impact.

Response to comment:

Noted

3846 Ryedale Liberal Party

DNS

W10 Q04 1933 By failing to identify likely wastewater arising from fracking the policy fails to be effective. Sites for waste water should be allocated in the plan.

024: Overall Locational

Approach to provision of new waste management capacity

Response to comment:

The waste water arising through 'fracking' is now addressed in Policy M18 and where necessary Policies W10 and 11. The text for W08 has been revised to focus on waste water and sewage arising from other sources.

74 Selby District Council

S

W10 Q04 1304 This policy is supported in principle.

024: Overall Locational

Approach to provision of new waste management capacity

Response to comment:

Noted.

W11 Q04 2305 The basic strategy of these policies is supported as it provides an emphasis on recycling and minimising disposal to landfill, so reduces the cost of landfill tax and extends the life of the current landfill sites.

025: Site Identification Principles for new Waste Management Capacity

Response to comment: *Noted.*

3846 Ryedale Liberal Party

DNS

W11 Q04 1934 There needs to be a differentiation between re-useable waste water, resulting from sewage, and toxic non re-useable wastewater from fracking, and treatable waste water from fracking. Sites for these should be included in the plan.

025: Site Identification Principles for new Waste Management Capacity

Response to comment: *Policies M18 provides guidance on the approach to be taken to managing waste water from the oil and gas industry. Policy W11 is intended to apply all forms of waste development where relevant and it would not be appropriate to provide this level of detail in the Policy.*

129 Yorwaste Ltd

S

W11 Q04 0929 Support the Policy.

025: Site Identification Principles for new Waste Management Capacity

However, this Policy could be amalgamated with Policy D05 Minerals and Waste Development in the Green Belt.

Response to comment: *No reason given why the two policies should be amalgamated. Policy D05 is specifically aimed at proposals within the Green Belt whereas W11 covers the entire Plan area. It is considered that merging the two policies would reduce clarity of the approach to be taken.*

W11 Q04 1305 This policy is supported in principle but greater weight could be afforded to consideration of environmental and local amenity factors.
025: Site Identification Principles for new Waste Management Capacity

Response to comment:

Comment noted but no change suggested. The Policy makes reference to environmental and amenity constraints and Development Management Policies, including Policy DM02, which provide robust protection. Policy W11 needs to be read in the context of all other relevant policies in the Plan. The need to consider environmental an amenity constraints is already referenced in the final paragraph of this policy.

W11 Q04 0453 Support the general principles of this policy. In terms of Harewood Whin all development on site must be compliant, thus within the site boundary.
025: Site Identification Principles for new Waste Management Capacity

Response to comment:

Noted. The area proposed to be allocated at Harewood Whin reflects the current site boundary

W11 Q04 1076 The policy seeks to locate facilities for the recycling, transfer and recovery of waste and for the recovery of waste on previously developed land, industrial and employment land, or at existing waste management sites.
025: Site Identification Principles for new Waste Management Capacity

The final paragraph of the policy recognises 'in all cases sites will need to be suitable when considered in relation to physical, environmental, amenity and infrastructure constraints including existing and proposed neighbouring land uses.'

This safeguard is particularly important in managing the colocation of, and relationship between, waste facilities and other development including that for industrial and commercial purposes. Careful planning and site allocation should seek to optimise the benefits of colocation and prevent any detrimental impact.

Response to comment:

Noted

115 Minerals Products Association

S

W11 Q04 0646 This policy is supported, particularly parts 3 and 5.

*025: Site Identification Principles
for new Waste Management
Capacity*

Response to comment:

Noted.

128 Yorkshire Wildlife Trust

DNS

W11 Q04 1174 The policy should include a phrase so the previously developed land with high biodiversity value is excluded from use as waste sites.

*025: Site Identification Principles
for new Waste Management
Capacity*

Response to comment:

No change suggested. Policy D07 provides robust protection where the development of the site (including the brownfield sites) may lead to unacceptable impacts upon biodiversity. The final paragraph of the Policy and the supporting text indicate that environmental constraints will need to be taken into account.

112 Highways England

DNS

W11 Q04 0580 Support taking advantage of opportunities to co-locate facilities, particularly where they would deliver benefits in terms of reducing the need to transport significant volumes of waste over longer distances, which are more likely to impact on the SNR.

*025: Site Identification Principles
for new Waste Management
Capacity*

Response to comment:

Noted.

2841

S

W11 Q04 0046 Support this Policy.

*025: Site Identification Principles
for new Waste Management
Capacity*

Response to comment:

Noted.

W11 Q04 0446 The general principles of this policy are supported.

*025: Site Identification Principles
for new Waste Management
Capacity*

Response to comment:

Noted

2180 Peel Environmental Limited

O

W11 Q04 0808 The policy as currently drafted doesn't adequately identify suitable areas for either composting or Anaerobic Digestion facilities. It could be argued that part 1 of the policy makes provision for composting facilities under the general headings of 'recycling' or 'recovery'. However, composting facilities, and in particular open windrow composting facilities, have a very specific locational requirements that differ greatly to other waste management uses.

*025: Site Identification Principles
for new Waste Management
Capacity*

Particular issues associated with composting facilities include the release of bioaerosols and odour. The EA's standing guidance on bioaerosols requires an off set of at least 250m from residential properties or other public / private buildings and open space where people are 'frequently' present. As a consequence it is more often that not, simply not possible to locate composting facilities on brownfield/ previously developed land within urban areas or the majority of industrial / employment land.

The wording of this policy should be amended and an additional criterion be added to specifically deal with the identification of sites for composting.

In addition to this, the policy only refers to AD facilities proposed to deal with agricultural waste. It should be acknowledged within the policy that AD facilities process a much wider range of organic waste inputs including both municipal and commercial food waste.

Response to comment:

It is agreed that a specific criterion for composting should be included, criterion 2 (now 3) has been revised to clarify that it applies to proposals for anaerobic digestion. The criterion has also been amended to clarify that it applies to Anaerobic Digestion processes for other types of waste as well as agricultural waste.

3542

O

W11 Q04 1110 Supporting text states that consideration could be given to supporting the re-use of other buildings (such as industrial buildings) for waste development. Why hasn't CYC looked at alternatives to Harewood Whin?
025: Site Identification Principles for new Waste Management Capacity

Response to comment:

The Harewood Whin site is an established strategically important location for the management of waste arising in the area and provision of support in principle for its continued availability is appropriate, subject to certain criteria

342 Mone Brothers Excavations Ltd

O

W11 Q04 1295 Disagree with section 3) in the policy which suggests that recycling facilities should be set up at active mineral workings, this would result in unnecessary transport and a quality secondary aggregate can be produced at more local facilities. If blending is required prior to sale then only that material needs to be transported, not the total quantity of waste.
025: Site Identification Principles for new Waste Management Capacity

Response to comment:

This is not agreed. Appropriately located mineral workings can provide suitable locations for activity which can result in a more sustainable overall approach to supply of aggregate helping to reduce the rate of utilisation of primary materials.

3374

O

W11 Q04 0013 Once the building of Allerton Park is completed there will not be a need for any further landfill or recycling facilities in the York area.
025: Site Identification Principles for new Waste Management Capacity

Response to comment:

Noted. Allerton Park will manage all LACW and a degree of C&I but other waste streams may need additional waste management facilities.

I01 Q04 1935 Whilst it is a good approach to move gas from fracking through a pipeline it could result in a large visual impact on the landscape and be more vulnerable to leakages of methane if temporary overland pipes were used.

Response to comment:

317 Tarmac

S

I01 Q04 0072 This policy is supported.
026: Non-road Transport Infrastructure

Response to comment:

1174

S

I01 Q04 1685 Support this policy.
026: Non-road Transport Infrastructure

Response to comment:

2180 Peel Environmental Limited

S

I01 Q04 0809 Generally supportive of the approach but wish to highlight an inconsistency within the wording of the policy and the justification para 7.8.

Paragraphs 6.20 & 6.66 of the Plan refer to large scale waste management facilities as having "capacity in excess of 75,000tpa. Whereas policy I01 and paragraph 7.8 apply a 250,000tpa threshold for major waste facilities. This inconsistency should be clarified.

Response to comment:

294 Canal & River Trust

O

I01 Q04 1248
026: Non-road Transport
Infrastructure

The principle of this Policy is supported, which is in line with Para. 143 of the NPPF, but our objection is the proposed threshold figure of 250,000 tpa. We consider that all movements of mineral and waste, irrespective of size, should be considered for non-road transport, especially by water. Such a size restriction would automatically rule out the consideration of potential movements of minerals and waste below the threshold, thereby reducing the use of freight waterways. This part of the Policy would not be consistent with Para. 30 of the NPPF, as it would curtail the use of a sustainable transport option, and as such we consider the Policy not to be sound.

Response to comment:

The threshold has been removed so all new minerals and waste development in proximity to rail or water transport infrastructure has to consider the potential of non road transport.

74 Selby District Council

DNS

I01 Q04 1306
026: Non-road Transport
Infrastructure

Selby District Council are in the process of developing the Site and Policies Local Plan. Other site Options may also be available in the District to provide sustainable minerals supply infrastructure. A full review of options should be undertaken and support can be given for the District Council through its update to Employment Land Study.

Response to comment:

Noted.

2841

S

I01 Q04 0047
026: Non-road Transport
Infrastructure

Support this policy as the Plan must minimise road transport.

Response to comment:

Noted

96 Cumbria County Council

DNS

I01 Q04 0676
026: Non-road Transport
Infrastructure

In line two of the policy, the words 'existing' and 'such' appear to be the wrong way round.

Response to comment:

Noted, the word have been swapped round in the policy.

252 York Potash

S

I01 Q04 0910 Support this policy, especially the reference to the sustainability of underground conveyor systems alongside other none-road transport means.
026: Non-road Transport Infrastructure

Response to comment: *Noted*

2838

DNS

I01 Q04 0478 Instead of the policy requiring '250,000tpa of minerals' before alternative transport is considered, it would be reasonable to consider the proximity of alternative transport instead. Sites located near rail transport if the current policy may set their projected output as no more than 250,000tpa as a result. Policy should say if there is a local alternative to road transport proposals should demonstrate this has been considered and a good reason given for not using this alternative.
026: Non-road Transport Infrastructure

Response to comment: *The threshold has been removed so all new minerals and waste development in proximity to rail or water transport infrastructure has to consider the potential of non road transport.*

2310 Commercial Boat Operators Association

S

I01 Q04 0762 Support the Preferred Policy approach, and agree with preference of use of waterways and railways over road transport for environmental reasons mentioned.
026: Non-road Transport Infrastructure

Response to comment: *Noted*

3832

DNS

I01 Q04 1792 The saved policy 4/16 has recently been tested at appeal and found to be sound, so on that basis there is no need to advance the policy I01.
026: Non-road Transport Infrastructure
Policy 4/16 focusses on minimising impact on the environment and local amenity and aligns with the SA objectives and gives a clear steer.
The SA of I01 flags up additional significant environmental effects which may be interpreted by different developers particularly if the host site already has significant impacts.

Response to comment: *Policy 4/16 is an old policy which is being updated by the new minerals and waste plan, so will not apply once the new plan is adopted.*

112 Highways England

S

I01

Q04

0581

Support this Policy and the support it gives to sustainable transport infrastructure including rail, water, pipeline and conveyor transportation.

026: Non-road Transport Infrastructure

The requirement for proposals that would exceed the movement of 250,000tpa to demonstrate that consideration has been given to potential opportunities to transport materials by such sustainable means instead of by the road network is supported, along with the requirement to adhere to other development management policies.

Response to comment:

The threshold has been removed so all new minerals and waste development in proximity to rail or water transport infrastructure has to consider the potential of non road transport.

879 Strensall & Towthorpe Parish Council

S

I01

Q04

1752

These policies are supported as they minimise risks to the public.

026: Non-road Transport Infrastructure

Response to comment:

Noted

115 Minerals Products Association

S

I01

Q04

0647

This policy is supported.

026: Non-road Transport Infrastructure

Response to comment:

Noted

3762

S

I01

Q04

1424

Support the Policy.

026: Non-road Transport Infrastructure

However, the policy does not appear to have been applied in the allocation of sites, e.g. MJP33, where no realistic attempt has been made to identify a suitable means of transporting minerals directly to the main road or rail links.

Response to comment:

Noted. Comment repeated against site allocation MJP33.

129 Yorwaste Ltd

S

I01 Q04 0930 Support the Policy.
026: Non-road Transport
Infrastructure

Response to comment:

Noted,

3704 Cuadrilla Resources Ltd

O

I01 Q04 1239 The associated impacts are very different for the assessment, appraisal and production phases of unconventional hydrocarbon development. The production phase has very limited impact in terms of traffic movements and infrastructure. reference should be made to the different phases and impacts within this policy.
026: Non-road Transport
Infrastructure

Response to comment:

The policy is generic and covers all minerals and waste so not reasonable to add phases of gas extraction.

252 York Potash

DNS

I02 P7.19 0950 It is stated in this paragraph that 'there are currently no mineral workings in the National Park...' This is incorrect as there is an existing mine at Boulby and potential new potash mine at Doves Nest Farm. This information is used as a partial justification for the wording of the policy, so it should be changed.
027: Minerals Ancillary
Infrastructure

Response to comment:

Text altered to state no ancillary infrastructure allowed at mineral workings in the National Park.

I02 Q04 2306 These policies are supported as they minimise risks to the public.

027: Minerals Ancillary
Infrastructure

Response to comment:

Noted

115 Minerals Products Association

S

I02 Q04 0648 This Policy is supported with the proviso that the criterion (i) should be applied flexibly. In certain circumstances, contribution of material from the site may be a minority but it still makes sense to locate additional products in that location to serve customers in the best way and minimise travel. It would be suggested that as long as there is a demonstrable link to the site in question, and the local environmental impacts are acceptable, the activity ought to be allowed.

027: Minerals Ancillary
Infrastructure

Response to comment:

It is not considered appropriate to revise the policy in this way. Minerals extraction typically takes place in open countryside locations as a result of the fact that minerals can only be worked where they occur. Whilst limited importation of minerals for ancillary purposes may be justified in some cases, it is likely that development requiring proportionately larger imports of raw materials would be substantially sited in industrial or other locations rather than on quarry sites in open countryside locations.

2970 Frack Free York

O

I02 Q04 2244 The policy includes criteria about location on industrial or employment land, previously developed land or to be co-located with other compatible industrial or commercial development. In terms of hydrocarbon development it is important to keep the development and infrastructure away from built up areas, where health could be harmed by air pollution. The policy favouring brownfield sites could lead to air pollution near homes and workplaces.

027: Minerals Ancillary
Infrastructure

The policy should include a specific mention about the issue of air pollution, which is associated with hydrocarbon development, especially unconventional hydrocarbon development. Applications for oil and gas associated infrastructure should not be supported in AQMAs or near built up areas where air pollution is likely to cause harm to public health.

Response to comment:

Production and processing requirements for hydrocarbon development is addressed in hydrocarbon policies. Air pollution is covered in Development Management policies does not need to be repeated here.

317 Tarmac

S

I02

Q04

0073

This policy is supported.

027: Minerals Ancillary Infrastructure

Response to comment:

Noted

252 York Potash

DNS

I02

Q04

0911

Support elements of this Policy with suggested amendments.

027: Minerals Ancillary Infrastructure

The Policy states 'development on ancillary minerals infrastructure at active mineral sites....will be supported', this part is supported insofar as it will also apply to approved extraction sites.

Clause i) stipulates that such ancillary infrastructure must produce a 'value-added' product. It should be considered that the future need for ancillary infrastructure, not directly producing a 'value-added' product but serving another purpose cannot be excluded at this stage, and the inclusion of this clause is not justified in the context of paragraph 182 of the NPPF.

The Policy states that 'siting of minerals ancillary infrastructure within the North York Moors National Park will only be supported where it would be located within the Whitby Business Park'. This section of the Policy wording undermines the key purpose of this policy, precluding its relevance to the largest emerging mineral scheme in the Plan area. There is insufficient flexibility to cover ancillary mine related infrastructure which may not be suitable for location at Whitby Business Park, but will be located elsewhere in the North York Moors.

This Policy also contradicts Policy M23 which supports new non-major surface infrastructure associated with existing mine sites in the National Park, so placing restrictions on ancillary mineral infrastructure in the National Park is incompatible with other Policy.

The restrictions regarding minerals ancillary infrastructure in the National Park should be removed to be consistent with paragraph 182 of the NPPF. Any applications for ancillary minerals infrastructure in the National Park will already be subject to a suite of Local Plan and NPPF policies so any potential harm to valued environments can be controlled and resisted if necessary.

Response to comment:

Added text 'or complementary' product to make the policy more flexible. Text altered to state no ancillary infrastructure at mineral workings I the National Park. The infrastructure at Doves Nest Farm is primary processing infrastructure not ancillary so the statement stands and further explanation will be provided in the policy justification.

112 Highways England

DNS

I02

Q04

0582

Support criteria iii) which should ensure that development would not generate an unacceptable increase in traffic on the highway network between sites.

027: Minerals Ancillary Infrastructure

Response to comment:

Noted.

2817

O

I01

Q04

1620

Object

031: Minerals and Waste Transport infrastructure Safeguarding

Response to comment:

Noted

3756 East Riding of Yorkshire Council and Hull City Council (Joint Local Plan Team Minerals and Waste)

DNS

1322

Mineral resources that cross the boundaries of the two plan areas comprise deep coal, Potash and Chalk. The approach to safeguarding chalk is consistent between the two authorities. However, the Councils are not proposing to safeguard deep coal or potash within the East Riding and Hull area. Coal and potash resources in this area are located at sufficiently deep levels that it is unlikely to be affected by surface developments.

028: Safeguarding Mineral Resources

Response to comment:

Noted.

S01 P8.17 1735 Is it appropriate to safeguard the licensed area associated with Kellingley Colliery, after it has closed?

028: Safeguarding Mineral Resources

Response to comment:

It is agreed that, following the closure of Kellingley Colliery, it would no longer be appropriate to seek to safeguard the underground coal resource within Kellingley Colliery licenced area as this may be an unnecessary burden on surface developers.

150 Egdon Resources (UK) Limited

O

S01 P8.20 0991 Do not agree with the wording of Para 8.20. It is the presence of gas in close stratigraphic and geographical proximity to the potash, salt and polyhalite which in itself creates potential issues for mining and not specifically the extraction of gas or hydraulic fracturing operations. The mining process itself changes the geochemical properties of the area around the mine and has the potential to create pathways for any gas to migrate towards and accumulate in mine tunnels. The blanket approach to defining safeguarded areas for potash, salt and polyhalite needs to be revised to provide a proper balance between safeguarding potash, salt and polyhalite and allowing the exploration, appraisal and development of nationally important gas resources which are present in the area.

028: Safeguarding Mineral Resources

Response to comment:

The only sections of potash safeguarded are Boulby Potash licenced area and York Potash indicated and inferred area. The majority of the resource is not safeguarded. The safeguarded potash areas are unlikely to overlap with the PEDL areas.

128 Yorkshire Wildlife Trust

DNS

S01 Q04 1175 Object to safeguarding of the resource at Blubberhouses as it is within a SPA/SAC.

028: Safeguarding Mineral Resources

Response to comment:

Noted

252 York Potash

S

S01 Q04 0912 Support the policy with suggested amendments.

028: Safeguarding Mineral Resources

Welcome the degree of significance that is placed on potash, salt and polyhalite resources.

Support the specific references to the York Potash Project in the policy wording.

The Minerals Resource Safeguarding Maps and the associated key do not specifically differentiate between the polyhalite area, and a specifically 'safeguarded area'. This is a distinction made for the other minerals included on the plans, including potash. The polyhalite resources associated with the York Potash Project should be safeguarded and the extent of the safeguarded area should be made clear on the Minerals Resource Safeguarding Maps and in the key.

Response to comment:

The only sections of potash safeguarded are Boulby Potash licenced area and York Potash indicated and inferred area. The majority of the resource is not safeguarded. It is not appropriate to safeguard the York Potash surface site under this policy, which is focussed on safeguarding minerals resources.

1134 Fenstone Minerals Ltd

S

S01 Q04 0484 Support the use of the safeguarding policy and agree with the defined buffers and justification for the approach in the text.

028: Safeguarding Mineral Resources

Response to comment:

Noted.

3023 Chas Long & Son (Aggregates) Ltd

S

S01 Q04 1045 Supports the approach to safeguarding and agrees with the defined buffers.

028: Safeguarding Mineral Resources

Response to comment:

Noted

252 York Potash

S

S01 Q04 0951 Support the buffer of 2km for potash and polyhalite resources to protect them from other forms of minerals extraction and underground storage. It should also include a reference to fracking and other potential works incorporating deep drilling.
028: Safeguarding Mineral Resources

Response to comment: *Fracking is covered in the term underground minerals extraction so does not need adding in on its own.*

120 Historic England

S

S01 Q04 0125 Support safeguarding of both active and former known building stone quarries along with a 250m buffer. This reflects recommendations of BGS and should ensure these reserves are not sterilised.
028: Safeguarding Mineral Resources

Response to comment: *Noted.*

3703 INEOS Upstream Ltd

O

S01 Q04 1314 The Policy should be amended to clarify the text to ensure that there is no presumption against development as it will be subject to appropriate assessment.
028: Safeguarding Mineral Resources

A 2 km buffer zone for Potash is excessive and each application for development proposals should be judged on its merits depending on the proposals brought before the MPA.

Land take for surface sites for unconventional gas exploration are limited and dispersed and their impact on recovery of the mineral resources will be negligible. so there is no need for the proposed buffer zones as each application will be discussed individually.

Response to comment: *It is considered that the proposed 2km buffer represents an appropriate balance but further text should be included in the plan to help clarify the proposed approach.*

2685 Whinthorpe Development Ltd and Halifax Estates Co

DNS

S01 Q04 1198 Policy S01 does not make the distinction between 'exempt' sites and non exempt sites. this is contrary to policy S02 and the Spatial Strategy of the CYC Local Plan which requires significant parts of the City and its mineral resource to be developed in order to meet the Council's objectively assessed development requirements.
028: Safeguarding Mineral Resources

Response to comment: *Policy S01 identifies MSA's and is linked to policy S02 which deals with developments in MSAs. Policy S02 is compatible with the City of York Local Plan.*

S01 Q04 1266 There is no proposed safeguarding for hydrocarbons and this approach is supported.

028: Safeguarding Mineral Resources

Figure 12 contains PEDL licence areas and this is acceptable.

Where minerals, including hydrocarbons, are found in the same area, under the current approach, it would appear to preclude other forms of minerals being extracted. In such instances a more informed approach would be to put the onus on the applicant to demonstrate how their mineral can be extracted without prejudice to other mineral resources. This could be achieved by adding the following to the end of the policy:

" WHERE DEVELOPMENT FOR OTHER FORMS OF MINERAL IS PROPOSED IN SAFEGUARDING AREAS AND BUFFER ZONES, THE APPLICANT SHALL PROVIDE EVIDENCE TO PROPERLY DEMONSTRATE THE MINERALS RESOURCE WILL NOT BE UNNECESSARILY STERILISED."

Response to comment:

It is considered that the proposed 2km buffer represents an appropriate balance but further text should be included in the plan to help clarify the proposed approach.

S01 Q04 1308 Kellingley Colliery has recently closed and there is a clear need to consider the substantially restrictive impacts of safeguarding and buffer zones upon the future regeneration and development of the site. Discussions are ongoing regarding the future regeneration of the site and this should be given full consideration before finalising the MWJP.

028: Safeguarding Mineral Resources

Sherburn-in-Elmet Mine still has planning permission up to 2042 but is no longer in use. It would not be appropriate to safeguard the whole of the potential resource area but recognise safeguarding the permitted resource could help allow for potential reactivation of the Mine during the Plan Period.

Response to comment:

Whilst the point is noted it is not considered realistic to seek to define specific buffer distances at an individual site level as this would be an unduly onerous approach. The criteria contained collectively within the various safeguarding policies allow a degree of flexibility to be applied in specific circumstances. The safeguarded deep coal licence area has been removed following the closure of Kellingley Colliery.

2817

0

S01 Q04 1621 Object

028: Safeguarding Mineral Resources

Response to comment:

Noted

S01

Q04 1077 Part 1 - Surface mineral resources

028: Safeguarding Mineral Resources

Broadly support the policy but object to the prescription of buffer zones to all resources without consideration of the particular sites in question and their surroundings. The approach risks being unduly restrictive to development within the identified buffer zone, or of the site itself if minerals extraction is not feasible or viable. Support in principle the extraction of surface minerals as part of development proposals of the same site provided that the potential cost, duration and complication of such extraction does not detrimentally impact upon the delivery of development.

Part 2 - Deep mineral resources

Part of this policy safeguards the underground resources within the Kellingley Colliery licenced area with an additional 700m buffer.

Kellingley colliery has now permanently closed and proposed redevelopment of the site is being considered. There is no prospect of the colliery reopening therefore there is no requirement to safeguard the land of the licenced area, so object to this part of the policy.

The safeguarding of deep coal will compromise redevelopment and regeneration of the colliery site. Request that the Kellingley Colliery licenced area and 700m buffer be removed from the policy and the policies map.

Additional text should be added to the policy:

' The following deep mineral resources and associated buffer zones identified on the policies map will be safeguarded from surface development to protect the resource for the future, UNLESS THE FORMER USE IS EXHAUSTED, SURPLUS TO REQUIREMENTS, OR NO LONGER FEASIBLY COMMERCIALY VIABLE TO EXTRACT:'

This policy should indicate that safeguarding restrictions are only applicable to certain types of development and a list of exempt development should be amended to include

*REDEVELOPMENT OF PREVIOUSLY DEVELOPED LAND OF A SCALE AND EXTENT NOT SUBSTANTIALLY INCREASING THE FOOTPRINT OF THE FORMER DEVELOPMENT.

Response to comment:

Whilst the point is noted it is not considered realistic to seek to define specific buffer distances at an individual site level as this would be an unduly onerous approach. The criteria contained collectively within the various safeguarding policies allow a degree of flexibility to be applied in specific circumstances. The proposed addition of text would lack sufficient clarity and it is considered that, in combination, the proposed safeguarding policies and exemptions provide a balanced approach to safeguarding resources. It is agreed that, following the closure of Kellingley Colliery, it would no longer be appropriate to seek to safeguard the underground coal resource within Kellingley Colliery licenced area as this may be an unnecessary burden on surface developers.

S01 Q04 0531 Support the Policy approach to mineral safeguarding.

028: Safeguarding Mineral Resources

Response to comment:

Noted.

1111 The Coal Authority

S

S01 Q04 1191 Support this Policy which proposes to safeguard all shallow coal resources together with a 250m buffer zone.

028: Safeguarding Mineral Resources

There is no national policy requirement to safeguard all of the deep coal resource and The Coal Authority does not promote such an approach as this would be disproportionate. Only licensed areas of deep coal resources are considered necessary for safeguarding because of the potential for surface development to sterilise operational and permitted underground workings, however as Kellingley Colliery is closed this may need reviewing.

Response to comment:

Whilst the point is noted it is not considered realistic to seek to define specific buffer distances at an individual site level as this would be an unduly onerous approach. The criteria contained collectively within the various safeguarding policies allow a degree of flexibility to be applied in specific circumstances. The proposed addition of text would lack sufficient clarity and it is considered that, in combination, the proposed safeguarding policies and exemptions provide a balanced approach to safeguarding resources. It is agreed that, following the closure of Kellingley Colliery, it would no longer be appropriate to seek to safeguard the underground coal resource within Kellingley Colliery licenced area as this may be an unnecessary burden on surface developers.

150 Egdon Resources (UK) Limited

O

S01 Q04 0989 The Policy appears to overprotect areas safeguarded for their potash and polyhalite resources for years to come at the expense of hydrocarbon and other development. Many of the safeguarded areas may not be developed for polyhalite for many years if at all due to geological and other constraints.

028: Safeguarding Mineral Resources

Response to comment:

There is no requirement to safeguard underground mineral resources. Potash resources are considered to be of strategic significance and only known workable potash resource in the Country is in North York Moors National Park, so particular justification to safeguard potash for the future.

115 Minerals Products Association

DNS

S01

Q04 0649

In general the approach is supported as it is in accordance with BGS guidance. However there is a concern about the lack of safeguarding of certain resources, namely the boundaries exclude an operational site. Similar problems have arisen in other MPA areas.

028: Safeguarding Mineral Resources

Concerned about the apparent lack of consultation of the minerals industry and the MPA. Would welcome the opportunity to consider this matter further.

Response to comment:

Sand and gravel safeguarding area has been revised in line with an industry request and will be displayed on the policies map.

116 Ryedale District Council

DNS

S01

Q04 1138

The safeguarding areas and additional buffers for surface minerals are appropriate.

028: Safeguarding Mineral Resources

The 2km buffer for the deep underground minerals of potash and polyhalite resources as well as for underground storage of gas or carbon could mean the sterilisation of other minerals in these areas. However, the need to ensure that these valuable resources are protected for future extraction and against potential gas migration or the accumulation of gas from other processes and that surface subsidence does not occur is welcomed. It is considered that a 2km underground buffer may be considered the minimum distance suitable until the consideration of geological structures, including faulting information, is available.

Response to comment:

It is considered that the proposed 2km buffer represents an appropriate balance but further text should be included in the plan to help clarify the proposed approach.

879 Strensall & Towthorpe Parish Council

S

S01

Q04 1753

This policy is supported.

028: Safeguarding Mineral Resources

Response to comment:

Noted.

120 Historic England

S

S01 Q04 0124 Support safeguarding of both active and former known building stone quarries along with a 250m buffer. This reflects recommendations of BGS and should ensure these reserves are not sterilised.
028: Safeguarding Mineral Resources

Response to comment: *Noted*

53 Hambleton District Council

S

S01 Q04 1410 The approach for the safeguarding of mineral resources is considered to be a proportionate basis for ensuring that there are sufficient future resources.
028: Safeguarding Mineral Resources

Response to comment: *Noted.*

3846 Ryedale Liberal Party

DNS

S01 Q04 1936 Suggest identifying an appropriate buffer around residential areas where fracking cannot take place. Suggestions include 1.5km from hamlets of more than 3 dwellings with 6 miles between each well pad. Other suggestions include no fracking within 1 mile of any house and pads no closer than 6 miles apart.
028: Safeguarding Mineral Resources

Response to comment: *This issue is not relevant to the safeguarding of minerals resources.*

3704 Cuadrilla Resources Ltd

O

S01 Q07 1240 The area defined in the last paragraph of this Policy is not clear; it cannot be easily identified in the Policies Map or within the text. This "protected" area needs to be clearly shown. As a result, the impact of this policy cannot be determined. In general, these protected areas should be minimised as they exclude one strategic mineral (natural gas) over another (potash). How do you decide which mineral is the most worthy of protection within this safeguarded area for multiple important minerals. In addition, surface working of one mineral does not necessarily exclude the deep drilling of other minerals.
028: Safeguarding Mineral Resources

Response to comment: *Potash resources are considered to be of strategic significance and only known workable potash resource in the Country is in North York Moors National Park, so particular justification to safeguard potash for the future.*

S01

Q07 1307

In defining buffer zones attention needs to be paid to the particular characteristics of the site in question and their immediate surroundings. This would suggest a need for a flexible approach to defining buffers rather than prescriptive definitions.

028: Safeguarding Mineral Resources

Response to comment:

Whilst the point is noted it is not considered realistic to seek to define specific buffer distances at an individual site level as this would be an unduly onerous approach. The criteria contained collectively within the various safeguarding policies allow a degree of flexibility to be applied in specific circumstances.

S01

Q07 0990

The 2km buffer zone is unjustified and could have a disproportionate impact on proposals for hydrocarbon development.

028: Safeguarding Mineral Resources

Response to comment:

It is considered that the proposed 2km buffer represents an appropriate balance but further text should be included in the plan to help clarify the proposed approach.

S01

Q07 1232

Object to the current buffer zone of 2km.

028: Safeguarding Mineral Resources

In light of uncertainties over the technology related to hydraulic fracturing and no guaranteed safe buffer zone, we would recommend a minimum of a 5km buffer zone to protect deep mineral resources.

Response to comment:

It is considered that the proposed 2km buffer represents an appropriate balance but further text should be included in the plan to help clarify the proposed approach.

S02 Q08 1241
 028: Safeguarding Mineral Resources

The area defined in the last paragraph is not clear. It cannot be easily identified on the Policies Map or in the text. The "safeguarded" areas need to be clearly shown. Disagree with the concept of prioritising potash, salt and Polyhalite over natural gas. The Policy should not show a preference for any specific strategic mineral. How do you decide which mineral is most worthy of safeguarding in an area of multiple important mineral resources. Surface working of one mineral does not necessarily exclude the deep drilling of other minerals.

Response to comment:

The only sections of potash safeguarded are Boulby Potash licenced area and York Potash indicated and inferred area. The majority of the resource is not safeguarded. The safeguarded potash areas are unlikely to overlap with the PEDL areas.

S02 Q04 0583
 029: Development in MSAs

Support this Policy, in particular the requirement for proposals relating to deep minerals extraction to assess the potential for certain proposed surface development to be impacted by subsidence arising from working of the minerals, which includes 'vulnerable parts of main highways and motorway networks (e.g. viaducts, large bridges, service stations and interchanges).'

Where a proposal would require such an assessment Highways England would expect to be consulted in all cases where the proposal could affect the SRN, in respects to all aspects of the highway and its supporting infrastructure. It is suggested that such a provision is included in the Policy.

Response to comment:

Noted

S02 Q04 0485
 029: Development in MSAs

Support the general aspiration of the Policy, but the Policy does not include a clear reference for the MPA to be notified about the applications. It is suggested that the operator which could potentially be affected by development in MSAs, could also be notified in order that they are given the opportunity to consider potential impacts and make representations if required.

Response to comment:

Extra text has been added to clarify the role of the Mineral Planning Authority. It is not considered appropriate to include a policy requirement to consult with operators as implementation of the safeguarding process is a matter for the planning authorities.

S02

Q04 1313

029: Development in MSAs

The wording of the Policy and para 8.21 need to be aligned. It is clear that development in safeguarded zones is not prohibited, but there needs to be greater clarification about the intention of the wording of Part iii). This part of the Policy is clearly intended to ensure that where other minerals overlap with potash there is appropriate assessment and does not represent a prohibition. This can be deduced from the policy statement requiring demonstration that alternative minerals development will not 'adversely affect' the safeguarded resource, the use of the words 'adversely affect' assumes some affects will occur.

Para 8.21 does not make this distinction wholly clear. Clarification is required of the principle that where minerals safeguarding's overlap another minerals resource this does not prevent the exploration and development of that alternative resource, this will ensure the Plan is consistent with the NPPF.

A 2km buffer for potash is excessive, each application for development proposals should be judged on its merits depending on the proposals brought before the MPA.

Land take for surface sites for unconventional gas exploration are limited and dispersed and their impact on the recovery of the minerals resource will be negligible. There is no need for proposed buffer zones for gas sites and each application will be assessed individually.

Response to comment:

This comment refers to the overlap of potash safeguarded areas and gas. The safeguarded areas of potash are largely outside PEDL areas so minimal overlap.

S02

Q04

1078

Part 1 - Surface mineral resources

029: Development in MSAs

Support the approach but suggest amending the Policy to help ensure the viability of minerals extraction and future development

ii) 'The mineral will be extracted prior to the development (without unacceptable adverse impact on the environment or the amenity of local communities OR THE FEASIBILITY/ECONOMIC VIABILITY OF DEVELOPMENT, or....'

Part 2 - Deep mineral resources

Object to the safeguarding of deep coal deposits at Kellingley Colliery as the colliery has closed and is unlikely to reopen. Amend the Policy and Policies Map to remove the safeguarded status of the colliery licenced area and associated buffer zone.

If this change is incorporated, Policy S02 will not apply to any future development proposals at, or close to, the former Kellingley Colliery site.

Object to the lack of clarity in the Policy regarding the approach to the sensitive uses listed in the context of the exempt (and non-exempt) uses which are not listed or referenced. The Policy should be amended to :

i. indicate that safeguarding restrictions are only applicable to certain types of development and include a direct reference to the list of exempt development types as outlined in paragraph 8.50; and

ii. Indicate that the requirement to assess the impact of the listed development types on the potential future extraction of minerals, and to assess their sensitivity to minerals workings, is not applicable to other types of development including those on the exempt from safeguarding restrictions list.

Response to comment:

Exempt development is already referred to in this policy. The comment mainly relates to deep coal safeguarding and the closure of Kellingley Colliery. It is agreed that ,following the closure of Kellingley Colliery, it would no longer be appropriate to seek to safeguard the underground coal resource within the Kellingley Colliery licenced area as this may place unnecessary burden on surface developers.

252 York Potash

S

S02

Q04 0913

Part three states that proposals related to underground gas resources or storage within the potash, salt and polyhalite safeguarded areas will need to demonstrate there will be no adverse impact on the future extraction of the protected mineral. This approach is supported, but should refer to fracking and other works including deep drilling.

029: Development in MSAs

This repeats part three of Policy S01.

Response to comment:

This is already clarified via policies S01 and S02 and the supporting text.

879 Strensall & Towthorpe Parish Council

S

S02

Q04 2307

This policy is supported.

029: Development in MSAs

Response to comment:

Noted

2685 Whinthorpe Development Ltd and Halifax Estates Co

DNS

S02

Q04 1197

The submitter has a site allocated in the CYC Local Plan, and part of the site falls within a MSA.

029: Development in MSAs

Support the presumption in favour of non minerals development in safeguarding areas where it constitutes 'exempt' development (including sites which benefit from a Local Plan Allocation), there is the risk that without careful timetabling the Minerals and Waste Plan may come forward in advance of the CYC Local Plan and thus prejudice the none mineral development of Strategic Allocations before they have been formally adopted.

Response to comment:

If the City of York Local Plan is not adopted then site allocations will have to meet criteria under Part One of this policy. City of York Council is a Unitary so will consider both minerals and housing/business development and so can resolve conflict easier.

S02

Q04 1309

029: Development in MSAs

Kellingley Colliery has recently closed and there is a clear need to consider the substantially restrictive impacts of safeguarding and buffer zones upon the future regeneration and development of the site. Discussions are ongoing regarding the future regeneration of the site and this should be given full consideration before finalising the MWJP.

Response to comment:

This has been addressed in the context of policy S01 by removing the safeguarding of deep coal from that policy.

S02

Q04 0075

029: Development in MSAs

This Policy is supported.

Response to comment:

Noted.

S02

Q04 0844

029: Development in MSAs

With regard to the Mineral Safeguarding Areas shown in the Policies Map and a site at Flaxby to the east of Harrogate (see attached plan). This site is being promoted for housing development through the Harrogate Local Plan. The Policies Map indicates safeguarding areas for sand and gravel and brick clay on part of this site. However, it can be demonstrated by borehole data that the mineral in this location is not economically viable and therefore not an exploitable resource (Policy S02, part one, bullet point iv).

The mineral safeguarding areas shown across this site are based upon data primarily derived from British Geological Survey 'superficial deposits' records and a County specific report (2011). The Safeguarding areas cover extensive swathes of the County, are by nature very generic, and are indicative of the nature of the county's geology rather than based on extensive detailed exploratory drilling. Superficial deposits can vary considerably in nature and extent over a small area, so generic safeguarding areas can classify large areas as a type of material, whilst detailed exploratory drilling may prove there is none or the mineral is contaminated rendering the mineral essentially uneconomic to extract. Where this occurs it is reasonable for a surface developer to put the case that mineral ought not to be safeguarded and prior extraction is not a practical option.

Response to comment:

Noted

S02

Q04 0992

The way the Policy is worded suggests that it is for the promoter of underground gas resources in a safeguarding area to prove that there will be no sterilisation of the potash, salt and polyhalite or to demonstrate that the need for the sterilising development outweighs the need to protect the resource.

029: Development in MSAs

Part three of the policy needs to be revised to ensure that proposals for underground gas resources or underground storage take account of the area safeguarded for potash, salt and polyhalite. Currently the policy appears to overprotect safeguarded areas for potash and polyhalite at the expense of underground gas extraction.

Response to comment:

This is already clarified via policies S01 and S02 and the supporting text.

3023 Chas Long & Son (Aggregates) Ltd

S02

Q04 1046

The Policy does not include a clear reference for the need for MPAs to be notified about applications within MSAs. It is suggested that in addition to the MPA the operator that could be affected by the development should also be notified in order that the potential impacts of the proposal can be considered and representations made as appropriate.

029: Development in MSAs

Response to comment:

Extra text has been added to clarify the role of the Mineral Planning Authority. It is not considered appropriate to include a policy requirement to consult with operators as implementation of the safeguarding process is a matter for the planning authorities.

1111 The Coal Authority

S02

Q04 1192

Supports the criteria based approach identified in respect of development within Mineral Safeguarding Areas.

029: Development in MSAs

It should be noted that the Coal Authority, whilst being a statutory consultee across the coalfield, operates a risk based approach to development management which defines the coalfield into high risk and low risk based on mining legacy features. So would not necessarily be consulted on development proposals that sit above all of the deep licenced area. This policy may require further consideration in light of the current state of the deep coal industry in order to ensure that the requirements in respect of deep coal resource are not overly burdensome.

Response to comment:

This has been addressed in the context of policy S01 by removing the safeguarding of deep coal from that policy.

115 Minerals Products Association

S

S02

Q04 0650

Fully support this Policy as it is in accordance with BGS guidance on safeguarding. However, would ask for an additional reference to Mineral Assessments in the Policy. Suggested wording is as follows " APPLICATIONS FRO NON-MINERAL RELATED DEVELOPMENT IN MINERAL SAFEGUSRDING AREAS ARE REQUIRED TO INCLUDE AN ASSESSMENT OF THE EFFECT OF THE PROPOSED DEVELOPMENT ON THE MINERAL RESOURCE RENEATH OR ADJACENT TO THE SITE OF THE DEVELOPMENT".

029: Development in MSAs

Response to comment:

The suggested wording has been included in the policy.

127 Harworth Estates (UK Coal Operations Ltd)

DNS

S02

Q08 1079

No comment on the list of development types included in part 2 of Policy S02.

029: Development in MSAs

It is suggested that this list is reviewed alongside development types which are exempt from safeguarding restrictions to ensure a clear, comprehensive and compatible approach.

Response to comment:

Noted

3846 Ryedale Liberal Party

DNS

S02

Q08 1937

The list in part two should say 'by subsidence or seismic activity' and the list should include 'housing'.

029: Development in MSAs

Response to comment:

It is not considered appropriate to add in reference to seismic activity as only the only underground mineral now proposed for safeguarding is potash which is not expected to give rise to induced seismicity as a result of underground working.

030: Waste Management
Facility Safeguarding

2237 Hessay recycling has been included within the Plan. Activities ceased during 2015 and the lease has not been renewed. Therefore there should be no requirement to retain the site in any capacity within the MWJP.

Response to comment:

The site has been removed from the Plan.

129 Yorwaste Ltd

DNS

Q13 0949
030: Waste Management
Facility Safeguarding

The safeguarding of transfer stations for the Hambleton and Ryedale areas are noted but query why these have been omitted in other sections of the Plan.

We can confirm that Yorwaste no longer operate a waste management facility at Hessay and are in the process of surrendering the permit for the site. The site should be removed from the list of safeguarded sites.

Response to comment:

Noted. Hessay has been removed from the safeguarded facilities.

2180 Peel Environmental Limited

DNS

Q13 0812
030: Waste Management
Facility Safeguarding

Agree with the sites identified to be safeguarded (appendix 2).

In relation to North Selby Mine and Southmoor Energy Centre, the plans, as proposed for safeguarding, use the redline boundary of the planning consent which includes land proposed for non-waste management purposes and it is considered that these areas should be removed. The boundary should be amended to only include the areas proposed for waste management. (a revised plan is also submitted as part of this representation)

Response to comment:

Changes to maps will be reflected in relevant appendices and on the policies map.

Q13 2059 Object to the safeguarding of Harewood Whin Site.

030: Waste Management
Facility Safeguarding

The Plan in Appendix 2 includes Green Belt land adjacent to the B1224, which is unacceptable.

Response to comment:

Noted. The boundary of Harewood Whin has been reviewed.

879 Strensall & Towthorpe Parish Council

S03

Q04 2308 This policy is supported.

030: Waste Management
Facility Safeguarding

Response to comment:

Noted

130 Leeds City Council

S03

Q04 1209 Leeds have safeguarded existing waste management sites where these are operating effectively without complaints. However some of these will fall within B2 of the class order rather than sui generis - making it difficult to retain them in a waste use. If there is a way of dealing with this please share the information.

030: Waste Management
Facility Safeguarding

Response to comment:

Noted.

S03 Q04 1136 The safeguarding areas and additional buffers for waste are appropriate.

030: Waste Management
Facility Safeguarding

Agree that the safeguarded waste sites at Tofts Road, Kirby Misperton, Knapton Quarry, Malton and Norton HWRC, Caulklands HWRC, Wombledon HWRC and Seamer Carr are acceptable subject to development management issues being satisfactorily addressed at the planning application stage and mitigation measures necessary being undertaken.

The following points need to be considered:

Knapton Quarry - this site currently takes household waste from Ryedale as landfill, it is not just for composting. The licences/permits may need checking. The site could benefit from screening to minimise landscape impact.

Whitewall Quarry - within this site there is an aggregate recycling plant which operates alongside the quarry operation as well as a concrete batching plant. If these operations are not covered by the existing permissions for protection they also need to be identified for protection.

To protect the Councils waste operation, should the opening of Tofts Road be delayed, the HWRC site at Showfield Lane and Knapton Quarry should be safeguarded.

Response to comment:

Noted. The safeguarded boundary at Knapton has been reviewed. The aggregate recycling plant at Whitewall Quarry is within the boundary of the quarry so protected under this permission. The waste sites at Showfield Lane and Knapton are already safeguarded.

3743

DNS

S03 Q04 1919 The boundary proposed for safeguarding the Harewood Whin site should be redrawn to reflect the current operational site boundary.

030: Waste Management
Facility Safeguarding

Response to comment:

The boundary of Harewood Whin has been reviewed.

1097 Rufforth and Knapton Parish Council

DNS

S03 Q04 0447 The map boundary of Harewood Whin (Appendix 2) is incorrect and should be amended to exclude the two fields adjacent to the B1224 with the inclusion of a 400m buffer around the green belt.

030: Waste Management
Facility Safeguarding

Response to comment:

Boundary of Harewood Whin has been reviewed.

129 Yorwaste Ltd

S

S03 Q04 0931 Support the Policy.

030: Waste Management
Facility Safeguarding

However, we question the 250m buffer zone for incompatible development. This would need to be specific to each site depending on the type of waste being managed and the nature of any proposed incompatible development.

Response to comment:

Noted. It is not considered practicable to define buffer zones on a site by site basis, 250m is considered to represent a reasonable balance.

3374

O

S03 Q04 0014 Submitted against Policy S06, but response related to Policy S03.

030: Waste Management
Facility Safeguarding

Once Allerton Park is completed there will not be a need for any further landfill or recycling facilities in the York area, so there is no need to safeguard waste facilities in York.

Response to comment:

The facilities in York will need to be safeguarded until AWRP is fully implemented and able to take the waste from York.

3720 Rufforth with Knapton Neighbourhood Planning Group

DNS

S03 Q04 0490 The Site boundary as currently proposed for safeguarding is incorrect and is greater than the current permitted site. The boundary should be redrawn to only include the existing permitted area and a boundary of 400m should be applied from the edge of the Greenbelt.

030: Waste Management
Facility Safeguarding

Response to comment:

The boundary of Harewood Whin has been reviewed. It is not considered practicable to define buffer zones on a site by site basis, 250m is considered to represent a reasonable balance.

S03

Q04 1080

Recognise the intention to protect waste management and other development types from detrimental impacts resulting from location in close proximity to one-another.

030: Waste Management
Facility Safeguarding

Object to the S03 Policy approach as does not establish a clear approach to the assessment of development which does not fall within the exempt and non-exempt categories. No definition is provided for the term 'incompatible development', which should be specifically limited to sensitive uses (e.g. residential, health, education etc.) and stated to exclude industrial/commercial uses.

The proposed 250m buffer zone may potentially prejudice other economically beneficial uses from coming forward within brownfield sites located close to waste management uses. Therefore, object to the use of buffer zones as a tool for this Policy without reference to site-specific circumstances.

Specifically object to the boundary of the proposed safeguarding area for the Southmoor Energy Centre as it includes areas of land not proposed for waste uses.

Support the approach by Peel in relation to Southmoor Energy Centre and North Selby Mine projects, which states that the redline used to identify waste sites for safeguarding reflects the redline boundary of the planning consents for the North Selby Mine and Southmoor Energy Centre projects and includes areas of land that are not proposed for waste management purposes. As this is not relevant to the purpose of safeguarding and allocation or safeguarding areas should be reduced to remove non waste uses.

The proposed safeguarding area for Southmoor Energy Centre encompasses the entire mixed use planning consent for both an energy from waste facility and the relocation of coal process activities which cover a significant part of the application area north of rail sidings. The energy from waste facility would occupy a distinct plot of land south of the rail siding.

It is considered inappropriate to safeguard the coal process activities for waste uses as they have never been proposed for such a use. Now the Colliery is closed it is proposed for redevelopment. The safeguarding plan should be updated to reflect the actual extent of the energy from waste facility.

The proposed safeguarding area for the Anaerobic Digestion Facility at North Selby Mine site encompasses the entire mixed use planning consent for both anaerobic digestion facility and a substantial horticultural glasshouse covering the majority of the application area. The anaerobic digestion facility would occupy a significantly smaller area and the safeguarding plan should be updated to reflect the actual extent of the facility.

Maps of the boundaries enclosed.

Response to comment:

Exempt development (and by definition non exempt development) is defined later in the chapter, as already referred to in the supporting text. Further clarification in the text can be provided on incompatible development. It is not considered practicable to define buffer zones on a site by site basis, 250m is considered to represent a reasonable balance.

3542

O

S03

Q09

1111

The buffer zone could do with being more than 250m what with the waste fluids that the landfill (WJP11) creates, the noxious gases which escape and the vermin.

030: Waste Management
Facility Safeguarding

Response to comment:

It is not considered practicable to define buffer zones on a site by site basis, 250m is considered to represent a reasonable balance..

342 Mone Brothers Excavations Ltd

DNS

S03

Q09

1296

A 250m buffer zone is not necessary around all waste management facilities. Consideration of a buffer zone should take regard of the particular operation, its potential impacts and the location of sensitive receptors, i.e. each case treated on its individual merits.

030: Waste Management
Facility Safeguarding

Response to comment:

It is not considered practicable to define buffer zones on a site by site basis, 250m is considered to represent a reasonable balance.

75 Bradford Metropolitan District Council

S

S03

Q09

0906

Possible consideration to the need for a 250m buffer for all waste types/activities and definition of incompatible. Relatively benign activities within a building on an industrial estate may possibly not require a 250m buffer.

030: Waste Management
Facility Safeguarding

Response to comment:

It is not considered practicable to define buffer zones on a site by site basis, 250m is considered to represent a reasonable balance.

127 Harworth Estates (UK Coal Operations Ltd)

DNS

S03

Q09 1081

The proposed buffer zone of 250m around the safeguarded Southmoor Energy Centre could potentially prejudice redevelopment and regeneration of the wider Kellingley Colliery brownfield site. The site is suitable for a number of uses so the waste facility should not take precedence over other suitable uses.

*030: Waste Management
Facility Safeguarding*

A more flexible approach should be taken to the uses which can be included adjacent to waste safeguarding areas, and the blanket buffer zone policy should be refined so it is responsive to site-specific circumstances. This would follow the NPPF.

Response to comment:

It is not considered practicable to define buffer zones on a site by site basis, 250m is considered to represent a reasonable balance.

2771 Kent County Council

DNS

S04

Q04 0859

Opportunities for potential importation infrastructure (new wharves and railheads) should be identified and safeguarded to ensure full compliance with the NPPF and support sustainable development objectives.

*031: Minerals and Waste
Transport infrastructure
Safeguarding*

Response to comment:

New sites for minerals and waste transport infrastructure have been considered. It is outside the scope of the Plan to safeguard sites for navigation or leisure use.

2310 Commercial Boat Operators Association

S

S04

Q04 0763

Support the Preferred Policy approach, and agree with safeguarding waterway wharves and railheads.

*031: Minerals and Waste
Transport infrastructure
Safeguarding*

Response to comment:

Noted.

2310 Commercial Boat Operators Association

DNS

S04

Q04

0765

It is important to recognise that land around wharves must be safeguarded. Wharves need to be accessible by lorry or other operational use and if adjacent land has an incompatible use this may render a wharf unusable. Kellingley Wharf site map, and others, do not include any provision for access.

031: Minerals and Waste
Transport infrastructure
Safeguarding

Response to comment:

Access to be added to rail and wharf infrastructure maps where required.

2310 Commercial Boat Operators Association

DNS

S04

Q04

0766

Would like to propose three sites to be Safeguarded Wharves:

031: Minerals and Waste
Transport infrastructure
Safeguarding

1. Council Yard at Snaygill, Skipton. This site is directly opposite the safeguarded Snaygill Industrial Estate Concrete Manufacture Site (p.286 of Appendix 2), on the east side of the road, between the canal and the road. Discussions are underway regarding carriage of potential movement of liquid and containerised sludge to Snaygill and the Council Yard has been identified as a potential location for loading and discharge of barges.
2. H&H Celcon Concrete Works, Heck Lane, Pollington, DN14 0BA. This site takes sea dredged aggregate (potentially by canal). Being in North Humberside it may not be applicable for site protection but the Pollington potential wharf could be used to serve them with a haul road or conveyor, and that may be in the Plan area.
3. Whitley Bridge, Eggborough. This site is a Canal & River Trust and a private (Bowman's) Wharf.

Response to comment:

The potential of the wharves has been investigated and non are likely to be taken forward for use for minerals or waste transport.

317 Tarmac

S

S04

Q04

0074

This Policy is supported, and the inclusion of a 250m buffer is supported.

031: Minerals and Waste
Transport infrastructure
Safeguarding

Response to comment:

Noted

129 Yorwaste Ltd

S

S04 Q04 0932 Support the Policy.

031: Minerals and Waste

Transport infrastructure

Safeguarding

Response to comment:

Noted.

879 Strensall & Towthorpe Parish Council

S

S04 Q04 2309 This policy is supported.

031: Minerals and Waste

Transport infrastructure

Safeguarding

Response to comment:

Noted

317 Tarmac

S

S04 Q04 0076 This Policy is supported.

031: Minerals and Waste

Transport infrastructure

Safeguarding

Response to comment:

Noted.

115 Minerals Products Association

S

S04 Q04 0651 This policy is supported but one essential change is needed. The policy currently allows the loss of mineral infrastructure if the need for the alternative development is overriding. This is not sufficient. Even if there is an overriding need for the development, the mineral interest should be left no worse off than if there were no development. Therefore, the link between criterion i and ii should be 'and' not 'or' thus the mineral infrastructure is to be replaced.

Response to comment:

It is agreed there should be a requirement for an alternative location to be provided where the site is in active use and this is reflected in revised wording to the policy.

250 Igas Energy Plc

S

S04

Q04

1267

This policy is supported as it does not seek to restrict any mineral extraction in Surface Mineral Safeguarding Areas and allows developers of other deep minerals to demonstrate they will not adversely affect the extraction of protected minerals.

031: Minerals and Waste
Transport infrastructure
Safeguarding

Response to comment:

Noted.

294 Canal & River Trust

S

S04

Q04

1249

Support the Policy.

The safeguarding of infrastructure including existing, planned and potential wharfage and associated storage, handling and processing facilities for the bulk transport by sea or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and, the existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material is supported by Para. 143 of the NPPF. Therefore, the Policy would be consistent with national policy.

031: Minerals and Waste
Transport infrastructure
Safeguarding

Response to comment:

Noted.

112 Highways England

S

S04

Q04

0584

Support the safeguarding of existing transport infrastructure, such as railheads, rail links and wharves, which could be utilised in the future to support new facilities or enable a modal shift to more sustainable transport, so reducing transportation by the road network and particularly the SRN.

031: Minerals and Waste
Transport infrastructure
Safeguarding

Response to comment:

Noted

S04

Q04

1086

No objection in principle to the identification of rail facilities at Kellingley Coal Mine and Gascoigne Wood and the wharf at Kellingley.

031: Minerals and Waste
Transport infrastructure
Safeguarding

The case for long term safeguarding of these facilities should be reassessed with any development proposal and in relation to the particular resource they are intended to serve.

Transport infrastructure should not be safeguarded exclusively for minerals and waste use as it may be suitable to serve commercial development (e.g. storage and distribution use). Equally, if there is no realistic prospect of the transport infrastructure being used then it should not be safeguarded.

Response to comment:

It is not considered practicable to define buffer zones on a site by site basis, 100m is considered to represent a reasonable balance.

S04

Q04

1082

Recognise the intention to safeguard rail and water transport infrastructure for future use associated with minerals and waste movement.

031: Minerals and Waste
Transport infrastructure
Safeguarding

Object to the proposed policy approach, including the identification of buffer zones, as it does not account for the need to regenerate, as well as restore, brownfield sites where the former use is exhausted, surplus to requirements and/or no longer economically viable.

Transport infrastructure should not be safeguarded exclusively for minerals and waste use as it may be suitable to serve commercial development. Equally, if there is no realistic prospect of the transport infrastructure being used for minerals or waste or other commercial use then it should not be safeguarded.

Response to comment:

It is outside the scope of the Plan to safeguard sites for any other use that minerals or waste transport. It is not considered practicable to define buffer zones on a site by site basis, 100m is considered to represent a reasonable balance.

S04

Q10

0810

The Policy should recognise that the multi-modal facilities the Policy is seeking to protect may have non-mineral and waste distribution associated with their operation, or the potential to contribute to the wider logistic sector in the future. The wording of the Policy should ensure that there is sufficient flexibility to allow for the existing infrastructure to accommodate alternative and more efficient uses.

031: Minerals and Waste
Transport infrastructure
Safeguarding

Response to comment:

This point is noted but as a minerals and waste plan this cannot be addressed directly in the policy.

S04

Q10

1083

Object to the blanket imposition of 100m buffer zones around transport infrastructure and it should be removed from the Policy.

031: Minerals and Waste
Transport infrastructure
Safeguarding

It is restrictive and has no bearing on the nature of the infrastructure and risks prejudicing redevelopment and regeneration projects in the vicinity.

A more flexible approach should be taken which is sensitive to site specific circumstances.

There may be overlapping buffer zones and this could compromise development.

Response to comment:

It is not considered practicable to define buffer zones on a site by site basis, 100m is considered to represent a reasonable balance.

S04

Q10

0680

The adoption of a 100m buffer is supported. Beyond this distance in most cases it should be possible to mitigate any residual impacts on newly built development.

031: Minerals and Waste
Transport infrastructure
Safeguarding

Response to comment:

Noted.

S04

Q10 1250 Support the Policy.

031: Minerals and Waste
 Transport infrastructure
 Safeguarding

However, we query the arbitrary 100m buffer zone. We consider that each case should be considered on its merits, as a 100m buffer may not be sufficient to overcome issues of land use compatibility. We would welcome the opportunity to discuss this matter with you.

The principle of a buffer zone around safeguarded wharves to guard against encroaching development which is not compatible and could result in operational restrictions being imposed on wharf sites, is supported. This Policy is consistent with Para 123 of the NPPF which requires that planning policies do not impose unreasonable restrictions on existing businesses due to changes in nearby land uses.

A buffer zone is also an important feature to ensure that wharves are not isolated from accessing supporting transport infrastructure, such as road and rail, to ensure onward movement of materials.

Response to comment:

It is not considered practicable to define buffer zones on a site by site basis, 100m is considered to represent a reasonable balance.

S04

Q10 0933 The buffer zone should be based on the activity and nearby receptors for each site, rather than a one size fits all approach.

031: Minerals and Waste
 Transport infrastructure
 Safeguarding

Response to comment:

It is not considered practicable to define buffer zones on a site by site basis, 100m is considered to represent a reasonable balance.

S04 Q13 0764 Agree with the wharves and port included as safeguarded transport infrastructure under this Policy.

031: Minerals and Waste
Transport infrastructure
Safeguarding

Response to comment:

Noted.

S04 Q13 0996 The access to the facility at Kellingley Colliery has been maintained whilst developing the proposals for Southmoor Energy Centre, however the facility is significantly constrained by existing features and proposals within the Southmoor application. A feasibility study of the potential to relocate the wharf to the west of the existing facility has been undertaken (and submitted with this representation). This new area and the original wharf and coal stocking yard should be safeguarded.

031: Minerals and Waste
Transport infrastructure
Safeguarding

Response to comment:

New wharf area added to appendices and policies map.

S04 Q13 0825 The Plan only includes actual or potential wharfage, leisure or navigational use should also be taken into consideration.

031: Minerals and Waste
Transport infrastructure
Safeguarding

A wharf must retain current or potential landward access, this should be written into the safeguarding policy.

Although a site may not have a commercial value it may have an ongoing navigational value such as for an emergency abort point.

There is a wharf between Great Heck and Pollington which is not listed, formerly Dalkia. The waterside is mostly on the NYCC side of the border with East Riding, near a disused airfield lying to the east of the CPM plant which uses sea dredged aggregate. The site should be added to the safeguarded wharves list.

Response to comment:

It is outside the scope of the Plan to safeguard sites for navigation or leisure use. The suggested wharf has been considered for inclusion in the Plan.

S05

Q04 0652

This Policy is supported but one essential change is needed. The Policy currently allows the loss of mineral infrastructure if the need for the alternative development is overriding. This is not sufficient. Even if there is an overriding need for the development, the mineral interest should be left no worse off than if there were no development. Therefore, the link between criterion I and ii should be 'and' not 'or' thus the mineral infrastructure is to be replaced.

032: Minerals Ancillary
Infrastructure Safeguarding

Response to comment:

It is agreed that there should be a requirement for an alternative location to be provided where the site is in active use and this is reflected in the wording of the policy.

2771 Kent County Council

DNS

S05

Q04 0858

The supportive infrastructure for imported marine aggregate should be fully safeguarded, as required by the NPPF.

032: Minerals Ancillary
Infrastructure Safeguarding

Response to comment:

Noted

317 Tarmac

S

S05

Q04 0077

This Policy is supported.

032: Minerals Ancillary
Infrastructure Safeguarding

Response to comment:

Noted

116 Ryedale District Council

S

S05

Q04 1137

The safeguarding areas and additional buffers for minerals ancillary infrastructure are appropriate.

032: Minerals Ancillary
Infrastructure Safeguarding

Agree that the safeguarded infrastructure sites at Showfield Lane, Malton, Knapton Power Station and Hurrell Lane Processing site are acceptable subject to development management issues being satisfactorily addressed at the planning application stage and mitigation measures necessary being undertaken.

Response to comment:

Noted.

879 Strensall & Towthorpe Parish Council

S

S05 Q04 2310 This policy is supported.

032: Minerals Ancillary
Infrastructure Safeguarding

Response to comment:

Noted

115 Minerals Products Association

S

S05 Q11 0681 The adoption of a 100m buffer is supported. Beyond this distance in most cases it should be possible to mitigate any residual impacts on newly built development.

032: Minerals Ancillary
Infrastructure Safeguarding

Response to comment:

Noted.

2685 Whinthorpe Development Ltd and Halifax Estates Co

DNS

S06 Q04 1199 Welcome the provision made under Policy S06 for non-exempt development (which is proposed in a safeguarded area on the Policies Map for mineral resources) to form the subject of further consultation with NYCC before planning permission is granted.

033: Consultation Areas

The mineral below the submitters proposed development site is understood to be of limited value, willing to undertake further assessment to inform the CYC Local Plan and the master planning of the site.

Response to comment:

Noted

3023 Chas Long & Son (Aggregates) Ltd

S

S06

Q04

1047

It is suggested that in addition to the MPA, the operator that could be affected by the development be notified in order that the potential impacts of the proposal can be considered and representations made as appropriate.

033: Consultation Areas

Response to comment:

It would not be practicable to include this within the policy, which seeks to ensure appropriate coordination between different tier planning authorities.

879 Strensall & Towthorpe Parish Council

S

S06

Q04

2311

This policy is supported.

033: Consultation Areas

Response to comment:

Noted

1134 Fenstone Minerals Ltd

S

S06

Q04

0486

The potentially affected operator should be notified of any proposals which may impact on their site.

033: Consultation Areas

Response to comment:

It would not be practicable to include this within the policy, which seeks to ensure appropriate coordination between different tier planning authorities.

116 Ryedale District Council

S

S06

Q04

1139

The consultation areas are considered appropriate although clarification is needed for some of the exempt development listed e.g. the size and scale of development or the use of development thresholds may be more appropriate and helpful when determining what development constitutes the infilling of towns and villages. Does infilling mean within existing development limits, small extensions to the settlement beyond development limits for dwellings to meet local needs etc. or applications on site allocations identified in the Development Plan.

033: Consultation Areas

Response to comment:

Exempt development is discussed at the end of the chapter,.

129 Yorwaste Ltd

S

S06

Q04

0934

Support the Policy.

033: Consultation Areas

Response to comment:

Noted

2155

S

S06

Q04

1566

Support the Policy.

033: Consultation Areas

Good to see that safeguards are in place to preserve the natural environment and safety is a top priority to minimise danger to lives or health with regard to fracking, which is a divisive matter.

Response to comment:

Noted

115 Minerals Products Association

S

S06

Q04

0653

Support this Policy but query what mechanism their will be for regular updating of MCAs as new mineral and waste facilities come on stream.

033: Consultation Areas

Response to comment:

This would be a matter to be addressed when the Plan is reviewed.

1111 The Coal Authority

S

S06

Q04

1193

Support the proposed Policy approach which identifies that in a Mineral Safeguarding Area consultation with NYCC will be required.

033: Consultation Areas

Response to comment:

Noted

115 Minerals Products Association

S

Q12

0654

Fully support the criteria.

034: Safeguarding Exempt
Criteria

Response to comment:

Noted.

120 Historic England

S

Q12 0126
034: Safeguarding Exempt
Criteria

Agree with the types of development which would have exemption from the relevant safeguarding policies. These relatively minor developments and changes of use are unlikely to have any significant impact on the mineral reserves of the Plan area.

Response to comment:

Noted.

127 Harworth Estates (UK Coal Operations Ltd)

DNS

Q13 1084
034: Safeguarding Exempt
Criteria

Generally support the list of development types which are classed as exempt when located within a safeguarding area. As much as possible, the list of exempt development types should facilitate development and regenerations. Object to the omission of 'redevelopment of previously developed land of a scale and extent not substantially increasing the footprint of the former development.'

Response to comment:

Suggested text added into the Plan.

115 Minerals Products Association

S

Q13 0655
035: Sites Proposed for
Safeguarding

The sites identified for safeguarding are supported.

Response to comment:

Noted.

S03

Q04

1085

Object to safeguarding of Southmoor Energy Centre, Kellingley Colliery current boundary, the boundary should be changed to reflect the attached map.

035: Sites Proposed for Safeguarding

Also object to the specific reference to 'Southmoor Energy Centre, Kellingley Colliery' within the Plan as it causes confusion with the Kellingley Colliery Development Site, the reference should be changed to 'Southmoor Energy Centre, ADJACENT TO Kellingley Colliery.'

Object to the safeguarding of Southmoor Energy Centre with the current plotted boundary. A map of the correct boundary has been provided, the area to be safeguarded is smaller than the current plotted area.

Southmoor Energy Centre has detailed that it is an anaerobic digestion facility, which is correct, but it is suggested that the type of technologies should not be listed in this way, all such sites should come under the umbrella of 'energy from waste' in order to help flexibility for the introduction of new technologies over the lifespan of the site.

Response to comment:

Boundary reviewed.

S04

Q13

1251

Support the Safeguarded Wharves identified in Appendix 2.

035: Sites Proposed for Safeguarding

However, we recommend the inclusion of three further wharf sites to be safeguarded: the Council Yard at Snaygill, CPM Concrete Works at Pollington and wharves at Whitley Bridge. We understand the Commercial Boat Operators Association have referred these sites to you and it may be appropriate to discuss these sites in further detail.

In our previous response to the Issues & Options Consultation (April 2014) we highlighted the Dalkia site in Pollington which was previously approved for a Biomass Power Plant scheme including a new wharf for the importation of biomass fuel via the Aire & Calder Navigation canal. We recommend that this site is safeguarded for future use as a wharf, which is not currently the case, as required by Para. 143 of the NPPF.

Response to comment:

Noted. Suggested sites investigated,

57 Plasmor Ltd

O

S05

Q04

1004

The boundary shown for the concrete batching plant at the Old Quarry, Long Lane, Great Heck in Appendix 2 is incorrect as it overlaps with Mill Balk Quarry (MJP54) The boundary should be amended so it does not overlap with Mill Balk Quarry.

035: Sites Proposed for Safeguarding

Response to comment:

Boundary reviewed.

943 Well Parish Council

DNS

1784 When a satisfactory environmental Impact assessment has been produced, enforcement officers should ensure that it is adhered to.

Consideration should be given to agreeing a section 106 agreement to provide funding for local communities and villages.

Restoration to open water should be minimised, for aesthetic, environmental and agricultural reasons.

A minimum stand off distance between development and residential areas should be implemented to preserve local amenity.

Response to comment:

Noted. These matters are most appropriately addressed through the development management process and, where relevant, the allocation of sites.

116 Ryedale District Council

S

1142 Support the use of development management policies for the consideration of planning applications fro minerals and waste facilities and workings.

Response to comment:

Noted

150 Egdon Resources (UK) Limited

S

D01 Q04 0987 Support this policy

036: Presumption in Favour of Sustainable Development

Response to comment:

Noted

2817

O

D01 Q04 1622 Object

036: Presumption in Favour of Sustainable Development

Response to comment:

Noted

113 Howardian Hills AONB

S

D01 Q04 0833 Support the preferred policy approach.

036: Presumption in Favour of Sustainable Development

Subject to the caveats contained within Para. 14 of the NPPF and its footnote.

Response to comment:

Noted

115 Minerals Products Association

S

D01 Q04 0656 This policy is supported as it follows the PINS recommended wording.

036: Presumption in Favour of Sustainable Development

Response to comment:

Noted

1134 Fenstone Minerals Ltd

S

D01 Q04 0487 This policy is robust and consistent with the NPPF.

036: Presumption in Favour of Sustainable Development

Response to comment:

Noted

879 Strensall & Towthorpe Parish Council

S

D01 Q04 1749 This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

036: Presumption in Favour of Sustainable Development

Response to comment:

Noted

3846 Ryedale Liberal Party

DNS

D01 Q04 1938 It is clear that there is no choice about supporting this policy. However it should be emphasised that the term 'sustainable development' is clearly defined with five objectives in the NPPF. Development should have to be considered against these objectives.

036: Presumption in Favour of Sustainable Development

Response to comment:

Noted

359 North York Moors Association

S

D01 Q04 0716 Support the Preferred Policy approach.

036: Presumption in Favour of Sustainable Development

Response to comment:

Noted

D01 Q04 1686 Do not support the policy as have serious reservations about the inequity of neighbourhood plans and the effectiveness of local consultations. Not all areas have a neighbourhood plan. The approach of sending a questionnaire to all parishioners when a site is being considered and questions developed by independent experts. Case law should be monitored and policy updated to reflect this as required.

036: Presumption in Favour of Sustainable Development

Considerable weight should be applied to the preservation of the settings of listed buildings and conservation areas in planning decisions. This means that where any harm, even 'less than substantial' harm can be shown to occur to the settings of a listed building or conservation area, the default position should be a refusal by the local authority.

Response to comment: *Noted. The setting of listed buildings is covered in Policy D08.*

342 Mone Brothers Excavations Ltd

S

D01 Q04 1297 Note intention of 'presumption in favour of sustainable development'.

036: Presumption in Favour of Sustainable Development

Response to comment: *Noted*

3023 Chas Long & Son (Aggregates) Ltd

S

D01 Q04 1048 Happy with the robust nature of this policy and its consistency with the NPPF.

036: Presumption in Favour of Sustainable Development

Response to comment: *Noted*

3704 Cuadrilla Resources Ltd

O

D01 Q04 1242 Draft national legislation relates to a ban on development, but not underground working, within the National Park, it doesn't make reference to other levels of designation. The policy should be re-worded to comply with national policy and not seek to provide extra layers of protection for other designated land.

036: Presumption in Favour of Sustainable Development

Response to comment: *This policy complies with National Policy.*

129 Yorwaste Ltd

S

D01 Q04 0935 Support the Policy.

036: Presumption in Favour of Sustainable Development

Response to comment:

Noted

2192 Local Access Forum

S

D01 Q04 0953 The presumption in favour of sustainable development leads MPAs to use 106 agreements to ensure that mineral extraction and subsequent site restorations are sustainable.

036: Presumption in Favour of Sustainable Development

This should include maintenance, or temporary diversion and final reinstatement of rights of way across an area of mineral extraction.

There are large areas of suspended quarry extraction where PROW have been diverted for many years and loss of wildlife habitat in hedgerows and fields.

Response to comment:

Restoration is covered in Policy D10 and protection of PROW covered by Policy D2.

317 Tarmac

S

D01 Q04 0078 This Policy is supported.

036: Presumption in Favour of Sustainable Development

Response to comment:

Noted

112 Highways England

S

D01 Q04 0585 Supports the presumption in favour of sustainable minerals and waste development as promoted by the NPPF.

036: Presumption in Favour of Sustainable Development

Response to comment:

Noted

D01 Q04 1382 This policy is supported.

036: Presumption in Favour of Sustainable Development

Response to comment:

Noted

1461 Samuel Smith Old Brewery (Cunnane Town Planning LLP)

DNS

D01 Q04 1011 The policy should be amended to include the requirement for the applicant to demonstrate that the proposal they are promoting is 'required in order to meet identified needs'.

036: Presumption in Favour of Sustainable Development

The current policy does not provide for any cap on the number and scale of proposals to be considered. Consequently, there is potential for a large number of speculative applications to be approved within the plan area. This could lead to approvals of schemes that are not required creating uncertainty for the potentially affected communities, and creates a legacy of approved schemes that are outside the control of the planning system. Such a legacy of commitments could create a situation where the authorities lose the ability to properly plan and control the release of mineral resources and ensure waste planning is achieved sustainably.

This policy seeks to achieve sustainable development however, whilst a specific proposal could be considered sustainable at the point of determination, there are a wide range of circumstances that may change before that commitment is implemented, resulting in previously acceptable schemes, causing harm to conflict with the overall aim of achieving sustainable development.

Response to comment:

The 'need' for new development is covered in specific mineral and waste policies. Cumulative impacts from development is covered in Policy D02.

2970 Frack Free York

O

D01 Q04 2245 There should be no presumption in favour of sustainable development for hydrocarbon development as an assessment under the habitats regulations took place during the 14th licencing round which means paragraph 119 of the NPPF does not apply. This should be reflected in the policy which should clearly state that in the case of hydraulic fracturing the presumption in favour of sustainable development does not apply.

036: Presumption in Favour of Sustainable Development

Response to comment:

The fact that the presumption does not apply in certain circumstances is already acknowledged in the Policy and supporting text. However, under national policy the exceptions are intended to apply in certain types of designations, not to particular types of development.

1754
037: Development Management
Criteria

Transportation is a big issue so all efforts to reduce vehicle movement should be made or the provision of by-passes around villages that will be affected. The provision of improved road networks is vital for the long term benefit of local residents.

Response to comment:

Noted. Transport issues are addressed where relevant in a number of policies in the Plan to help ensure that impacts are minimised.

3709 Harrogate Greenpeace

DNS

D02
P9.09 0358
037: Development Management
Criteria

The policy does not go far enough and should include protection of public health, children's wellbeing and water quality.

Response to comment:

Agree that public health should be added to the Policy. Children's wellbeing under public health and water quality is covered by Policy D09.

2937

DNS

D02
P9.09 0294
037: Development Management
Criteria

The policy does not go far enough and should include protection of public health, children's wellbeing and water quality.

Response to comment:

Agree that public health should be added to the Policy. Children's wellbeing under public health and water quality is covered by Policy D09.

2839

O

D02

P9.10 2064

Broadly this policy performs well against sustainability appraisal objectives, in particular it strongly contributes to the wellbeing, health and safety objectives. Does the policy take account of things such as ethylene pipelines which cross sites which cause a potential hazard.

037: Development Management Criteria

Response to comment:

Noted. The pipeline will be covered under safety issues.

2145 Petroleum Safety Services Ltd

DNS

D02

P9.11 1383

Hydraulic fracturing stimulations are short term (hours) treatments, and workovers could be included as another example of short term operations with potential to generate noise.

037: Development Management Criteria

Response to comment:

The cumulative impacts of hydraulic fracturing are covered in Policy M17

3846 Ryedale Liberal Party

DNS

D02

Q04 1939

This policy is too woolly. The need to accept predetermined levels of pollution is unacceptable. Baseline figures should be made available for at least a year before operations commence. In relation to fracking applications consultation with local communities should be mandatory not just encouraged. The policy does not make it clear how this consultation could be made meaningful. It is suggested that the weight of public opinion is given status of material consideration, when either pro or anti lobbyists reach a level of 80%.

037: Development Management Criteria

Response to comment:

Noted. Smells and fumes are considered material planning considerations. Local and cumulative impacts of hydrocarbon development is covered in Policy M17.

115 Minerals Products Association

S

D02 Q04 0657 This policy is fully supported.
037: Development Management
Criteria

Response to comment: *Noted.*

2145 Petroleum Safety Services Ltd

O

D02 Q04 1384 Hydraulic fracturing stimulations are short term (hours) treatments, and workovers could be included as another example of short term operations with potential to generate noise.
037: Development Management
Criteria

Response to comment: *Noted.*

150 Egdon Resources (UK) Limited

O

D02 Q04 0995 The nature of hydrocarbon minerals development can sometimes result in short term adverse environmental and amenity impacts during the drilling stage. This policy should not be unduly onerous and qualify the adverse impacts by referring to long term impacts.
037: Development Management
Criteria

The word 'LONG-TERM' should be inserted before unacceptable effects' in the third line of the policy.

Response to comment: *It is not considered appropriate to refer to long term effects only, as it is possible that short term but high intensity impacts could be unacceptable in some circumstances.*

359 North York Moors Association

S

D02 Q04 0717 Support the Preferred Policy approach.
037: Development Management
Criteria

Response to comment: *Noted*

3762

S

D02

Q04 1425

Support the Policy.

037: Development Management
Criteria

However, Para's 2 & 3 are contradicted by the allocation of MJP33. What is the evidence that this policy has been adhered to and what are the penalties if the proposer does not adopt this approach?

Response to comment:

Noted.

112 Highways England

DNS

D02

Q04 0586

The policy should be more explicit in terms of ensuring that the impact on traffic and transport is considered as part of the criteria for demonstrating unacceptable effects of a proposal including the cumulative traffic impact alongside the Plans other development proposals and those within other applicable Local Plans.

037: Development Management
Criteria

Response to comment:

This point is to be added to Policy D03.

3763

DNS

D02

Q04 1418

Support the sentiments of the policy, but engagement with communities before allocation of sites did not occur so policy has not been adhered to.

037: Development Management
Criteria

Response to comment:

The policy is currently not adopted so is not considered during assessment of past planning applications.

756 Luttons Parish Council

S

D02

Q04 1772

Support this policy.

037: Development Management
Criteria

Response to comment:

Noted.

713 Kirkby Fleetham with Fencote Parish Council

DNS

D02

Q04 1486

Para. 3 of the Policy states 'applicants are encouraged to conduct early and meaningful engagement with local communities'. This part of the Policy is critical, however in our experience it doesn't happen. Therefore, the Policy needs to be strengthened to read 'Applicants are required/must consult/engage with local communities'.

037: Development Management
Criteria

Response to comment:

It is not considered appropriate to make this a policy requirement and there is no legislative basis on which to achieve this.

362 Harrogate Friends of the Earth

DNS

D02

Q04 0230

The policy does not go far enough and should include protection of public health, children's wellbeing and water quality.

037: Development Management
Criteria

Response to comment:

Agree that public health should be added to the Policy. Children's wellbeing under public health and water quality is covered by Policy D09.

3849 Harrogate and District Green Party

DNS

D02

Q04 2005

The policy does not go far enough and should include protection of public health, children's wellbeing and water quality.

037: Development Management
Criteria

Response to comment:

Agree that public health should be added to the Policy. Children's wellbeing under public health and water quality is covered by Policy D09.

1505

DNS

D02

Q04 1552

Applicants MUST be required to consult with local communities, not just 'encouraged' to.

037: Development Management
Criteria

Response to comment:

Even if local communities are not consulted prior to the application they will be consulted during the application process.

129 Yorwaste Ltd

S

D02

Q04 0936

Support the Policy.

037: Development Management
Criteria

However, it is noted that the term 'robust use of mitigation measures where avoidance is not practicable' does not state whether these mitigation measures must be made legally binding and subject to separate legal agreement (Section 106).

Response to comment:

Noted

317 Tarmac

S

D02

Q04 0079

This Policy is supported.

037: Development Management
Criteria

Response to comment:

Noted

3757

DNS

D02

Q04 1395

People who live close to a proposed site should decide what is an 'unacceptable effect upon local amenity'. Local villages, such as Scruton, and the people who live and maintain the area are valuable assets, as are minerals. Each local community should be considered individually and regarded as the starting point for the impact of any proposal.

037: Development Management
Criteria

Response to comment:

These points will be considered during the planning application process.

3708

DNS

D02

Q04 0420

The policy does not go far enough and should include protection of public health, children's wellbeing and water quality.

037: Development Management
Criteria

Response to comment:

Agree that public health should be added to the Policy. Children's wellbeing under public health and water quality is covered by Policy D09.

2827

DNS

D02

Q04 0461

037: Development Management
Criteria

The text in this section states that essential forms of activity can have an adverse impact on communities, and that where development needs to take place it must be managed and controlled to ensure unacceptable impacts on amenity do not arise.

Who decides what is 'unacceptable'? Some residents who live near sites do not consider the loss of visual, agricultural and environmental amenity is acceptable when the amount of mineral extracted does not justify the loss.

The policy also states that adverse impacts can be prevented by avoidance, and use robust mitigation where avoidance is not practicable. The Plan does not state on a site by site basis what the robust mitigation measures might be. Avoidance can be achieved by excluding less economic sites.

Response to comment:

Mitigation on a site by site basis is covered in individual site allocations in Appendix 1 of the Plan. The acceptability of a proposal will be assessed through the planning application process.

3007

DNS

D02

Q04 2034

037: Development Management
Criteria

Support the policy with inclusion of additional text into the first paragraph of the policy.

'Proposals for minerals and waste development, including ancillary development and minerals and waste transport infrastructure, will be permitted where it can be demonstrated that there will be no unacceptable effects on local amenity, AND local business, HOUSE PRICES, LOSS OR INCREASE IN RESIDENTIAL AND BUSINESS INSURANCE COVER, including....'

In other countries there has been a long term impact on house prices near fracking sites and some insurance companies are reluctant to insure houses near fracking sites.

Response to comment:

These additional matters are not material considerations and so cannot be taken into account.

127 Harworth Estates (UK Coal Operations Ltd)

S

D02

Q04 1087

037: Development Management
Criteria

Supports policy in principle, in particular in relation to the protection of local businesses. Consideration should also be given to the potential impact of minerals and waste development upon planned future development of neighbouring sites i.e. where the use could deter future economic development. The policy wording should be amended to:

'Proposals for minerals and waste development, including ancillary development and minerals and waste transport infrastructure, will be permitted where it can be demonstrated that there will be no unacceptable effects on local amenity, local business AND PLANNED FUTURE DEVELOPMENT, including.....

Response to comment:

Noted. It is not considered appropriate to refer to planned future development in the policy as this would lack sufficient clarity about what is to be protected.

879 Strensall & Towthorpe Parish Council

S

D02

Q04 2312

037: Development Management
Criteria

This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

Response to comment:

Noted

121 Environment Agency

DNS

D02

Q04 1333

037: Development Management
Criteria

This policy does not make reference to flood risk, Policy D09 is cross-referenced in Policy D02 and are satisfied with the approach.

Response to comment:

Noted.

D02 Q04 0954 Do not support replacing policy 4/15 with policy D02 as it does not provide the same level of protection.

037: Development Management
Criteria

Section 130 of the 1980 Highway Act there is a duty to assert and protect the rights of the public to the use and enjoyment of any highway. This poses a problem where a planning application conflicts with existing rights of way. Policy D02 needs rewording to reflect this duty.

'Adverse effects to rights of way' is too imprecise a term open to uncertain interpretation and could result in inadequate protection of existing rights of way around the site.

Suggest after the words 'cumulative effects' a new sentence is added 'PROPOSALS THAT CONFLICT WITH AN EXISTING RIGHT OF WAY OR IMPINGE ON THE SAFETY AND WELL-BEING OF THOSE USING THE RECREATIONAL NETWORK, WILL ONLY BE PERMITTED WHERE SATISFACTORY PROVISION HAS BEEN MADE FOR ALTERNATIVE ARRANGEMENTS BOTH DURING AND AFTER WORKING.'

As the provision for the National Parks is covered by the sustainability appraisal, these have not been specifically mentioned in the recommended text.

Response to comment:

It is agreed that the content of the additional wording should be referred to in the supporting justification for the policy for clarity.

1174

DNS

D02 Q04 1687 Consultation should be a formal process coordinated by unbiased parties. Reliance on elected representatives to promote the informed views and wishes of parishioners does not work, there is currently poor community participation in the process. Concerned that consultations are manipulated. Concerned that Parish Councils do not always consult residents on Local Plans or planning applications.

037: Development Management
Criteria

Response to comment:

Proposed developments are advertised by site notices and neighbour notifications,

2841

S

D02 Q04 0048 Support policy, should be clearer about preventing impact on residential amenity arising from increased traffic movements, traffic needs to be mentioned in this policy.

037: Development Management
Criteria

Response to comment:

Traffic impacts covered in Policy D03.

D02

Q04 1716

Would like to know how the criteria in this policy will be applied to AWRP and how they will be monitored.

037: Development Management
Criteria

Response to comment:

The application for AWRP was approved prior to completion of this Plan. Conditions were added to the decision notice and these will be monitored by the monitoring and enforcement team at NYCC.

D02

Q04 1268

Whilst local amenity is a relevant material consideration there is also the need to consider the benefits of the development, so that Policy D02 contains a proper planning balance, and that also mitigation is considered in respect of addressing impacts.

037: Development Management
Criteria

The 'Shale Gas and Oil Policy Statement' (August 2015) also makes it clear that Central Government considers there will be significant economic benefits that could, nationwide, support £33 billion of investment and 64,500 jobs. These economic benefits of shale gas extraction need to be recognised in the Plan.

The current approach in the policy of avoidance being the first priority, and thereafter robust mitigation, appears to be contrary to the NPPF. The policy wording should be amended to read as follows:

"Proposals for mineral and waste development, including ancillary development and minerals and waste transport infrastructure, will be permitted where, FOLLOWING MITIGATION, it can be demonstrated..... Special qualities of the National Park, ALSO HAVING REGARD TO THE BENEFIT OF THE PROPOSAL."

the second Paragraph should be removed

the third paragraph remains the same as the draft policy.

Response to comment:

It is not considered appropriate to refer to this in the policy which is aimed at protecting local amenity from adverse effects of development.

2937

DNS

D03

P9.14 0295

The HGVs movements to fracking wellheads will need to be assessed in terms of numbers and impact, as no alternative methods of transport available for clean and waste water.

037: Development Management
Criteria

Response to comment:

Point will be added to policy to deal with impact.

3709 Harrogate Greenpeace

DNS

D03

P9.14 0359

The HGVs movements to fracking wellheads will need to be assessed in terms of numbers and impact, as no alternative methods of transport available for clean and waste water.

037: Development Management
Criteria

Response to comment:

Point will be added to policy to deal with impact.

3849 Harrogate and District Green Party

DNS

D03

P9.14 2006

9.14 - 9.15 - The HGVs movements to fracking wellheads will need to be assessed in terms of numbers and impact, as no alternative methods of transport available for clean and waste water.

037: Development Management
Criteria

Response to comment:

Point will be added to policy to deal with impact.

3708

DNS

D03

P9.14 0421

The HGVs movements to fracking wellheads will need to be assessed in terms of numbers and impact, as no alternative methods of transport available for clean and waste water.

037: Development Management
Criteria

Response to comment:

Point will be added to policy to deal with impact.

362 Harrogate Friends of the Earth

DNS

D03

P9.14 0231

The HGVs movements to fracking wellheads will need to be assessed in terms of numbers and impact, as no alternative methods of transport available for clean and waste water.

037: Development Management
Criteria

Response to comment:

Point will be added to policy to deal with impact.

2173 CPRE (North Yorkshire Region)

S

D03

Q04 0750

Support this policy which encourages the use of alternatives to road transportation where possible and sets appropriate criteria for where the use of the road network is required.

*037: Development Management
Criteria*

Response to comment:

Noted

120 Historic England

S

D03

Q04 0127

Support the approach to minerals transportation set out in Policy D03 and the prioritization of minerals and waste developments which can be accessed by non-road transport.

*037: Development Management
Criteria*

Response to comment:

Noted

2145 Petroleum Safety Services Ltd

S

D03

Q04 1385

The preferred policy approach is supported.

*037: Development Management
Criteria*

Response to comment:

Noted

2192 Local Access Forum

DNS

D03

Q04 0955

037: Development Management
Criteria

There are unlikely to be many sites where there is an alternative to road transport which can be used. The effects that heavy traffic has on local amenity, especially for non car users, has not been sufficiently addressed in the assessment criteria.

Unsurfaced roads and bridleways can be used as access to sites, but are too narrow for HGVs and other road users to pass safely, and associated noise and dust will detract from the recreational enjoyment of the countryside.

Suggest adding another bullet point: ACCESS ARRANGEMENTS MUST MAKE SAFE PROVISION FOR THE NEEDS OF NON-MOTORISED ROAD USERS TO, AROUND OR ACROSS THE SITE, WHO MAY SUPPRESS THEIR JOURNEYS IF THE ADVERSE EFFECTS OF QUARRY TRAFFIC ARE NOT ADEQUATELY MANAGED.

Response to comment:

It is agreed that reference should be made to needs for non-motorised users.

756 Luttons Parish Council

S

D03

Q04 1773

037: Development Management
Criteria

The emphasis in M18 on pipelines for the transport of hydrocarbons has been lost in this policy. Highway improvements can significantly change the landscape and environment and should be resisted. Increased traffic/road movements can be detrimental to economic and leisure activity.

Response to comment:

The first sentence of the policy covers alternatives to road transport.

250 Igas Energy Plc

S

D03

Q04 1269

037: Development Management
Criteria

This policy is supported. However, there appears to be some repetition between this policy and I01- minerals and waste transport infrastructure.

Response to comment:

Noted

3709 Harrogate Greenpeace

O

D03
Q04 0360
037: Development Management
Criteria

The HGVs movements to fracking wellheads will need to be assessed in terms of numbers and impact, as no alternative methods of transport available for clean and waste water.

Sustainability Appraisal - The appraisal overlooks the possibility of fracking in the Plan area.

Response to comment:

Point will be added to policy to deal with impact. The Sustainability appraisal will consider hydrocarbon policies.

359 North York Moors Association

O

D03
Q04 0718
037: Development Management
Criteria

Do not support the Preferred Policy approach.

The National Park/AONBs should not be used for mineral transport associated with Potash/Polyhalite production.

Response to comment:

Noted. Transport of potash/polyhalite proposed to be either by rail or pipeline.

1174

S

D03
Q04 1688
037: Development Management
Criteria

Support this policy.

Response to comment:

Noted.

113 Howardian Hills AONB

O

D03
Q04 0834
037: Development Management
Criteria

This policy should include specific reference to the AONBs and National Park, and also include a link to Policy D04. Transport impacts on AONBs and the National Park may be more pronounced than the impact of the extraction site itself, dependant on the site location and haulage routes. The policy does not address this issue completely as currently worded.

Paragraph 9.16 includes reference to impacts on landscape and tranquillity, which are key qualities of AONBs and the National Park, which should provide justification for the amendment proposed.

Response to comment:

Point added about nature, volume and routing of traffic and impact on local communities.

D03

Q04 1012

This policy is written in a way that pre-supposes that transport by alternative modes to road is automatically preferable. This is not always the case. Every proposal need to ensure that the scheme and the modes of transport employed. Sites with water or rail access are not automatically compliant with this policy.

037: Development Management
Criteria

Response to comment:

The supporting text to policy I01 recognises a range of constraints to use of alternatives to road transport. The focus of D03 is amenity impacts of road transport which is expected to remain the main mode of minerals and waste transports in the Plan area. However it is considered appropriate to make reference , in the supporting justification, that alternative transport modes may not always represent the most sustainable option as site specific circumstances, opportunities and impacts may vary.

D03

Q04 0587

Support this policy and the prioritisation of alternative minerals and waste transportation.

037: Development Management
Criteria

Support of the criteria proposed to be applied to proposals where road transportation will be necessary, particularly in relation to ensuring that there is sufficient capacity in the network to accommodate the additional level of traffic that would be generated and the requirement to implement highway improvements where adverse impacts would require mitigation.

Welcome the requirement to provide a transport assessments to support proposals, and particularly proposals which would be likely to generate significant volumes of traffic, along with the requirement for green travel plans to demonstrate the consideration given to sustainable transport and travel and how this will be implemented as part of the proposal.

Response to comment:

Noted.

D03

Q04 2057

Object to the Policy.

037: Development Management
Criteria

Concerned about the increased HGV traffic related to proposed developments. A solution to traffic routing, disallowing any vehicles entering or leaving the site via Rufforth, except under exceptional circumstances, needs to be set out.

Response to comment:

Noted. This comment is site specific and will be dealt with during the site assessment process.

2970 Frack Free York

O

D03

Q04 2246

037: Development Management
Criteria

While the requirement for a transport assessment and green transport plan for developments generating large amounts of traffic are welcome, the policy should also clearly state that developments that lead to unacceptable congestion, or wear on road surfaces, should not be supported. Where the proposed development is supported by road widening, or a new road building, the environmental harm that would be caused by such road infrastructure works and the additional traffic it would generate, should be considered during the application for planning permission.

Response to comment:

Noted. Point will be added to policy about unacceptable impact.

3708

O

D03

Q04 0422

037: Development Management
Criteria

The HGVs movements to fracking wellheads will need to be assessed in terms of numbers and impact, as no alternative methods of transport available for clean and waste water.

Sustainability Appraisal - The appraisal overlooks the possibility of fracking in the Plan area.

Response to comment:

Point will be added to policy to deal with impact. Sustainability Appraisal will consider hydrocarbon policies.

362 Harrogate Friends of the Earth

O

D03

Q04 0232

037: Development Management
Criteria

The HGVs movements to fracking wellheads will need to be assessed in terms of numbers and impact, as no alternative methods of transport available for clean and waste water.

Sustainability Appraisal - The appraisal overlooks the possibility of fracking in the Plan area.

Response to comment:

Point will be added to policy to deal with impact. Sustainability Appraisal will consider hydrocarbon policies.

3451

O

D03

Q04 2252

Object to the Policy.

037: Development Management
Criteria

The Harewood Whin Proposal (WJP11) would result in a significant increase in HGV traffic along the B1224. Yorwaste have failed to impose restrictions on HGV traffic accessing the site via Rufforth village. This restriction must be stringently imposed.

Response to comment:

Noted. The comment is site specific so will be taken into account during site assessment process.

119 Natural England

O

D03

Q04 1023

Concerned that the development of minerals and waste sites may lead to increased traffic movements in the proximity to designated sites could have adverse effects. Particularly concerned with regards to the impact of increased road traffic in terms of dust, combustion emissions and risk to mobile species such as great crested newts.

037: Development Management
Criteria

It may not be possible to assess transportation routes at a Plan stage a criterion should be included in this policy which requires the consideration of the impacts of the transportation of mineral or waste on designated sites.

Response to comment:

Point added to policy about not allowing unacceptable impact on the environment.

2937

O

D03

Q04 0296

The HGVs movements to fracking wellheads will need to be assessed in terms of numbers and impact, as no alternative methods of transport available for clean and waste water. Sustainability Appraisal - The appraisal overlooks the possibility of fracking in the Plan area.

037: Development Management
Criteria

Response to comment:

Point will be added to policy to deal with impact.

317 Tarmac

S

D03

Q04 0080

This policy is supported although it should be noted that green travel plans are largely irrelevant to minerals development, especially in often isolated rural locations.

037: Development Management
Criteria

Response to comment:

Noted

3523

DNS

D03

Q04 0015

Any increase in mineral extraction will cause an increase in road traffic which leads to increased pollution, noise and danger to other road users. The number of HGVs going in and out of quarries should be limited and reduced to below current levels to protect nearby residents and minimise congestion.

037: Development Management
Criteria

Response to comment:

Point will be added to policy to reflect impact on local communities.

3745

DNS

D03

Q04 2257

The Harewood Whin Site (WJP11) proposal will lead to a significant increase in HGV traffic on the B1224 and passing through Rufforth village. Little confidence in Yorwaste to manage traffic routing agreements. A new entrance to the Site is required which physically stops vehicles from accessing the Site through Rufforth.

037: Development Management
Criteria

Response to comment:

This comment is site specific and will be dealt with during the site assessment process.

879 Strensall & Towthorpe Parish Council

S

D03

Q04 2313

This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

037: Development Management
Criteria

Response to comment:

Noted

2841

S

D03

Q04 0049

Support policy, should be clearer about preventing impact on residential amenity arising from increased traffic movements, residential amenity needs to be mentioned in this policy.

037: Development Management
Criteria

Response to comment:

Noted. Pint added about impact on local communities.

3846 Ryedale Liberal Party

DNS

D03 Q04 1940
037: Development Management
Criteria

Fracking is likely to generate significant extra traffic on rural roads. This will increase emissions on certain routes and junctions. There should be a limit on the number of both HGVs and light vehicles allowed for the development on the road each day. There should be limits on night working and monitoring of noise. Many minor roads would be unsuitable so in the case of fracking sites should be no more than 2 miles from A roads.
The current wording of the policy say that proposals will be permitted where there is capacity within the existing network for the level of proposed traffic. How is this to be monitored? A traffic assessment and green travel plan may achieve very little in these circumstances. Enlarging narrow road would be expensive and undesirable.

Response to comment:

Point will be added to policy to deal with impact.

115 Minerals Products Association

S

D03 Q04 0658
037: Development Management
Criteria

This policy is supported. However, the policy states it requires a transport assessment and a green travel plan, whereas the policy justification pp9.17 states that a transport assessment and/or a green travel plan is required. We would prefer the and/or approach.

Response to comment:

Noted.

2200

DNS

D03 Q04 1668
037: Development Management
Criteria

In the 4th bullet point the term 'highway improvements' is too vague and is meaningless and unenforceable. Paragraph 9.17 mentions 'transport assessment' which is again vague. Transport assessments and transport policies need to be more robust.

Response to comment:

Noted, however it is not practicable to specify in the policy what this might involve as circumstances will vary from case to case. The transport assessment is clarified in paragraph 9.17 of the supporting justification.

129 Yorwaste Ltd

S

D03 Q04 0937
037: Development Management
Criteria

Support the Policy.

Response to comment:

Noted

D03

Q04 1727

037: Development Management
Criteria

How will this policy be applied to AWRP. The Parish Council have been informed that the detail of traffic movements at AWRP will only be considered once the development principle has been agreed. There are regularly accidents at the A1 junction with Allerton and there are often problems along the A59. The traffic movements from AWRP have not been planned for.

Response to comment:

The AWRP application is already approved, the policies in this plan will not apply.

3720 Rufforth with Knapton Neighbourhood Planning Group

S

D09

Q04 0491

037: Development Management
Criteria

This policy is supported. If Harewood Whin is to be a strategic site conditions of this policy must be met.

Response to comment:

Noted

3542

O

D03

Q04 1112

037: Development Management
Criteria

Proposals for Harewood Whin suggest a significant increase in HGVs. Should use other means of transport e.g. utilising the railway. Teardrop site (York Central) would be a good location for waste transfer station. This would satisfy national policy which states that planning authorities should look suitable sites outside the green belt.

All activities should be restricted within the current operational boundary.

Response to comment:

Noted.

0887
038: Protection of Important
Assets

Would welcome discussions on buffering and other means of minimising the impact of minerals and waste developments on ancient woodland within the Plan area.

The importance of ancient woodland is recognised in the NPPF. Intensifying land uses adjacent to ancient woodland can have a significant impact upon the woodland in a number of different ways.

Waste disposal facilities have the potential to create substantial chemical impacts on ancient woodlands and also raise the risk of non native plant species invading the woodland.

Noise and light pollution can impact on ancient woodland.

Vegetation clearance near ancient woodland can affect woodland hydrology, increasing the likelihood of water-logging or drought leading to loss of trees.

Response to comment:

It is agreed that more specific reference to protection of ancient woodland and veteran trees should be provided in Policy D07.

D04
P9.18 0835
038: Protection of Important
Assets

Text amendment required;

'National Parks are designated under the 1949 NATIONAL PARKS AND Access to the Countryside Act...'

Response to comment:

It is agreed that the text should be updated for clarity.

D04 P9.21 0836 Text amendment required:

038: Protection of Important Assets

' Areas of Outstanding Natural Beauty are also established under the 1949 NATIONAL PARKS AND Access to the Countryside Act...'

Response to comment:

It is agreed that the text should be updated for clarity.

2768 Norfolk County Council

DNS

D04 P9.23 0687

038: Protection of Important Assets

A new paragraph in the supporting text below 9.22 should be included to provide information and clarification on the assessment criteria in national policy for Major Development.

Additional text

MAJOR DEVELOPMENT WITHIN NATIONAL PARKS AND AONBS ARE SUBJECT TO A TEST TO ENSURE THAT THESE ARE ONLY CONSIDERED ACCEPTABLE IN EXCEPTIONAL CIRCUMSTANCES AND WHEN THE PROPOSAL IS IN THE PUBLIC INTEREST. THIS TEST IS SET OUT IN PARAGRAPH 116 OF THE NPPF, AND THE ASSESSMENT CRITERIA TO BE CONSIDERED ARE REPRODUCED BELOW FOR INFORMATION.

- 1) THE NEED FOR THE DEVELOPMENT, INCLUDING IN TERMS OF ANY NATIONAL CONSIDERATIONS, AND THE IMPACT OF PERMITTING IT, OR REFUSING IT , UPON THE LOCAL ECONOMY;
- 2) THE COST OF, AND SCOPE FOR, DEVELOPMENT ELSEWHERE OUTSIDE THE DESIGNATED AREA, OR MEETING THE NEED FOR IT IN SOME OTHER WAY; AND
- 3) ANY DETRIMENTAL EFFECT ON THE ENVIRONMENT, THE LANDSCAPE AND RECREATIONAL OPPORTUNITIES, AND EXTENT TO WHICH THAT COULD BE MODERATED.

Response to comment:

It is considered important to have a specific local policy test given the potential for major development proposals to come forward in these highly designated areas. Revisions made to policy to ensure greater compatibility with national policy position and to clarify the approach to be taken.

113 Howardian Hills AONB

DNS

D04

P9.24 0840

Text amendments suggested:

038: Protection of Important Assets

'National Planning Guidance states that what constitutes Major Development in AONBS AND national Parks is a matter for the decision maker.'

Response to comment:

It is agreed that this part of the policy should be revised for clarity.

113 Howardian Hills AONB

DNS

D04

P9.26 0841

Text amendments suggested:

038: Protection of Important Assets

'...relevant authorities 'shall have regard' to their purposes. The duty applies to all PUBLIC BODIES, NOT JUST local planning authorities OR National Park Authorities. The Planning Policy Guidance explains that...'

Response to comment:

Noted. Relevant bodies are defined in the relevant legislation..

2173 CPRE (North Yorkshire Region)

S

D04

Q04 0751

Support the policy. It reiterates the need for the major development test to take place before any determination within the designated areas.

038: Protection of Important Assets

Response to comment:

Noted.

2488 River Foss Society

O

D04

Q04 1104

038: Protection of Important Assets

Policy states "proposals for major development in AONB will be refused except in exceptional cases and where it can demonstrated it is in the public interest". This is not a robust safeguard. Who would be the judges of "exceptional cases" and "the public interest"? Powerful interests would be involved and judges can be leant upon.

Response to comment:

Noted. Additional text added to strengthen the policy and minimise impact.

3684 Frack free Ryedale

O

D04

Q04 0440

038: Protection of Important Assets

Welcome inclusion of this policy which reiterates the need for the major development test. However it is paramount that the opening sentence also includes 'underneath', so will read 'Proposals for major development in and UNDERNEATH the National Park...' which would also serve to strengthen policy M16.

The setting of the National Park and AONBs should be considered. The distinctiveness of the rural areas of the County should not be affected as it is this which attracts the tourists.

The major development test should be applied to all unconventional applications irrespective of the proposed site location particularly given that the technology is new.

Response to comment:

It is not necessary to specify 'underneath' as the definition of development includes development in, on, over or under land.

3316 Campaign for National Parks

S

D04

Q04 1272

038: Protection of Important Assets

Support this Policy.

Welcome the strengthened version of the major development test and the account taken of the potential impact of proposals on the setting of the North York Moors and Yorkshire Dales National Parks. This policy will ensure that the North York Moors National Park and AONBs are better protected against inappropriate major development in the future.

Response to comment:

Noted

D04 Q04 0837 Strongly support the preferred policy approach.

038: Protection of Important Assets

Part two - suggested text amendments:

'Planning permission will be supported where proposals contribute to the achievement of, or are consistent with, the aims, policies and aspirations of the relevant AONB OR NATIONAL PARK management plan and are consistent with other relevant development management policies in THIS Plan.

Part three - suggested text amendments

' Proposals for development outside of the National Parks and AONBs will not be permitted where THEY would have a harmful effect on the setting of the designated area.'

Response to comment:

Noted

2192 Local Access Forum

D04 Q04 0956 The maintenance of connectivity and continuity in the local access network is an 'important asset' that should be protected under the terms of this policy and a bullet point included.

038: Protection of Important Assets

Response to comment:

This point is covered under policy D02.

115 Minerals Products Association

D04 Q04 0659 This approach is supported.

038: Protection of Important Assets

Response to comment:

Noted

3857

O

D04

Q04 2041 Object to the Policy.

038: Protection of Important Assets

Welcome the inclusion of the Major Development Test. However, the opening sentence should read: 'Proposals for major development in AND UNDER the National Park...'

Response to comment:

Including 'and under' is not necessary as the definition of development includes development in, on, over or under land.

150 Egdon Resources (UK) Limited

O

D04

Q04 0988 The policy appears to go beyond the guidance in paragraph 116 of the NPPF by extending the tests to be applied when major development is proposed in the National Park and the applicant is required to demonstrate exceptional circumstances and the public interest.

038: Protection of Important Assets

The draft policy requires an assessment of the impact of the development on the national economy, whereas the NPPF limits it to the local economy. Including the assessment of the national economy will not make any difference to the extending policy guidance for major developments in National Parks and AONBs.

Bullet point 2 - this seeks to restrict the impact to the local economy of the National Park or AONB rather than the local economy per se. A major development on the edge of the National Park or AONB may have a wider economic impact of a major development upon a National Park or AONB.

The needs for new infrastructure and growth are relevant but cannot be confined to a National Park or AONB boundary. The policy should be amended to refer to the local economy without restricting the assessment to boundaries of the National Park.

Response to comment:

It is considered important to have a specific local policy test given the potential for major development proposals to come forward in these highly designated areas. Revisions made to policy to ensure greater compatibility with national policy position and to clarify the approach to be taken,

1140 Sibelco

DNS

D04

Q04 1063

038: Protection of Important Assets

We seek clarification of the terms used in this policy such as "National Need" and "National Economy". These are not referred to in the glossary. Are these minerals of National Importance?

Response to comment:

Whilst it is not considered practicable to define these terms in detail it is considered that there intended meaning in the Policy is sufficiently clear when read in conjunction with the supporting text. Minerals which are nationally important are likely to be those for which there is a national need and or/are particularly important to the national economy.

756 Luttons Parish Council

S

D04

Q04 1768

038: Protection of Important Assets

The list of statutory designated areas/sites is predictable. The Plan makes no mention of locally designated sites such as the Wolds Area of High Landscape Value, nor does it give any recognition to other Local Plans such as the Ryedale Plan. The emphasis on statutory designated areas puts greater pressure on non-statutory designated areas to host development.

Response to comment:

Protecting of all landscapes should be supported, this is covered in Policy D06.

2768 Norfolk County Council

DNS

D04

Q04 0686

038: Protection of Important Assets

Part one of D04 duplicates national policy, contained in paragraph 116 of the NPPF, on major developments within the National Parks and AONBs and is therefore not required. Where it differs from national policy it seeks to place more onerous restrictions on applicants than is required by national policy and does not offer clear justification or evidence as to why these restrictions would be relevant to the designated areas in then Joint Plan when they are not considered necessary nationally.

Modification to D04 - Part One

Part One - Major Development

Proposals for major development in the National Park, Howardian Hills, Nidderdale, North Pennines and Forest of Bowland Areas of Outstanding National Beauty will be refused except where THEY MEET THE TEST OF EXCEPTIONAL CIRCUMSTANCES AND public interest AS SETDOWN IN PARAGRAPH 116 OF THE NPPF. (delete rest of text in part one)

Response to comment:

It is considered important to have a specific local policy test given the potential for major development proposals to come forward in these highly designated areas. Revisions made to policy ensure greater compatibility with national policy position to clarify the approach to be taken,

1174

S

D04

Q04 1689

038: Protection of Important Assets

Agree with the policy. Setting includes views to, from and any other view, as well as changes to landscape character. The preferred methods of sand and gravel pit restoration is to leave large bodies of water and screen them with high dense vegetation, this impacts on views over the landscape.

Response to comment:

Noted

252 York Potash

S

D04

Q04 0915

038: Protection of Important Assets

Support policy with amendments.

Supports Part one of the policy as reflects NPPF.

Supports Part Two where non major developments are supported in the National Park, this reinforces Policy M23.

The importance and planning status of the York's Potash Project should be included in the supporting text.

Response to comment:

Noted. Policy refers to the need for a mineral at a national level, potash comes under this.

3846 Ryedale Liberal Party

DNS

D04

Q04 1941

038: Protection of Important Assets

It is not clear why an extra 200ft depth will make such a difference to the fracking below a National Park or AONB. It is unacceptable ring development around the National Park. Laterals are only economical up to 2km. Should the DECC 10km zone of potential impact be used or considered within the policy.

Response to comment:

The 1,000ft and 1,200ft restrictions on onshore hydraulic fracturing are matters directly originating from national legislation or policy and are not set through the minerals and waste plan. It is agreed that local policy should seek to enhance the level of protection to ensure that important aspects of the area are protected from adverse effects of development.

359 North York Moors Association

S

D04 Q04 0719 Support the Preferred Policy approach.

038: Protection of Important Assets

With particular reference to the correction to the Major Development Test indicated at bullet point 2 and 4.

Response to comment:

Noted

120 Historic England

S

D04 Q04 0128 Support the approach to development which might affect the landscapes of the National Park and AONBs. It is important that the special qualities of these protected landscapes are not harmed through inappropriate mineral or waste development.

038: Protection of Important Assets

It is important that any minerals and waste development outside the AONBs and National Park take into account the impact they may have on the setting of these landscapes, this should also apply to the Yorkshire Dales National Park. So it would be more appropriate if the Policy title was amended to 'DEVELOPMENT AFFECTING THE NATIONAL PARKS AND AONBS.'

Additional words suggested are in capital letters.

Response to comment:

It is agreed the title of the policy should be changed for clarity.

1157 W Clifford Watts & Co Ltd

O

D04 Q04 0813 It is unclear whether the policy provides for the extraction of building stone in the National Park. Building stone from designated sites may be required for repair or restoration of existing buildings in the local area. The policy requires clarifying.

038: Protection of Important Assets

Response to comment:

Noted. Paragraph 9.25 of the policy justification states that there should be a need for the resource, and this will include building stone.

3828

O

D04

Q04 1638

038: Protection of Important Assets

Do not support the policy as it is written. Part one of the policy should be revised to include specific reference to proposals for major development under or beneath designated areas, this would make Policy D04 consistent with Policy M16. Currently the Policy D04 only refers to development in designated areas and therefore a proposal for lateral fracturing under or beneath a designated area could appear to be judged against either Part Two or Part Three of the policy which do not include exceptional circumstances criteria.

Response to comment:

This is not necessary as the definition includes development in, on, over or under land.

250 Igas Energy Plc

O

D04

Q04 1270

038: Protection of Important Assets

This policy essentially reiterates national policy requirements for the protection of nationally designated areas. Part Three of the Policy goes beyond national policy and seeks to apply additional protection to land outside the National Park and AONBs where it is considered harmful. Section 11 of the NPPF is clear that the protection afforded to National Parks and AONBs relates to land IN these designations. Applying the level of protection proposed under Part Three of D04 would unreasonably restrict development.

Response to comment:

It is considered important to have a specific local policy test given the potential for major development proposals to come forward in these highly designated areas. Revisions made to policy to ensure greater compatibility with national policy position and to clarify the approach to be taken,

3734 Peel Gas and Oil

S

D04

Q04 0850

038: Protection of Important Assets

Support the policy as it reflects the guidance in the NPPF.

Response to comment:

Noted

724 Lawkland Parish Meeting

DNS

D04

Q04 1759

038: Protection of Important Assets

This parish lies within the Forest of Bowland AONB and so this has to be taken into consideration in policies. The Plan is extremely comprehensive.

Response to comment:

Noted. The Parish Council will be protected as part of the AONB.

879 Strensall & Towthorpe Parish Council

S

D04

Q04 2314

This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

038: Protection of Important Assets

Response to comment:

Noted

317 Tarmac

S

D04

Q04 0081

This policy is supported.

038: Protection of Important Assets

Response to comment:

Noted

116 Ryedale District Council

S

D04

Q04 1143

Support the protection provided to the setting of the National Park and AONBs.

038: Protection of Important Assets

Response to comment:

Noted

3831 Ramblers Association- East Yorkshire & Derwent Area

DNS

D04

Q04 1660

The national policy approach to planning applications outside of national parks and AONBs is to consider each proposal on a case by case basis. However, applications such as mining, quarrying and fracking plants; wind turbines and solar panel farms; energy-producing plants using biowaste and wood pellets; major industrial developments; and large housing schemes, will be objected to when proposed in National Parks and AONBs.

038: Protection of Important Assets

Response to comment:

Noted

797 Overton Parish Meeting

DNS

D05 Q04 1512 Will any policies be put in place to cover Green Belt Land?

038: Protection of Important Assets

Response to comment:

Yes.

120 Historic England

DNS

D05 Q04 0129 The York Green Belt is different to the West Yorkshire Green Belt as it is one of only six Green Belts in England whose primary purpose is to safeguard the character and setting of a historic city. Although the York Green Belt performs some of the other Green Belt functions to some extent, these are not as important as its primary purpose. It would be helpful if the Plan made clear that the purposes for developments affecting the West Yorkshire Green Belt and York Green Belt are substantially different.

038: Protection of Important Assets

Response to comment:

It is agreed that this should be clarified in the policy.

3451

DNS

D05 Q04 2254 Green Belt is highly valued by residents of villages in the Green Belt. Communities will do all they can to protect from development.

038: Protection of Important Assets

Response to comment:

Noted

2173 CPRE (North Yorkshire Region)

S

D05 Q04 0752 Support this policy which protects the Green Belt around York in line with the NPPF.

038: Protection of Important Assets

Response to comment:

Noted

1111 The Coal Authority

DNS

D05

Q04 1194

Considers that national policy as set out in the NPPF provides sufficient guidance on minerals development in the Green Belt and additional local policies are not required.

038: Protection of Important Assets

Response to comment:

Whilst it is considered that the approach in the Plan is generally consistent with national policy on minerals extraction in the Green Belt it is considered appropriate to include policy which recognises the particular characteristics of certain forms of minerals development, where these may impact on Green Belt considerations.

3704 Cuadrilla Resources Ltd

O

D05

Q04 1243

Consideration should be given to the temporary impact of the first two phases of development relating to hydraulic fracturing. In comparison the longer production phase would have very limited impact on the openness of the Green Belt, and the primary reasons for allocation of the Green Belt.

038: Protection of Important Assets

Response to comment:

It is agreed that the policies should make relevant distinctions between the production phase and other phases of hydrocarbons development. However, it is not agreed that the production phase would necessarily give rise to a lesser overall degree of impact, for example through the need for drilling of additional wells to sustain longer term production from a given location.

2145 Petroleum Safety Services Ltd

S

D05

Q04 1387

The preferred policy approach is supported.

038: Protection of Important Assets

Response to comment:

Noted

115 Minerals Products Association

S

D05

Q04 0660

This policy is supported.

038: Protection of Important Assets

Response to comment:

Noted.

D05 Q04 0938 Support the Policy.

038: Protection of Important Assets

However, this policy could be amalgamated with Policy W11 Waste Site Identification Principles.

Response to comment:

Noted

D05

Q04 1013

038: Protection of Important Assets

Part 1- following the removal of equipment and built structures, the preferred afteruse of restored minerals sites should in all cases to be returned to there previous state. In this regard it is important to understand that mineral workings that are subject to a restoration condition are specifically excluded from the definition of Previously Developed Land (PDL) in the NPPF annex 2. As such minerals sites that are subject to a restoration condition are not PDL and requires proposals to be considered for the position of the site have no development upon it. The primary aim of the restoration and aftercare of sites in Green belt should be to ensure the site remains in an undeveloped state and returned to the condition and use that existed prior to minerals development.

Part 2 (waste) fails to accurately set out and interpret the guidance with regard waste proposals within the Green Belt. It fails to set out the proper test in relation to 'very special circumstances' and the balancing exercise that Councils must take.

The Policy need to be clear that as 'inappropriate development' such proposals are, by definition, harmful (paragraph 87 of the NPPF). This harm is created not only by the inappropriate nature of the proposal, but also the visual and other impacts of the development on the surrounding area. Such harm is inevitable, and must be outweighed for 'very special circumstances' to occur. The policy must set out the weight that will be attached to these harms, and the fact these harms must be outweighed by circumstances identified by the applicant. The policy needs to go beyond the requirement for applicants to demonstrate the openness of the Green Belt will be preserved and no significant conflict with the purpose of the green belt would arise. It appears that the tests on the NPPF paras 89 and 90 have been misapplied. The correct approach is that proposals must positively and clearly outweigh all the harms resulting from that proposal, including those from inappropriateness. In this regard there is no justification for identifying particular processes or types of waste development which 'could be appropriate in Green Belt'. As such the list of 8 possible types of development, which may be considered appropriate, should be removed.

Response to comment:

It is not agreed that minerals sites in the Green Belt should necessarily be returned to their pre-existing condition and use. A number of forms of reclamation and after-use could be compatible with Green Belt objectives and the purposes of the Green Belt designation, including some forms identified in Policy D10. Part two of the policy identifies a number of forms of development which is considered would not be appropriate in the Green Belt. National Planning Policy recognises that not all forms of waste development would be inappropriate. It would not therefore be reasonable to apply the same policy tests for such forms of development as for these forms which are considered inappropriate in principle. However it is agreed that the wording of the policy and supporting text should be revised to clarify the intended approach.

359 North York Moors Association

S

D05 Q04 0720 Support the Preferred Policy approach.

038: Protection of Important Assets

Response to comment:

Noted

342 Mone Brothers Excavations Ltd

DNS

D05 Q04 1298 Suggest an addition in Part 2 iii) to provide for the recycling of inert CDEW at sites of improvement of derelict and degraded land.

038: Protection of Important Assets

Response to comment:

It is agreed that Part 2 of the policy should be amended to reflect that the onus is on the developer to demonstrate that very special circumstances exist for the proposal. It is not considered appropriate to include reference to the suggested text in the policy, which could lead to the development of substantial new waste uses in the Green Belt at locations not previously subject to similar forms of development.

317 Tarmac

S

D05 Q04 0082 This policy, specifically in relation to minerals, is supported.

038: Protection of Important Assets

Response to comment:

Noted

879 Strensall & Towthorpe Parish Council

S

D05 Q04 2315 This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

038: Protection of Important Assets

Response to comment:

Noted

D05

Q04 0811

038: Protection of Important Assets

Generally supportive but considers that some wording changes are required. Firstly, the wording of the policy should provide greater clarity that the onus is upon the developer to demonstrate that very special circumstances exist for the proposed mineral or waste development within the Green belt. Secondly, the list of developments that may be appropriate within the Green belt. The current list should be reviewed in terms of paragraph 89 of the NPPF, specifically its position in relation to previously developed site within the Green belt. As such it is considered that an additional criterion be added to Part two v). The suggested wording is as follows "RECYCLING, TRANSFER AND TREATMENT ACTIVITIES INVOLVING THE PARTIAL OT COMPLETE REDEVELOPMENT OF PREVIOUSLY DEVELOPED SITES (BROWNFIELD LAND), WHETHER REDUNDANT OR IN CONTINUING USE (EXCLUDING TEMPORARY BUILDINGS).

Response to comment:

It is agreed that Part 2 of the policy should be amended to reflect that the onus is on the developer to demonstrate that very special circumstances exist for the proposal. It is not considered appropriate to include reference to the suggested text in the policy, which could lead to the development of substantial new waste uses in the Green Belt at locations not previously subject to similar forms of development.

756 Luttons Parish Council

DNS

D06

P9.42 1774

038: Protection of Important Assets

Paragraphs 9.42, 9.43 and 9.44.

These statements are an endorsement of the true reflection on the value of the Yorkshire Wolds, an Area of High Landscape Value.

Response to comment:

Noted.

113 Howardian Hills AONB

DNS

D06 P9.43 0838 CPRE reference that tranquillity is an important characteristic of the Countryside.

038: Protection of Important Assets

The AONB Management Plans should also be checked for policies relating to tranquillity.

Response to comment:

Noted

330 Harrogate Borough Council

O

D06 Q04 0672 The thrust of the policy is supported in relation to landscape.

038: Protection of Important Assets

However, it is considered that in relation to mitigation, as set out in the first sentence of the policy, the following wording should be added to the end of the sentence '...APPROPRIATE TO LANDSCAPE CHARACTER.' This will provide clarity regarding the type of mitigation measures.

Response to comment:

Para 9.40 of the supporting text already makes reference to use of landscape character assessment in identifying mitigation.

879 Strensall & Towthorpe Parish Council

S

D06 Q04 2316 This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

038: Protection of Important Assets

Response to comment:

Noted

2827

DNS

D06

Q04 0462

Policy formulation that concentrates on AONB and Green Belts misses an opportunity to preserve farmland as an important asset.

038: Protection of Important Assets

The farmland around Scruton provides a natural buffer between the encroachment of an industrial estate and a motorway, The quarrying of MJP43 will destroy farmland and impact on tranquillity in the area.

Response to comment:

Protection of agricultural land is covered in Policy D12.

113 Howardian Hills AONB

S

D06

Q04 0842

Strongly support the preferred policy approach.

038: Protection of Important Assets

Response to comment:

Noted

2970 Frack Free York

O

D06

Q04 2247

There is the prospect of numerous gas wells as a result of unconventional hydrocarbon development which may have significant impacts on the landscape, the issue of cumulative impact should be included in this policy. The policy should state that developments which have an unacceptable cumulative impact on the landscape will not be supported.

038: Protection of Important Assets

Response to comment:

The cumulative impact of hydrocarbon development is addressed in Policy M17 so does not need repeating here.

252 York Potash

S

D06

Q04 0916

Support with some amendments.

038: Protection of Important Assets

The wording of the first paragraph of the policy should be adjusted to reflect the approach taken in respect of projects where impacts may arise, but mitigation or compensation for impacts can be secured.

Response to comment:

Noted.

250 Igas Energy Plc

O

D06 Q04 1283 It is not considered necessary to include a policy on landscape within the Plan.

038: Protection of Important Assets

Response to comment:

Landscape is considered an important asset in the plan area and so should be covered by policy.

2145 Petroleum Safety Services Ltd

S

D06 Q04 1388 The preferred policy approach is supported.

038: Protection of Important Assets

Response to comment:

Noted

317 Tarmac

S

D06 Q04 0083 This policy is supported.

038: Protection of Important Assets

Response to comment:

Noted.

129 Yorwaste Ltd

S

D06 Q04 0939 Support the Policy.

038: Protection of Important Assets

Response to comment:

Noted

2145 Petroleum Safety Services Ltd

S

D06 Q04 1386 The preferred policy approach is supported.

038: Protection of Important Assets

Response to comment:

Noted

359 North York Moors Association

S

D06 Q04 0721 Support the Preferred Policy approach.

038: Protection of Important Assets

Response to comment:

Noted.

116 Ryedale District Council

S

D06 Q04 1144 Support the protection of archaeological resources of the Vale of Pickering and Yorkshire Wolds.

038: Protection of Important Assets

It is considered that the setting of the District's other heritage assets are not fully recognised. The Plan needs to ensure these special qualities are not compromised by minerals and waste developments such as Historic Parks and Gardens, Grade I and Grade II* Listed Buildings not specifically mentioned in the relevant Development Management policies.

Response to comment:

Noted. Further assessment of the potential impact of the sites on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

3849 Harrogate and District Green Party

O

D06 Q04 2007 High volumes of traffic will damage the environment.

038: Protection of Important Assets

Sustainability Appraisal - does not take into account the possibility of fracking.

Response to comment:

The impact of traffic is covered elsewhere in the Plan.

2173 CPRE (North Yorkshire Region)

S

D06 Q04 0753 Support the inclusion of the reference to landscape, tranquillity and dark night skies in line with national CPRE campaigns and the NPPF.

038: Protection of Important Assets

Response to comment:

Noted

1461 Samuel Smith Old Brewery (Cunnane Town Planning LLP)

DNS

D06

Q04 1014

The current wording of this policy identifies the landscape setting of the City of York as requiring specific protection, without any justification why this is identified above the setting of other heritage assets. Equal weight should be applied to protecting the setting of all listed buildings within the Plan area.

038: Protection of Important Assets

(example of recent court of appeal relevant provided in support of this comment: Barnwell Manor Wind Energy Ltd V E.Northants DC, English Heritage, National Trust and SSCLG [2014] EWCA Civ 137).

Response to comment:

It is considered relevant to retain specific reference to the protection of the setting of York as this is aimed at the protection of its setting in the wider landscape sense, which is not the subject of any current policy other than via Green Belt policy.

119 Natural England

S

D06

Q04 1024

Support this policy, it is robust and in line with national policy.

038: Protection of Important Assets

In order to strengthen the policy further need to include a reference to the need for assessments to refer to relevant landscape character assessments and take account of the setting and special qualities of relevant protected landscapes.

Response to comment:

Para. 9.40 of the supporting text already makes reference to use of landscape character assessment in identifying mitigation.

3704 Cuadrilla Resources Ltd

O

D06

Q04 1244

Consideration should be given to the TEMPORARY impact on the first two phases of development relating to fracturing. In comparison the longer production phase would have minimal impact on the landscape.

038: Protection of Important Assets

Response to comment:

It is not considered necessary to make specific reference to temporary effects as the policy will apply as appropriate to all forms of development whether temporary or permanent and the timescale of any impact will be a matter to be considered when judging any proposals against the policy.

D06

Q04 1942

038: Protection of Important Assets

Tranquillity and dark skies are both at risk from fracking operations, as would any networks of overland pipework. The policy only states high level design and mitigation where practicable. This has no force and should be altered to provide meaningful protection.

Response to comment:

Cumulative impacts from hydrocarbons development is addressed in Policy M17. It is agreed that the preamble to the policy should be revised to clarify that all landscapes will be protected.

1174

O

D06

Q04 1690

038: Protection of Important Assets

Do not support the policy. The policy concentrates on the historic City of York, the Heritage Coast, AONBs and National Parks but overlooks internationally significant prehistoric landscapes like the Southern Magnesian Limestone Ridge and its Henges and the Vales of Pickering Mesolithic remains.

The Sustainability Appraisal summary box states that '...likely to also result in positive impacts in relation to cultural heritage, tourism and amenity in those areas of high landscape value.' It is not possible that destroying remains and their setting can have 'positive impacts in relation to cultural heritage.'

Concerned that the first thing a developer does is to plant screening to obstruct views, and claim these strengthen landscape character and increase biodiversity.

The policy states 'Proposals will be permitted where it can be demonstrated that there will be no unacceptable impact on the landscape, having taken into account any proposed mitigation measures.' The 'having taken into account any proposed mitigation measures' should be deleted.

There is a difference between land-use and landscape. The proposed after-use may have biodiversity gains but could be at the expense of an existing landscape character.

Response to comment:

Noted. Further assessment of the potential impact of the sites on heritage assets will take place prior to the next publication of Appendix 1. Issues raised will be considered through the Site Assessment process where relevant and also within the identification of the key sensitivities and identification of development management matters to be considered in any future application where appropriate.

115 Minerals Products Association

S

D06

Q04 0661

038: Protection of Important Assets

This policy is supported.

Response to comment:

Noted.

D06

Q04 0130

038: Protection of Important Assets

Support the approach to landscapes. It is important that the Joint Plan ensures that the qualities of all the landscapes are not harmed through inappropriate mineral or waste developments. This Policy will help deliver the part of Objective 9 relating to the protection of the landscapes in the Plan area.

Response to comment:

It is agreed that reference should be made to protecting all landscapes, however it is not agreed that all landscapes should be afforded equal protection as it is appropriate to reflect the highly protected status of a particular site.

3708

DNS

D07

P9.46 0423

038: Protection of Important Assets

It is good that 'a very high level of protection' will be afforded to designated sites, but biodiversity cannot be safeguarded in patches as wildlife is present in and move between all areas.

Developers should be required to demonstrate how they will protect all locations not just designated areas.

Especially concerned about the impact of fracking on landscapes.

Response to comment:

Reference to delivery of opportunities for a coordinated, strategic scale approach is already provided in para. 9.51 of the supporting text and is referenced in Policy D10 in the context of minerals and waste site reclamation, where it is most likely to be relevant. It is therefore not considered necessary to refer to it further in this policy.

2937

DNS

D07

P9.46 0297

038: Protection of Important Assets

It is good that 'a very high level of protection' will be afforded to designated sites, but biodiversity cannot be safeguarded in patches as wildlife is present in and move between all areas. Developers should be required to demonstrate how they will protect all locations not just designated areas.

Especially concerned about the impact of fracking on landscapes.

Response to comment:

Reference to delivery of opportunities for a coordinated, strategic scale approach is already provided in para. 9.51 of the supporting text and is referenced in Policy D10 in the context of minerals and waste site reclamation, where it is most likely to be relevant. It is therefore not considered necessary to refer to it further in this policy.

3709 Harrogate Greenpeace

DNS

D07

P9.46 0361

038: Protection of Important Assets

It is good that 'a very high level of protection' will be afforded to designated sites, but biodiversity cannot be safeguarded in patches as wildlife is present in and move between all areas.

Developers should be required to demonstrate how they will protect all locations not just designated areas.

Especially concerned about the impact of fracking on landscapes.

Response to comment:

Reference to delivery of opportunities for a coordinated, strategic scale approach is already provided in para. 9.51 of the supporting text and is referenced in Policy D10 in the context of minerals and waste site reclamation, where it is most likely to be relevant. It is therefore not considered necessary to refer to it further in this policy.

D07

P9.46 0233

It is good that 'a very high level of protection' will be afforded to designated sites, but biodiversity cannot be safeguarded in patches as wildlife is present in and move between all areas.

038: Protection of Important Assets

Developers should be required to demonstrate how they will protect all locations not just designated areas.

Especially concerned about the impact of fracking on landscapes.

Response to comment:

Reference to delivery of opportunities for a coordinated, strategic scale approach is already provided in para. 9.51 of the supporting text and is referenced in Policy D10 in the context of minerals and waste site reclamation, where it is most likely to be relevant. It is therefore not considered necessary to refer to it further in this policy.

D07

P9.51 0783

Support the reference, in paragraph 9.51, to 200ha or more as being the scale at which the greatest opportunities can be provided.

038: Protection of Important Assets

It may not be possible to create this scale of wetland habitat on individual mineral sites, the restoration of these individual sites should be coordinated with the restoration of other sites in the vicinity and with existing areas of wetland habitat in order to create a larger scale habitat.

The wording of paragraph 9.51 should be amended to include:

THE CONTEXT OF WETLAND HABITAT CREATION (E.G. REED BEDS AND WET GRASSLAND), RESTORATION SCHEMES SHOULD CONTRIBUTE TO ESTABLISHING AREAS OF HABITAT WETLAND LARGER THAN 200HA AND, IDEALLY, LARGER THAN 500-800HA (THIS SCALE WOULD PROVIDE SUFFICIENT HABITAT FOR HEALTHY POPULATIONS OF NEWLY COLONISING SPECIES SUCH AS A PURPLE HERON.

Response to comment:

It is agreed that reference should be made in the Plan (Policy D10) to the creation of landscape scale benefits where practicable. However, it should be recognised that opportunities to deliver schemes on this scale are not currently known to exist in the area and a more flexible approach to delivery of benefits will be required. The benefits of wetland habitat creation also need to be balanced with protection of the potential of best and most versatile agricultural land, which overlaps significantly with areas of minerals resources in the plan area.

879 Strensall & Towthorpe Parish Council

S

D07

Q04 2317

This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

038: Protection of Important Assets

Response to comment:

Noted

2970 Frack Free York

O

D07

Q04 2248

The HRA carried out as part of the 14th onshore licensing round includes provision for buffer zones around European protected sites including SACs, SPAs and Ramsar sites. The assessment provides justification of need for 1km and 10km zones around these sites as they are needed to protect wildlife beyond the boundary of the protected site. These buffer zones should be included in the policy so unacceptable harm to biodiversity is avoided.

038: Protection of Important Assets

The policy does allow biodiversity offsetting in some circumstances, but the benefits are doubtful as existing wildlife habitats cannot be replaced with new artificially produced habitats. The Policy should reference paragraph 118 of the NPPF and state that biodiversity offsetting will not be regarded as mitigation for the loss of irreplaceable habitats.

Wildlife corridors and stepping stones should also be referenced in the policy as there will be increased traffic, noise, air pollution and other disturbance caused by hydrocarbons development. Water pollution and air pollution could also put these areas at risk. The Policy should state that developments that harm wildlife corridors or stepping stones will not be supported.

Response to comment:

It is not considered appropriate to include this as the purpose of the proposed buffers, or justification for the size of the proposed buffers, is not clear.

3849 Harrogate and District Green Party

DNS

D07

Q04 2008

It is good that 'a very high level of protection' will be afforded to designated sites, but biodiversity cannot be safeguarded in patches as wildlife is present in and move between all areas. Developers should be required to demonstrate how they will protect all locations not just designated areas. Especially concerned about the impact of fracking on landscapes.

038: Protection of Important Assets

Response to comment:

Impact of fracking covered in policy M16 and M17. It is agreed that the policy should support the development of ecological networks in line with national policy.

D07

Q04 0662

038: Protection of Important Assets

The reference to offsetting takes a disproportionate role in this policy to its expected role in mineral development. Mineral development already demonstrated a more acceptable level of offsetting in the vast majority of cases with restoration leaving a site more bio diverse than before mineral working took place.

Minerals can only take place where they occur and it is not often possible to find an alternative site to avoid areas of ecological interest. Offsetting impacts any impacts as a result of extraction are often achieved within the development schemes itself, i.e. restoration. The requirement to off their permanent impacts would increase a regulatory burden.

We would suggest that offsetting is either relegated to the supporting text or the reference is heavily modified to reflect what mineral industry is already doing, as it is unacknowledged at present.

Response to comment:

Noted. Whilst it is not considered likely that circumstances will arise frequently where such an appropriate to include relevant guidance in the plan.

3821

D07

Q04 1895

038: Protection of Important Assets

Object to the Policy.

This Policy needs to address the negative impact fracking will have on biodiversity.

Response to comment:

The impact of hydrocarbon development is covered in Policy M17.

128 Yorkshire Wildlife Trust

D07

Q04 1176

038: Protection of Important Assets

Support the comments made by the RSPB on this policy.

Response to comment:

Reference to delivery of opportunities for a coordinated, strategic scale approach is already provided in para. 9.51 of the supporting text and is referenced in Policy D10 in the context of minerals and waste site reclamation, where it is most likely to be relevant. It is therefore not considered necessary to refer to it further in this policy.

D07 Q04 1025 Support this policy as robust, positive and in line with national policy.

038: Protection of Important Assets

Advise that in line with the Conservation of Habitats and Species Regulations 2010 (as amended) the final section of the policy regarding offsetting should make it clear that developments within or outside but likely to have adverse effects on the integrity of a Natura 2000 or Ramsar site, cannot be subject to biodiversity offsetting. The exception to this would be where there are Imperative Reasons of Overriding Public Interest (IROPI).

Response to comment:

Noted. Whilst it is not considered likely that circumstances will arise frequently where such an approach is required it is considered that it would, nevertheless, be appropriate to include relevant guidance in the Plan.

3846 Ryedale Liberal Party

DNS

D07 Q04 1943 It is considered reasonable to disregard the biodiversity if it is 'unavoidable' or 'not possible to mitigate against'. This implies that environmental considerations must always take a back seat to economic requirements. How does this fit with sustainable development? What would be considered exceptional circumstances to apply the protection the other way around?

038: Protection of Important Assets

Response to comment:

Whilst this comment is noted it is considered that the Policy provides a reasonable balance between support for development and protection of important biodiversity and geodiversity assets and that it is generally consistent with national policy.

2145 Petroleum Safety Services Ltd

S

D07 Q04 1389 The preferred policy approach is supported.

038: Protection of Important Assets

Response to comment:

Noted

250 Igas Energy Plc

O

D07

Q04 1273

This policy is simply repeating protections already found in national planning policy, in other policies within the MWJP as well as repeating statutory provisions.

038: Protection of Important Assets

It is therefore considered that this policy is not necessary and should be deleted.

Response to comment:

There are a substantial range of biodiversity and geodiversity features and assets in the area and it is considered appropriate to include local policy on this matter.

2937

S

D07

Q04 0298

Support with reservations.

038: Protection of Important Assets

It is good that 'a very high level of protection' will be afforded to designated sites, but biodiversity cannot be safeguarded in patches as wildlife is present in and move between all areas.

Developers should be required to demonstrate how they will protect all locations not just designated areas.

Especially concerned about the impact of fracking on landscapes.

Response to comment:

Impact of fracking covered in policy M16 and M17. It is agreed that the policy should support the development of ecological networks in line with national policy.

2192 Local Access Forum

DNS

D07

Q04 0957

The maintenance of connectivity and continuity in the local access network is an 'important asset' that should be protected under the terms of this policy and a bullet point included.

038: Protection of Important Assets

There needs to be suitable access for the public to enjoy biodiversity and geodiversity.

Response to comment:

PROW and public open space is covered under policy D02.

1174

DNS

D07

Q04 1691

Biodiversity is not only wild plants and animals in Biodiversity Action Plans, agriculture contributes as well. The loss of agricultural land cannot be offset as we cannot create more.
Concerned that the Plan is following a 'one size fits all' wetland restoration policy for sand and gravel quarries.

038: Protection of Important Assets

Response to comment:

Protection of agricultural land is covered by Policy D12.

697 North Yorkshire Geodiversity Partnership

S

D07

Q04 0246

Include local geo-conservation groups within the 'main responsibility for implementation of policy' section.

038: Protection of Important Assets

Include local geodiversity sites within Paragraph 9.47.

Introduce the requirement for developers to submit a 'Geodiversity Action Plan' which include an assessment/ record of important geological features. This can be done with assistance with local geo-conservation groups.

Response to comment:

It is agreed that this should be referenced in relation to implementation of the policy.

2841

S

D07

Q04 0050

Support this policy but needs further clarification as recommended in the Sustainability Appraisal.

038: Protection of Important Assets

Response to comment:

Noted

2173 CPRE (North Yorkshire Region)

DNS

D07

Q04 0754

The inclusion of SINCs would strengthen this policy further. Should make reference to the fact that offsetting will not always compensate for the loss or damage to certain habitats so in some cases development proposals should be refused.

038: Protection of Important Assets

Response to comment:

SINCs, which area a local designation, fall within the scope of the first paragraph of the Policy.

3708

S

D07 Q04 0424 Support with reservations.

038: Protection of Important Assets

It is good that 'a very high level of protection' will be afforded to designated sites, but biodiversity cannot be safeguarded in patches as wildlife is present in and move between all areas.

Developers should be required to demonstrate how they will protect all locations not just designated areas.

Especially concerned about the impact of fracking on landscapes.

Response to comment:

Reference to delivery of opportunities for a coordinated, strategic scale approach is already provided in para. 9.51 of the supporting text and is referenced in Policy D10 in the context of minerals and waste site reclamation, where it is most likely to be relevant. It is therefore not considered necessary to refer to it further in this policy.

317 Tarmac

DNS

D07 Q04 0084 Whilst the principle of this policy is supported and it is acknowledged that biodiversity offsetting may be required in exceptional circumstances. However, due consideration should be given to the overall net gain in biodiversity and geodiversity which can be achieved through quarry restoration. As such it may not be appropriate to provide biodiversity offsetting elsewhere.

038: Protection of Important Assets

Response to comment:

Net gain in biodiversity and geodiversity is included in Policy M10,

359 North York Moors Association

S

D07 Q04 0722 Support the Preferred Policy approach.

038: Protection of Important Assets

Response to comment:

Noted

D07 Q04 0234 Support with reservations.

038: Protection of Important Assets

It is good that 'a very high level of protection' will be afforded to designated sites, but biodiversity cannot be safeguarded in patches as wildlife is present in and move between all areas.

Developers should be required to demonstrate how they will protect all locations not just designated areas.

Especially concerned about the impact of fracking on landscapes.

Response to comment:

Reference to delivery of opportunities for a coordinated, strategic scale approach is already provided in para. 9.51 of the supporting text and is referenced in Policy D10 in the context of minerals and waste site reclamation, where it is most likely to be relevant. It is therefore not considered necessary to refer to it further in this policy.

D07 Q04 0362 Support with reservations.

038: Protection of Important Assets

It is good that 'a very high level of protection' will be afforded to designated sites, but biodiversity cannot be safeguarded in patches as wildlife is present in and move between all areas.

Developers should be required to demonstrate how they will protect all locations not just designated areas.

Especially concerned about the impact of fracking on landscapes.

Response to comment:

Reference to delivery of opportunities for a coordinated, strategic scale approach is already provided in para. 9.51 of the supporting text and is referenced in Policy D10 in the context of minerals and waste site reclamation, where it is most likely to be relevant. It is therefore not considered necessary to refer to it further in this policy.

1114 Woodland Trust

O

D07

Q04 0876

There is currently no protection for ancient woodland within the Plan which is contrary to national guidance in the form of The Natural Environment White Paper 2011.

038: Protection of Important Assets

Recommend adding the following wording into the policy:

THE HARM OR LOSS OF IRREPLACEABLE HABITATS SUCH AS ACIENT WOODLAND WOULD BE WHOLLY EXCEPTIONAL'.

Response to comment:

It is agreed that specific reference should be made to ancient woodland, which has significant presence in the plan area and that reference should also be made to protection of veteran trees.

1112 RSPB North

O

D07

Q04 0770

Policy and supporting text provides many positive measures in relation to biodiversity.

038: Protection of Important Assets

Greater emphasis should be given at policy level to the need to take strategic, coordinated and landscape scale approach to the creation of priority habitat in order to create ecological networks.

To address this the second paragraph should be amended

'...Local Nature Partnership with the aim of achieving SIGNIFICANT net gains for biodiversity or geodiversity. WHERE APPROPRIATE, A STRATEGIC, COORDINATED AND LANDSCAPE-SCALE APPRAOCH SHOULD BE TAKEN TO THE CREATION OF PRIORITY HABITAT, SUCH THAT IT MAKES A SIGNIFICANT CONTRIBUTION TO THE ESTABLISHMENT OF COHERENT AND RESILIENT ECOLOGICAL NETWORKS.

Response to comment:

Reference to delivery of opportunities for a coordinated, strategic scale approach is already provided in para. 9.51 of the supporting text and is referenced in Policy D10 in the context of minerals and waste site reclamation, where it is most likely to be relevant. It is therefore not considered necessary to refer to it further in this policy.

129 Yorwaste Ltd

S

D07

Q04 0940

Support the Policy.

038: Protection of Important Assets

Response to comment:

Noted

330 Harrogate Borough Council

O

D08

P9.58 0674

The justification at paragraph 9.58 should refer to the buffer zone of the World Heritage Site at Fountains Abbey being identified in the Harrogate Borough Local Plan.

038: Protection of Important Assets

Response to comment:

It is agreed the text should be revised to more accurately reflect this point.

756 Luttons Parish Council

DNS

D08

P9.59 1776

Have no objection to the City of York being afforded some protection the omission of locally designated areas is a major oversight.

038: Protection of Important Assets

Response to comment:

The policy applies as relevant to designated assets as stated in introductory text through use of term heritage assets.

756 Luttons Parish Council

DNS

D08

P9.61 1777

Endorse this statement as a true reflection on the value of the Yorkshire Wolds.

038: Protection of Important Assets

Response to comment:

Noted

120 Historic England

S

D08

P9.63 0181

Endorse the advice in Paragraph 9.63 regarding use of good practice advice in the Managing Landscape Change Project in the preparation of planning applications.

038: Protection of Important Assets

Response to comment:

Noted

116 Ryedale District Council

DNS

D08

Q04 1145

It is considered that the setting of the District's other landscape assets are not fully recognised. The Plan needs to ensure these special qualities are not compromised by minerals and waste developments such as conservation areas and those settlements split between Ryedale and the NYMNPA where there are particular landscape sensitivities not specifically mentioned in the relevant Development Management policies. These assets contribute significantly to the landscape character and setting of the District and need protection from minerals and waste developments.

038: Protection of Important Assets

Response to comment:

Landscape is covered in Policy D06. The preamble to the policy should be revised to clarify that all landscapes will be protected.

317 Tarmac

S

D08

Q04 0085

This policy is supported.

038: Protection of Important Assets

Response to comment:

Noted

2145 Petroleum Safety Services Ltd

S

D08

Q04 1373

The preferred policy approach is supported.

038: Protection of Important Assets

Response to comment:

Noted.

129 Yorwaste Ltd

S

D08 Q04 0941 Support the Policy.
038: Protection of Important Assets

Response to comment: *Noted.*

734 Kirby Hill, Little Ouseburn & Thorpe Underwood Parish Council

O

D08 Q04 1738 The policy talks about conserving and enhancing heritage assets and their setting, this is not being done at AWRP as it is set next to Allerton Castle.
038: Protection of Important Assets

Response to comment: *The AWRP decision not based on policies in this plan so not relevant in this case.*

250 Igas Energy Plc

O

D08 Q04 1274 This policy is repeating protection that is already found within National Planning and is almost identically worded to Section 12 of the NPPF.
038: Protection of Important Assets
Protection of the Historic City of York is contained in extant permissions of the RSS Policy Y1 and YH9, these will be replaced by policies within the new Local Plan for York.

Therefore it is not considered necessary to include a policy on the historic environment and this policy should be deleted.

Response to comment: *This is not agreed. There are a substantial range of historic features and assets in the area and it is considered appropriate to include local policy on this matter.*

359 North York Moors Association

S

D08 Q04 0723 Support the Preferred Policy approach.
038: Protection of Important Assets

Response to comment: *Noted*

1174

O

D08

Q04 1695

Do not agree with the justification and sustainability appraisal for this policy.

038: Protection of Important Assets

The sustainability appraisal summary states that 'This policy would have particularly strong positive impacts in relation to the historic environment and landscape objectives'. It is not possible that destroying internationally significant remains and their equally significant landscape setting can have a strong positive impact.

Response to comment:

It is considered that the policy is currently worded to be consistent with national policy.

115 Minerals Products Association

S

D08

Q04 0663

This policy is supported.

038: Protection of Important Assets

Response to comment:

Noted.

2173 CPRE (North Yorkshire Region)

S

D08

Q04 0755

Support this policy, the wording in the policy should be changed from 'where appropriate' to 'WHEREVER POSSIBLE'.

038: Protection of Important Assets

Response to comment:

Noted

120 Historic England

S

D08

Q04 0131

Support the approach. Particularly welcome the identification of those aspects of the plan areas extensive range of heritage assets which are considered to be of special importance to the character of the County.

038: Protection of Important Assets

The framework of the policy and its justification provides the type of approach needed to satisfy paragraph 126 in the NPPF and will assist in the delivery of Objective 9 in the Plan in terms of historic environment.

Response to comment:

Noted

1174

O

D08

Q04 1692

Do not agree with justification and sustainability appraisal for this policy.

038: Protection of Important Assets

Policy states 'Substantial harm or total loss to the significance of a designated heritage asset (or an archaeological site of national importance) will be permitted only in exceptional circumstances and where it can be demonstrated that substantial public benefits would outweigh that harm.' this should be amended to 'SUBSTANTIAL HARM OR TOTAL LOSS TO THE SIGNIFICANCE OF A DESIGNATED HERITAGE ASSET OR AN ARCHAEOLOGICAL SITE OF NATIONAL IMPORTANCE SHALL NOT BE PERMITTED.' As quarrying results in the permanent destruction of landscape and assets.

The sustainability appraisal incorrectly states that 'This policy would have particularly strong positive impacts in relation to the historic environment and landscape objectives.' As quarrying damages both of these.

Response to comment:

It is considered that the policy is currently worded to be consistent with national policy.

3846 Ryedale Liberal Party

DNS

D08

Q04 1944

Undesignated but important sites exist, particularly within the vale of Pickering. The National Character assessment for the Vale of Pickering is now available and should be used here.

038: Protection of Important Assets

Response to comment:

Noted. Archaeological resources in Pickering are referenced in the policy.

330 Harrogate Borough Council

O

D08

Q04 0673

There is no recognition in the policy of non designated heritage assets (except for archaeology). This is contrary to the NPPF. The introduction to the policy refers to this requirement but it is not reflected in the policy itself.

038: Protection of Important Assets

In addition there is a reference at paragraph 9.59 to the concentration of undesignated assets in the Vale of Pickering. There are non designated heritage assets throughout the plan area and the policy and justification should be amended to reflect this to accord with the NPPF. The policy should be amended to refer to 'DESIGNATED AND NON-DESIGNATED HERITAGE ASSETS' in the third sentence.

Response to comment:

The policy applies as relevant in both designated and non-designated assets, as stated in the introductory text through the use of the term heritage assets. The Policy also makes reference to certain non-designated assets of wider relevance to the Plan area.

756 Luttons Parish Council

S

D08 Q04 1775 Support this policy.

038: Protection of Important Assets

Response to comment:

Noted

879 Strensall & Towthorpe Parish Council

S

D08 Q04 2318 This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

038: Protection of Important Assets

Response to comment:

Noted

113 Howardian Hills AONB

O

D08 Q04 0839 The historic environment is an important element of 'natural beauty' and two of the five Special Qualities of the Howardian Hills AONB are specifically related to historic environment features.

038: Protection of Important Assets

The policy should include specific reference to designated areas of the AONBs and National Park and also include a link to Policy D04.

Response to comment:

These are addressed specifically in Policy D04 and other relevant policies in the Plan and it is not considered necessary to refer to them here.

3828

O

D08 Q04 1640 The policy should include the Howardian Hills as an area which contributes most to the distinctive character and sense of place in the Plan area. The NPPF defines historic environment as 'all aspects of the environment resulting from the interaction between people and place through time, including all surviving physical remains of past human activity, whether visible or submerged, and landscaped and planted or managed flora.' The Howardian Hills along with Castle Howard's historic parklands and associated Grade 1 listed historic buildings with international significance meet this definition. The hydrocarbon chapter recognises that there are concerns with hydraulic fracturing techniques having the potential for ground movements. The historic buildings will be vulnerable to this so a robust process for ensuring the risk to seismic activity is fully understood before consent is given.

038: Protection of Important Assets

Response to comment:

Howardian Hills is addressed specifically in Policy D04 and other relevant policies in the Plan and it is not considered necessary to mention them here. The historic elements are covered by the phrase 'distinctive character and sense of place'.

317 Tarmac

S

D08

Q04

0086

This policy is supported.

039: Water Environment

Response to comment:

Noted

362 Harrogate Friends of the Earth

DNS

D09

P9.65 0235

The policy is presented so that developments will be 'permitted unless' which is not supported. Protection of the water environment should be stronger and need to protect 'principal' aquifers. There should be a map of aquifers included in the document.

039: Water Environment

Fracking poses a threat to aquifers and there should be no drilling allowed near them or in areas that contribute to groundwater sources.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

3709 Harrogate Greenpeace

DNS

D09

P9.65 0363

The policy is presented so that developments will be 'permitted unless' which is not supported. Protection of the water environment should be stronger and need to protect 'principal' aquifers. There should be a map of aquifers included in the document.

039: Water Environment

Fracking poses a threat to aquifers and there should be no drilling allowed near them or in areas that contribute to groundwater sources.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

3708

DNS

D09

P9.65 0425

The policy is presented so that developments will be 'permitted unless' which is not supported. Protection of the water environment should be stronger and need to protect 'principal' aquifers. There should be a map of aquifers included in the document.

039: Water Environment

Fracking poses a threat to aquifers and there should be no drilling allowed near them or in areas that contribute to groundwater sources.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

2937

DNS

D09

P9.65 0299

The policy is presented so that developments will be 'permitted unless' which is not supported. Protection of the water environment should be stronger and need to protect 'principal' aquifers. There should be a map of aquifers included in the document.

039: Water Environment

Fracking poses a threat to aquifers and there should be no drilling allowed near them or in areas that contribute to groundwater sources.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

3849 Harrogate and District Green Party

S

D09

P9.65 2009

The policy is presented so that developments will be 'permitted unless' which is not supported. Protection of the water environment should be stronger and need to protect 'principal' aquifers. There should be a map of aquifers included in the document.

039: Water Environment

Fracking poses a threat to aquifers and there should be no drilling allowed near them or in areas that contribute to groundwater sources.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

2937

DNS

D09

P9.67 0300

Environment Agency position statements on water pollution are important but fall short of the necessary protections. It would be better if the Local Planning Authority led on this.

039: Water Environment

Concerned there may be gaps in interpretation and decision making between central government, local government and other agencies which would weaken the protection of water supplies.

Response to comment:

It is considered that the policy and the Environment Agency position statements operate in parallel to ensure an appropriate degree of protection relevant to the various roles. A number of policies in the Plan, in combination, serve to protect groundwater from a land use perspective.

3708

DNS

D09

P9.67 0426

Environment Agency position statements on water pollution are important but fall short of the necessary protections. It would be better if the Local Planning Authority led on this.

039: Water Environment

Concerned there may be gaps in interpretation and decision making between central government, local government and other agencies which would weaken the protection of water supplies.

Response to comment:

It is considered that the policy and the Environment Agency position statements operate in parallel to ensure an appropriate degree of protection relevant to the various roles. A number of policies in the Plan, in combination, serve to protect groundwater from a land use perspective.

3709 Harrogate Greenpeace

DNS

D09

P9.67 0364

Environment Agency position statements on water pollution are important but fall short of the necessary protections. It would be better if the Local Planning Authority led on this.

039: Water Environment

Concerned there may be gaps in interpretation and decision making between central government, local government and other agencies which would weaken the protection of water supplies.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

362 Harrogate Friends of the Earth

DNS

D09

P9.67 0236

Environment Agency position statements on water pollution are important but fall short of the necessary protections. It would be better if the Local Planning Authority led on this.

039: Water Environment

Concerned there may be gaps in interpretation and decision making between central government, local government and other agencies which would weaken the protection of water supplies.

Response to comment:

It is considered that the policy and the Environment Agency position statements operate in parallel to ensure an appropriate degree of protection relevant to the various roles. A number of policies in the Plan, in combination, serve to protect groundwater from a land use perspective.

3849 Harrogate and District Green Party

DNS

D09

P9.67 2010

Environment Agency position statements on water pollution are important but fall short of the necessary protections. It would be better if the Local Planning Authority led on this.

039: Water Environment

Concerned there may be gaps in interpretation and decision making between central government, local government and other agencies which would weaken the protection of water supplies.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

D09

P9.67 1335

039: Water Environment

Concerned that the Plan has minimal reference to objectives of the Water Framework Directive (WFD). The WFD is a material planning consideration as places an obligation on planning authorities to have regard to its objectives.

Paragraph 9.67 states:

' Under the WFD, developers should take all measures necessary to ensure that no deterioration of local surface water or groundwater bodies is caused by a development, and that every effort is made to provide appropriate mitigation measures to achieve this'.

The supporting text should make clear that the WFD covers all water bodies including non main rivers, lakes and groundwater. The text should also be strengthened to make clear that development that cannot provide appropriate mitigation measures to prevent deterioration of local surface water groundwater bodies is contrary to the objectives of the WFD and the planning authority should look to ensure it is not permitted. The above text may still be permitted so long as 'every effort is made' to provide appropriate mitigation, it may be that a given development is not appropriate when satisfactory mitigation cannot be provided.

The policy justification text goes on to say:

' Supporting the achievement of good status outlined in the relevant River Basin Management Plans is important in meeting obligations under the Water Framework Directive. This can generally be demonstrated by achieving a relevant environmental permit flood defence consent or land drainage/ordinary watercourse consent.'

The second sentence is not correct. Obtaining consent does not necessarily demonstrate compliance with WFD objectives. A WFD assessment will not be required for all applications, depending on the length of the reach of watercourse impacted upon. Consents would also not cover all works that could impact on WFD objectives, such as groundwater issues, or site management issues such as pollution prevention measures. The WFD is a material planning consideration and it would not be appropriate to defer consideration of WFD to other regulatory regimes where the planning authority has an obligation.

The test should make it clear that development needs to do more than just not impede the delivery of WFD obligations through implementation of then River Basin Management Plan, but that developers and planners should ensure that any proposals look to improve the WFD water body status of the waters that could be affected by the development.

Response to comment:

It is agreed that further reference to the Waste Framework Directive should be provided in the supporting text and elsewhere in the Plan as appropriate.

D09

P9.72 0427

The acknowledgement of the increased risks to flooding as a result of climate change is supported and should be considered when making a decision on an application.

039: Water Environment

Localised flooding is common in the Plan area but more widespread flooding can have wider impacts such as in the Humber. Flooding could pose problems for the safety of fracking, especially in terms of waste water storage and processing.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

362 Harrogate Friends of the Earth

DNS

D09

P9.72 0237

The acknowledgement of the increased risks to flooding as a result of climate change is supported and should be considered when making a decision on an application.

039: Water Environment

Localised flooding is common in the Plan area but more widespread flooding can have wider impacts such as in the Humber. Flooding could pose problems for the safety of fracking, especially in terms of waste water storage and processing.

Response to comment:

Noted

3849 Harrogate and District Green Party

DNS

D09

P9.72 2011

The acknowledgement of the increased risks to flooding as a result of climate change is supported and should be considered when making a decision on an application.

039: Water Environment

Localised flooding is common in the Plan area but more widespread flooding can have wider impacts such as in the Humber. Flooding could pose problems for the safety of fracking, especially in terms of waste water storage and processing.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

3709 Harrogate Greenpeace

DNS

D09

P9.72 0365

The acknowledgement of the increased risks to flooding as a result of climate change is supported and should be considered when making a decision on an application.

039: Water Environment

Localised flooding is common in the Plan area but more widespread flooding can have wider impacts such as in the Humber. Flooding could pose problems for the safety of fracking, especially in terms of waste water storage and processing.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

2937

DNS

D09

P9.72 0301

The acknowledgement of the increased risks to flooding as a result of climate change is supported and should be considered when making a decision on an application.

039: Water Environment

Localised flooding is common in the Plan area but more widespread flooding can have wider impacts such as in the Humber. Flooding could pose problems for the safety of fracking, especially in terms of waste water storage and processing.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

D09

P9.77 1334

039: Water Environment

Paragraphs 9.77, 9.87 and 9.91 make reference to the potential use of reclaimed sites for flood risk management. The text should include mention of working with other Risk Management Authorities to ensure a holistic approach and achieve the best possible outcomes for Flood Risk Management. This should include ensuring any possible sites for flood risk management or flood storage are incorporated into any existing or proposed schemes as appropriate. The potential for dual purpose uses after restoration as both green space; habitat creation, recreation or agricultural uses and flood storage areas should be considered when drawing up restoration plans.

Any future guidance provided by the Agency should be used to inform and update the Plan.

Response to comment:

Noted. Noted. Reference to Environment Agency advice and guidance has been included in the supporting text.

129 Yorwaste Ltd

S

D09

Q04 0942

039: Water Environment

Support the Policy.

Response to comment:

Noted

2937

S

D09

Q04 0302

039: Water Environment

Support the policy but it needs extending to provide greater protection for aquifers and groundwater sources.

The possible impact of flooding should be considered especially if fracking takes place and waste water from the process could be affected.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

3849 Harrogate and District Green Party

S

D09

Q04

2012

Support the policy but it needs extending to provide greater protection for aquifers and groundwater sources.

039: Water Environment

The possible impact of flooding should be considered especially if fracking takes place and waste water from the process could be affected.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

879 Strensall & Towthorpe Parish Council

S

D09

Q04

2319

This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

039: Water Environment

Response to comment:

Noted

119 Natural England

S

D09

Q04

1026

Broadly support this policy but recommend that the policy is made clear that it is protecting ecological receptors such as designated sites, as well as human ones. As suggested in the HRA with regards to the screening of allocations MJP12, MJP13 and WJP09 such impacts may also be addressed in policy W08 - managing waste water sewage and sludge.

039: Water Environment

Response to comment:

It is agreed that the supporting text should be revised to clarify that this can be a relevant consideration when assessing the impact of proposals on water quality under the policy.

D09

Q04

1332

Pleased to see this policy makes specific reference to the protection of the quality, supplies and flows of both surface water and groundwater. Support the text in the first paragraph of the policy.

039: Water Environment

Have concerns about text in the second sentence in the second paragraph of the policy which states:

'Development which would have an adverse impact on principal aquifers and Source Protection Zones will only be permitted where the need for, or benefits of, the development clearly outweigh any harm caused.'

Concerned this this could lead to confusion over what could constitute acceptable development where this may appear to run contrary to the Position Statements in 'Groundwater protection: Principles and practice (GP3). GP3 makes clear that the Environment Agency would object to development that poses an unacceptable risk of pollution or harmful disturbance to groundwater flow.

Recommend that the second sentence is removed from the policy or amended to take account of the constraints GP3 places on development.

The wording of the policy needs to change in light of the accepted understanding of what is meant by 'surface water' flooding. Surface water flooding now has a specific meaning of pluvial (rainfall) flooding, or flooding as a result of overland flows. To include flooding from watercourses (rivers, streams etc.) we suggest the wording of the second sentence in the third paragraph of the policy is amended so it reads:

'Development which would lead to an unacceptable risk of, or be at unacceptable risk from ALL SOURCES OF FLOODING I.E. SURFACE AND GROUNDWATER FLOODING AND FLOODING FROM RIVERS AND COASTAL WATERS WILL NOT BE PERMITTED.'

Without the above amendment the policy does not address flooding from watercourses.

Satisfied with the approach taken regarding Strategic Flood Risk Assessment (SFRA). Support the approach of using up to date data from the Environment Agency data to infer the location of FZ3b where functional flood plain has not been designated as part of the SFRA.

Response to comment:

It is agreed that the policy should be revised to ensure greater consistency with Environment Agency advice and greater clarity on potential sources of flooding.

1100 Aggregate Industries

DNS

D09

Q04 0852

Following recent flooding it may be worth reviewing with the Environment Agency potential flood relief schemes involving the extraction of sand and gravel.

039: Water Environment

Response to comment:

Noted. This is being addressed through the sustainability appraisal including strategic flood risk assessment.

3709 Harrogate Greenpeace

S

D09

Q04 0366

Support the policy but it needs extending to provide greater protection for aquifers and groundwater sources.

039: Water Environment

The possible impact of flooding should be considered especially if fracking takes place and waste water from the process could be affected.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

3704 Cuadrilla Resources Ltd

O

D09

Q04 1245

Fracturing may involve development in SPZs and Aquifers. The protection of these will be detailed in any planning submission but assuming the necessary authorities accept the related protection measures the current wording of the policy states that the development will only be permitted where the need or benefits of the development outweigh the harm.

039: Water Environment

The policy should relate to SPZ 1 only. The appropriate weight should be given to the appropriate consultee responses from the technical experts in the planning process.

Response to comment:

Policy wording has been revised in line with Environment Agency advice.

3846 Ryedale Liberal Party

DNS

D09

Q04

1945

The policy does not include over abstraction and/ or drought. There should be a water use hierarchy in place, domestic then agricultural, other industries then fracking.

039: Water Environment

The issue of drilling through aquifers and possible contamination are not addressed.
Flooding of fracking sites needs to be considered.
Contamination of aquifers should d be prevented.

Agree with the requirement for a climate change assessment but would add that there should be some consequences stimulated in the climate change assessment did not add up to a net gain.

Agree with part two.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

2145 Petroleum Safety Services Ltd

S

D09

Q04

1374

The preferred policy approach is supported.

039: Water Environment

Response to comment:

Noted

2841

S

D09

Q04

0051

Support this policy, especially with a high level of protection of Groundwater Source Protection Zones.

039: Water Environment

Response to comment:

Noted

1174

O

D09

Q04

1693

Do not agree with the sustainability appraisal as when agricultural land is lost to gravelling and is restored to wetland/lakes, the reason is often to benefit nature conservation. Flood alleviation is often secondary to this. River flood water is high in nutrients and when they flood a quarry it becomes contaminated long term by these nutrients.

039: Water Environment

Response to comment:

This policy is consistent with Environment Agency advice.

3708

S

D09

Q04

0428

Support the policy but it needs extending to provide greater protection for aquifers and groundwater sources.

039: Water Environment

The possible impact of flooding should be considered especially if fracking takes place and waste water from the process could be affected.

Response to comment:

Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.

96 Cumbria County Council

DNS

D09

Q04

0677

Following the recent floods within the Plan area, are any major changes to the Plan envisaged?

039: Water Environment

Response to comment:

It is agreed that the policy should be revised to ensure greater consistency with Environment Agency advice and greater clarity on potential sources of flooding.

1461 Samuel Smith Old Brewery (Cunnane Town Planning LLP)

DNS

D09

Q04

1015

Certain industries rely upon not only a safe and clean source of water, but also specific chemical and mineral balance in order to maintain product quality. The brewing industry plays an important economic and social role across the Plan area, including Tadcaster. The potential to effect the mineral and chemical composition of water should be a consideration in the determination of planning application for minerals and waste developments.

039: Water Environment

Response to comment:

It is agreed that the supporting text should be revised to clarify that this can be a relevant consideration when assessing the impact of proposals on water quality under the policy.

115 Minerals Products Association

S

D09 Q04 0664 This policy is supported.

039: Water Environment

Response to comment: *Noted*

362 Harrogate Friends of the Earth

S

D09 Q04 0238 Support the policy but it needs extending to provide greater protection for aquifers and groundwater sources.

039: Water Environment

The possible impact of flooding should be considered especially if fracking takes place and waste water from the process could be affected.

Response to comment: *Policy and supporting text has been amended in line with Environment Agency advice. Protection of water in relation to oil and gas development is also addressed in Policies M16, M17 and M18.*

3689 Friends Of the Earth

O

D09 Q04 1706 Object to the Policy.

039: Water Environment

The Policy does not reflect the objectives of the Water Framework Directive or a precautionary approach. A recent EU Court of Justice case (Weser C-416/13) underlines the precautionary nature of EU water legislation.

Concerned that the scenarios have not recognised the increased level of probability or risk and that the Plan has not taken this into account.

Response to comment: *It is agreed that the supporting text should be revised to indicate more clearly how the Water Framework Directive is relevant to consideration of proposals and interpretation of the policy.*

250 Igas Energy Plc

O

D09

Q04

1275

The Approach of the policy is acceptable in principle. However, it is important that this policy is not used to control matters which are the already controlled by other regulatory regimes (such as EA and the Water Authorities).
The Policy also repeats national planning policy (sequential and exemption tests) and it is considered this is not necessary and should be deleted from the policy.

The policy needs to make clear that the potential requirement for development to contribute to flood alleviation and sustainable drainage, where practical and necessary related to the proposed development and applicants are not unreasonable required to contribute to flood alleviation that does not relate to their development.

The policy should be reworded and amended as follows (New text in BOLD):

second paragraph: "...high level of protection will be applied to principle aquifers and groundwater Source Protection Zones, WHERE THIS IS NOT ALREADY CONTROLLED BY OTHER REGULATORY REGIMES. Development which would require....."

Third Paragraph: Delete

Fourth Paragraph: Proposals for mineral and waste development, should, where RELATED TO THE PROPOSAL, necessary or practicable...."

Response to comment:

It is considered that the policy already indicates that the requirement applies in the context of specific proposals and that no further clarification is needed.

359 North York Moors Association

S

D09

Q04

0724

Support the Preferred Policy approach.

039: Water Environment

Response to comment:

Noted

D10 Q04 1088 Support this policy regarding the reclamation of former minerals and waste sites. However object to following specific elements and omissions.
040: Reclamation and Afteruse

Part 1 item v)

This indicates that schemes will be supported which have 'made best use of onsite materials for appropriate standard of reclamation.' The importation of material should also be facilitated where this assist in the remediation of ground conditions.

Part 2 additional item x)

An additional item should be listed which aims to facilitate the redevelopment and regeneration of minerals and waste sites in appropriate locations. Suggested wording is:

THE REDEVELOPMENT OF SITES FOR APPROPRIATE USES WHICH CONTRIBUTE TO SOCIAL OR ECONOMIC REGENERATION, INCLUDING THE DEVELOPMENT OF RESIDENTIAL AND COMMERCIAL SCHEMES WHERE APPROPRIATE.

Response to comment:

It is considered that this would lack sufficient clarity and would be outside the scope of the minerals and waste plan.

3846 Ryedale Liberal Party

DNS

D10 Q04 1946 There is no mention of abandoned wells. If problems occur once operations have ceased how will compensation happen for the land owners. It is not reasonable to expect land owners to buy their own insurance. What happened if the operator goes out of business? Longer term management should be applied to fracking activities to ensure maintenance of abandoned wells.
040: Reclamation and Afteruse

Response to comment:

Long term management of abandoned wells is outside the scope of the Plan. Policy D10 applies as relevant to proposals involving fracking. Further guidance on restoration of hydrocarbons development sites is provided in Policy M18.

317 Tarmac

S

D10 Q04 0087 This policy is supported.
040: Reclamation and Afteruse

Response to comment:

Noted

120	Historic England				S
D10		Q04	0132	Support the approach in Criterion (v) of part 2 of Policy D10 relating to restoration proposals in the vicinity of heritage assets.	
				<i>040: Reclamation and Afteruse</i>	
				Response to comment:	<i>Noted</i>

2145	Petroleum Safety Services Ltd				O
D10		Q04	1375	Suggest that criterion i) is deleted. Restoration and afteruse where restoring a hydrocarbon well site to pre-development condition would not normally involve discussion with local community or other relevant stakeholders, this may overly complicate the restoration of wellsites. The majority of wellsites are restored to agricultural use. In specific cases where an alternative is being suggested some wider consultation may be appropriate. Suggest revising the wording to " Been brought forward WHERE APPROPRIATE in discussion....".	
				<i>040: Reclamation and Afteruse</i>	
				Response to comment:	<i>It is agreed that the policy should be amended to indicate that the criteria in Part one are intended to apply where appropriate to the scale nature and location of the development.</i>

359	North York Moors Association				S
D10		Q04	0725	Support the Preferred Policy approach.	
				<i>040: Reclamation and Afteruse</i>	
				Response to comment:	<i>Noted</i>

3708					S
D10		Q04	0430	Support this policy but with reservations. It covers a extensive range of requirements but it needs to be revised to take account of the impacts of fracking. These could include damage to the water quality and impact on public health.	
				<i>040: Reclamation and Afteruse</i>	
				Response to comment:	<i>Noted. The impact of hydrocarbon development is dealt with in Policies M16, M17 and M18.</i>

D10

Q04 0665

040: Reclamation and Afteruse

Generally supportive of the principle of pre-application discussions and community involvement schemes. Cannot agree to the compulsory engagement in such discussions as the first criterion implies. The NPPF is clear that developers cannot be compelled to engage in this way. Would prefer alternative wording which makes the criterion less onerous. It could be taken out of the criterion and placed at the end of Part One, and worded as follows:

"APPLICANTS ARE ENCOURAGED TO DISCUSS PROPOSALS AT AN EARLY STAGE WITH LOCAL COMMUNITIES AND OTHER RELEVANT STAKEHOLDERS AND WHERE PRACTICABLE REFLECT THE OUTCOME OF THOSE DISCUSSIONS IN SUBMITTED SCHEMES."

Additionally Part Two (viii) would only be achievable with large areas of land under the control of the developer. This should be borne in mind as expectations may be created that cannot be delivered. This would become a soundness issue which needs to be addressed to ensure all parts are truly and realistically deliverable.

However, the more targets approach to restoration is supported.

Response to comment:

It is agreed that the policy should be amended to indicate that the criteria in Part one are intended to apply where appropriate to the scale, nature and location of the development.

D10

Q04 0240

040: Reclamation and Afteruse

Support this policy but with reservations. It covers a extensive range of requirements but it needs to be revised to take account of the impacts of fracking. These could include damage to the water quality and impact on public health.

Response to comment:

Long term management of abandoned wells is outside the scope of the Plan. Policy D10 applies as relevant to proposals involving fracking. Further guidance on restoration of hydrocarbons development sites is provided in Policy M18.

D10

Q04 0303

040: Reclamation and Afteruse

This covers a extensive range of requirements but it needs to be revised to take account of the impacts of fracking. These could include damage to the water quality and impact on public health.

Response to comment:

Noted. The impact of hydrocarbon development is dealt with in Policies M16, M17 and M18.

3708

DNS

D10

Q04 0429

This covers a extensive range of requirements but it needs to be revised to take account of the impacts of fracking. These could include damage to the water quality and impact on public health.

040: Reclamation and Afteruse

Response to comment:

Noted. The impact of hydrocarbon development is dealt with in Policies M16, M17 and M18.

879 Strensall & Towthorpe Parish Council

S

D10

Q04 2320

This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

040: Reclamation and Afteruse

Response to comment:

Noted

128 Yorkshire Wildlife Trust

DNS

D10

Q04 1177

Support the comments made by the RSPB on this policy.

040: Reclamation and Afteruse

Response to comment:

Noted.

1112 RSPB North

O

D10 Q04 0771 Support many of the positive measures relating to biodiversity.

O40: Reclamation and Afteruse

However given the scale of opportunity that mineral site restoration provides for helping to halt and reverse on-going declines in biodiversity part viii in part two of the policy should be amended slightly to:

'PROMOTING THE DELIVERY OF SIGNIFICANT NET GAINS FOR BIODIVERSITY AND THE ESTABLISHMENT OF A COHERENT AND RESILIENT ECOLOGICAL NETWORK; THIS SHOULD INCLUDE IMPROVEMENTS TO HABITAT NETWORKS AND CONNECTIVITY BETWEEN THESE, including the creation of Biodiversity Action Plan habitats, based on contributing towards established objectives....'

Concerned about the emphasis given to creating areas of best and most versatile land during reclamation of sites. The restoration to BMV land should not automatically favour restoration to agriculture, biodiversity-led restoration can also preserve soils. The wording of part i) in part 2 should be amended to:

' In areas of best and most versatile land, prioritising the protection of soils and RESTORING TO A CONDITION AND QUALITY SUCH THAT, IF REQUIRED IN THE LONG TERM, THAT LAND AND SOIL WOULD BE IN A STATE CAPABLE OF SUPPOTING AGRICULTURE.

Response to comment: *It is agreed that the policy should be revised to clarify the intended approach.*

2827

DNS

D10 Q04 0464 The proposals for some sites, especially MJP43, do not appear to take account of aviation safety/airfield safeguarding, restoration to agriculture, the historic environment, native woodland and recreation.

O40: Reclamation and Afteruse

Policy changes required to ensure there is minimum impact on residents lives.

Response to comment: *Proposals for sites need to take account of relevant development management policies as part of planning applications.*

1111 The Coal Authority

S

D10 Q04 1195 Supports the inclusion of a policy which requires a high standard of restoration following mineral extraction activities in accordance with the requirements of the NPPF.

O40: Reclamation and Afteruse

Response to comment: *Noted*

D10

Q04 0958

040: Reclamation and Afteruse

The policy needs rewording, instead of 'Proposals will be permitted...' it should be 'Proposals will be REQUIRED...'

One of the principal problems in the areas of extensive mineral extraction is securing effective and appropriate restoration, a much more positive policy is required. This is acknowledged in paragraphs 9.74 and 9.75 but it is not carried through into the working of policy D10.

All applications for sites should include detailed restoration proposals, where sites are extensive proposals for phased restoration should be required. The Policy should clearly indicate that minerals operators will be required to enter into section 106 agreements to underpin planning conditions requiring such measures. The policy should be reworded to address the concerns above.

Para 9.75 advises that the NPPF states that 'bonds and financial guarantees to underpin planning conditions should only be sought in 'exceptional circumstances'. It would be helpful if policy D10 acknowledged that this option is available and indicated what are 'exceptional circumstances' in which it would seek such bond guarantees.

Response to comment:

Requirements for phased restoration and for longer term management is already referenced in part one vi and vii of the policy and in the relevant supporting text, including reference to use of s.106 agreements.

250 Igas Energy Plc

O**D10**

Q04 1276

040: Reclamation and Afteruse

This policy needs to reflect the extent to which site restoration and aftercare will vary for different mineral types and in particular for the short term development for exploration and appraisal of hydrocarbons.

It is suggested that the policy be amended as follows (New text in Bold):

Part One: Proposals which require restoration and afteruse elements will be permitted where it can be demonstrated, WHERE RELEVANT TO THE TYPE OF MINERAL AND RESTORATION, that they would be carried out...."

Part Two: ".... Mineral site restoration and afteruse by contributing towards objectives, appropriate to the location of the site, WHERE RELEVANT TO THE TYPE OF MINERAL AND RESTORATION, including...."

Response to comment:

It is agreed that the policy should be amended to reflect that its application is influenced by the nature, scale and location of the development proposed.

362 Harrogate Friends of the Earth

DNS

D10

Q04 0239

This covers a extensive range of requirements but it needs to be revised to take account of the impacts of fracking. These could include damage to the water quality and impact on public health.

040: Reclamation and Afteruse

Response to comment:

Noted. The impact of hydrocarbon development is dealt with in Policies M16, M17 and M18.

713 Kirkby Fleetham with Fencote Parish Council

DNS

D10

Q04 1487

Para. i) of the Policy states 'Restoration proposals should be brought forward in discussion with local communities'. The Policy needs to be strengthened to read 'APPLICANTS ARE REQUIRED/MUST CONSULT/ENGAGE WITH LOCAL COMMUNITIES.'

040: Reclamation and Afteruse

Response to comment:

It is not considered appropriate to make this an express requirement taking into account the requirements of national policy. (NPPF para 189).

2937

S

D10

Q04 0304

Support this policy but with reservations. It covers a extensive range of requirements but it needs to be revised to take account of the impacts of fracking. These could include damage to the water quality and impact on public health.

040: Reclamation and Afteruse

Response to comment:

Noted. The impact of hydrocarbon development is dealt with in Policies M16, M17 and M18.

1461 Samuel Smith Old Brewery (Cunnane Town Planning LLP)

DNS

D10

Q04 1017

The policy should be amended to include reference to land which is being restored, but have previously been farmed is restored to such a condition it is capable of being farmed again. There is little point in returning the quality of restoration back to best and most versatile land if it not capable of being farmed.

040: Reclamation and Afteruse

Response to comment:

It is considered that the Policy as currently worded appropriately reflects the national policy of safeguarding the long term potential of best and most versatile land.

3709 Harrogate Greenpeace

DNS

D10 Q04 0367
040: Reclamation and Afteruse

This covers a extensive range of requirements but it needs to be revised to take account of the impacts of fracking. These could include damage to the water quality and impact on public health.

Response to comment:

Noted. The impact of hydrocarbon development is dealt with in Policies M16, M17 and M18.

1174

O

D10 Q04 1694
040: Reclamation and Afteruse

Do not support this policy as it would result in negative impacts in relation to biodiversity (agriculture), landscape, land-use, climate change adaptation and the historic environment.
How is it to be demonstrated that restoration and afteruse would be carried out to a high standard.
How community discussions and consultation/liaison is to be conducted should be clearly set out.
Part vi) of the policy states 'Where development is located within or adjacent to identified green infrastructure corridors, reflecting locally agreed priorities for delivery of additional or enhanced green infrastructure and ecosystem services.' This should be deleted from the policy as much of the sand and gravel in certain areas lies below the water table and restoration will be to deep water, shallow water and wetland.

Response to comment:

Noted. It is agreed that the policy should be revised to promote net gains in biodiversity. Other issues mentioned are also covered in the policy.

3849 Harrogate and District Green Party

S

D10 Q04 2013
040: Reclamation and Afteruse

Support this policy but with reservations. It covers a extensive range of requirements but it needs to be revised to take account of the impacts of fracking. These could include damage to the water quality and impact on public health.

Response to comment:

Noted. The impact of hydrocarbon development is dealt with in Policies M16, M17 and M18.

3709 Harrogate Greenpeace

S

D10 Q04 0368
040: Reclamation and Afteruse

Support this policy but with reservations. It covers a extensive range of requirements but it needs to be revised to take account of the impacts of fracking. These could include damage to the water quality and impact on public health.

Response to comment:

Noted. The impact of hydrocarbon development is dealt with in Policies M16, M17 and M18.

D10 Q04 1027 Broadly support this policy but advise that, in line with Schedule 5 of the Town and Country Planning Act 1990, criterion vii) of part one should state '...except in cases of agriculture, forestry OR AMENITY (INCLUDING BIODIVERSITY) afteruses where a statutory 5 year maximum aftercare will apply...'

040: Reclamation and Afteruse

Regarding criterion ii) of part two concerned that where this is considered to out weigh the protection of best and most versatile agricultural land there must be a strong case in terms of need and deliverability.

Particularly welcome criterion vi) and vii) of part 2 which seek to promote a joined up and landscape scale approach to delivering environmental benefits from reclamation.

Response to comment:

It is considered appropriate to retain specific reference to agriculture or forestry in the policy in the context of a statutory maximum 5 year aftercare period as it is likely that for proposals involving restoration for amenity purposes (including biodiversity) a longer management period may be needed, through agreement with the applicant, in order to ensure the satisfactory implementation of the proposed restoration. Further explanation of this should be included in the supporting text.

D10 Q04 0943 Support the Policy.

040: Reclamation and Afteruse

Response to comment:

Noted

D10 Q04 0756 Support this policy. It should help protect soils and enhance assets and settings of valued landscapes, heritage assets and the rural vista.

040: Reclamation and Afteruse

The use of 106 agreements is welcomed.

Future planning applications should include full provisions for recycling waste materials wherever possible.

Response to comment:

Noted

D10

Q04 1016

040: Reclamation and Afteruse

Part 1 criterion v) the use and reuse of onsite material is supported, however disagree that the importing material has to be relied upon only where it is essential to an appropriate reclamation scheme. The policy currently focuses on the minimum required importation of material to achieve the minimum level of appropriate restoration. Instead the focus should be on the effect importing material has, against the benefit of completing an enhanced restoration scheme.

For example, the importation of an inert waste material a relatively short distance to achieve an enhanced restoration (beyond that which is essential) scheme, could avoid costly transportation of this material to elsewhere.

Part two- the current approach of listing examples (but not a comprehensive/exhaustive list) provides nothing in the way of clarity to part 1. if the intentions to assist decision makers on interpreting Part one of the policy, it is in effect guidance and should be included within the supporting text of the Policy. The acceptability of a restoration scheme should be judged on its effectiveness in responding to a wide variety of objectives and site specific circumstances.

Response to comment:

It is considered appropriate to retain part two in the policy in order to ensure that it has more significance in the shaping of development proposals.

2937

DNS

D11

P9.89 0305

041: Sustainable Design and Construction

This section should take account of the risks associated with the drill casings used in fracking failing, more proof regarding the safety of fracking operations is required.

Concerned about methane leakage, flaring, chemical spillages and water and waste water transport methods

The Council should not have to proof that fracking is unsafe, industry should have to prove it IS safe before it is allowed to proceed.

Response to comment:

Pollution from fracking is dealt with in other policies in the Plan. It would not be practicable nor justified by national policy to require demonstration of the carbon balance of development via the Plan.

3849 Harrogate and District Green Party

DNS

D11

P9.89 2014

This section should take account of the risks associated with the drill casings used in fracking failing, more proof regarding the safety of fracking operations is required.

041: Sustainable Design and Construction

Concerned about methane leakage, flaring, chemical spillages and water and waste water transport methods.

Response to comment:

Pollution from fracking is dealt with in other policies in the Plan. It would not be practicable nor justified by national policy to require demonstration of the carbon balance of development via the Plan.

3708

DNS

D11

P9.89 0431

This section should take account of the risks associated with the drill casings used in fracking failing, more proof regarding the safety of fracking operations is required.

041: Sustainable Design and Construction

Concerned about methane leakage, flaring, chemical spillages and water and waste water transport methods

Response to comment:

Pollution from fracking is dealt with in other policies in the Plan. It would not be practicable nor justified by national policy to require demonstration of the carbon balance of development via the Plan.

3709 Harrogate Greenpeace

DNS

D11

P9.89 0369

This section should take account of the risks associated with the drill casings used in fracking failing, more proof regarding the safety of fracking operations is required.

041: Sustainable Design and Construction

Concerned about methane leakage, flaring, chemical spillages and water and waste water transport methods

Response to comment:

Pollution from fracking is dealt with in other policies in the Plan. It would not be practicable nor justified by national policy to require demonstration of the carbon balance of development via the Plan.

D11 P9.89 0241 This section should take account of the risks associated with the drill casings used in fracking failing, more proof regarding the safety of fracking operations is required.
041: Sustainable Design and Construction

Concerned about methane leakage, flaring, chemical spillages and water and waste water transport methods.

Response to comment:

Pollution from fracking is dealt with in other policies in the Plan. It would not be practicable nor justified by national policy to require demonstration of the carbon balance of development via the Plan.

3542

O

D11 P9.99 1113 CYC and NYCC have responsibility for all waste and minerals planning applications. Wouldn't it be more appropriate for a non-interested party to review planning application given the stakes that both authorities have in Yorwaste?
041: Sustainable Design and Construction

Response to comment:

Noted but this issue cannot be addressed through the Plan.

359 North York Moors Association

S

D11 Q04 0726 Support the Preferred Policy approach.
041: Sustainable Design and Construction

Response to comment:

Noted.

879 Strensall & Towthorpe Parish Council

S

D11

Q04 2321

This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

041: Sustainable Design and Construction

Response to comment:

Noted

362 Harrogate Friends of the Earth

S

D11

Q04 0242

Support the Policy but have a major reservations as issues associated with fracking have not being taken into account.

041: Sustainable Design and Construction

The issues included the safety of the drill casings used, possibility of methane gas leakage, flaring, chemical spillages and water and waste water transport methods.

Sustainability Appraisal - The appraisal does not address the issues related to fracking.

Response to comment:

Pollution from fracking is dealt with in other policies in the Plan. It would not be practicable nor justified by national policy to require demonstration of the carbon balance of development via the Plan.

129 Yorwaste Ltd

S

D11

Q04 0944

Support the Policy.

041: Sustainable Design and Construction

Response to comment:

Noted

968 Womersley Parish Council

DNS

D11

Q04 1734

Sustainability Appraisal Summary:

041: Sustainable Design and Construction

Suggested new wording: 'This policy SHOULD however be further strengthened...'

Response to comment:

Noted

317 Tarmac

S

D11 Q04 0088 This policy is supported.
041: Sustainable Design and Construction

Response to comment: *Noted*

2937

S

D11 Q04 0306 Support the Policy but have a major reservation as issues associated with fracking have not being taken into account.
041: Sustainable Design and Construction

The issues included the safety of the drill casings used, possibility of methane gas leakage, flaring, chemical spillages and water and waste water transport methods.

Sustainability Appraisal - The appraisal does not address the issues related to fracking.

Response to comment: *Pollution from fracking is dealt with in other policies in the Plan. It would not be practicable nor justified by national policy to require demonstration of the carbon balance of development via the Plan.*

115 Minerals Products Association

S

D11 Q04 0666 This policy is supported
041: Sustainable Design and Construction

Response to comment: *Noted*

3849 Harrogate and District Green Party

S

D11

Q04 1983

Support the Policy but have a major reservation as issues associated with fracking have not being taken into account.

041: Sustainable Design and Construction

The issues included the safety of the drill casings used, possibility of methane gas leakage, flaring, chemical spillages and water and waste water transport methods.

Sustainability Appraisal - The appraisal does not address the issues related to fracking.

Response to comment:

Pollution from fracking is dealt with in other policies in the Plan. It would not be practicable nor justified by national policy to require demonstration of the carbon balance of development via the Plan.

3689 Friends Of the Earth

O

D11

Q04 1707

Object to the Policy.

041: Sustainable Design and Construction

Part i) fails to take into account the emissions from the hydrocarbon minerals extracted. Para 94 of the NPPF, Para 007 of the Climate Change section of the NPPG and the Climate Change Act 2008 suggest that LPAs should contribute to GHG emission reductions.

Response to comment:

This is addressed through other policies in the plan where relevant

3846 Ryedale Liberal Party

DNS

D11

Q04 1947

Part one bullet point i) for energy production applications it must be demonstrated that such production uses less energy than it produces, including the bulk transport of waste and materials; any government tax breaks or subsidies should be taken into account.

041: Sustainable Design and Construction

Bullet point iv) how will flooding potentially affect drilling pads and pipelines over long periods?

Response to comment:

Pollution from fracking is dealt with in other policies in the Plan. It would not be practicable nor justified by national policy to require demonstration of the carbon balance of development via the Plan.

3708

S

D11

Q04 0432

Support the Policy but have a major reservation as issues associated with fracking have not being taken into account.

041: Sustainable Design and Construction

The issues included the safety of the drill casings used, possibility of methane gas leakage, flaring, chemical spillages and water and waste water transport methods.

Sustainability Appraisal - The appraisal does not address the issues related to fracking.

Response to comment:

Pollution from fracking is dealt with in other policies in the Plan. It would not be practicable nor justified by national policy to require demonstration of the carbon balance of development via the Plan.

3709 Harrogate Greenpeace

S

D11

Q04 0370

Support the Policy but have a major reservation as issues associated with fracking have not being taken into account.

041: Sustainable Design and Construction

The issues included the safety of the drill casings used, possibility of methane gas leakage, flaring, chemical spillages and water and waste water transport methods.

Sustainability Appraisal - The appraisal does not address the issues related to fracking.

Response to comment:

Pollution from fracking is dealt with in other policies in the Plan. It would not be practicable nor justified by national policy to require demonstration of the carbon balance of development via the Plan.

2841

S

D11

Q04 0052

Support this policy as sustainable building is important.

041: Sustainable Design and Construction

Response to comment:

Noted

362 Harrogate Friends of the Earth

DNS

D12 P9.10 0243 Support the protection of agricultural assets. Evidence from abroad suggests that the widespread horizontal probes involved in fracking can release methane that may eventually seep into topsoils.
042: Protection of Agricultural Land

Response to comment:

3709 Harrogate Greenpeace

DNS

D12 P9.10 0371 Support the protection of agricultural assets. Evidence from abroad suggests that the widespread horizontal probes involved in fracking can release methane that may eventually seep into topsoil's.
042: Protection of Agricultural Land

Response to comment:

3849 Harrogate and District Green Party

DNS

D12 P9.10 1990 Support the protection of agricultural assets. Evidence from abroad suggests that the widespread horizontal probes involved in fracking can release methane that may eventually seep into topsoil's.
042: Protection of Agricultural Land

Response to comment:

2937

DNS

D12 P9.10 0307 Support the protection of agricultural assets. Evidence from abroad suggests that the widespread horizontal probes involved in fracking can release methane that may eventually seep into topsoil's.
042: Protection of Agricultural Land

Response to comment:

3708

DNS

D12 P9.10 0433 Support the protection of agricultural assets. Evidence from abroad suggests that the widespread horizontal probes involved in fracking can release methane that may eventually seep into topsoil's.
042: Protection of Agricultural Land

Response to comment:

3846 Ryedale Liberal Party

DNS

D12 P9.10 1948
042: Protection of Agricultural Land

There should be an agreed amount of high quality of land which could be lost to operations (fracking) but no more than the agreed amount should be sacrificed.

Response to comment:

Minerals development is temporary and it is likely to be practicable to restore most hydrocarbon development sites to agriculture. Minerals can only be worked where they occur, other policies in the Plan deal with restoration of mineral sites.

119 Natural England

DNS

D12 P9.10 1051
042: Protection of Agricultural Land

The joint objectives of safeguarding best and most versatile agricultural land and conserving soil resources are stated in paragraph 143 of the NPPF and Minerals Planning Practice Guidance. Supporting text should make it clear that to meet the objectives set out in paragraph 9.103 the Council will require prospective developers to ensure that sufficient site specific Agricultural Land Classification (ALC) survey data is available to inform decision making. Where no reliable information is available a new detailed ALC survey should be provided, together with proposals for mitigating any adverse impacts on soil resources or irrevocable loss of high quality land.

Response to comment:

It is agreed that this should be referenced in the text, although it is considered that a minimum threshold of 1ha site area should be applied to avoid a disproportionate need for information for small scale proposals.

119 Natural England

DNS

D12
P9.10 1052
042: Protection of Agricultural Land

Advise that paragraph 9.104 is amended to refer to reclamation to 'AGRICULTURE FORESTRY OR AMENITY (INCLUDING BIODIVERSITY' rather than just agriculture. This is in line with Schedule 5 of the Town and Country Planning Act 1990, as reiterated by Minerals Planning Practice Guidance.

Response to comment:

As the policy is concerned specifically with agricultural land it is considered to make specific reference to this in the policy. The approach for other forms of restoration is clarified in Policy D10.

119 Natural England

DNS

D12
P9.10 1053
042: Protection of Agricultural Land

The wording to paragraph 9.105 should be amended to

'in some cases, soils may have particular qualities which mean they are important for biodiversity, even if they are not suitable for formation of best and most versatile agricultural land. Such soils are also a valuable resource and should, WHEREVER PRACTICABLE, BE SAFEGUARDED FROM ANY ADVERSE IMPACTS OF THEIR DISTURBANCE OR DEVELOPMENT.'

OTHER SOILS SHOULD be retained, CAREFULLY MANAGED and used effectively as part of site restoration in order to ensure that their MULTI-FUNCTIONAL value (ecosystem services) is preserved.'

Response to comment:

It is agreed that the policy should be revised to refer to this.

2827

DNS

D12
Q04 0465
042: Protection of Agricultural Land

Not sure to what extent farmland is supported by Policy D12 when proposals for extraction will damage it for little return. Some sites are all on farmland.

Response to comment:

Best and Most Versatile Agricultural Land is covered by this policy.

2970 Frack Free York

O

D12

Q04 2249

042: Protection of Agricultural Land

The Policy protects best and most versatile agricultural land and also contains the wording 'soils which have a benefit other than their value of agriculture should, where practical. Be retained for incorporation into site restoration.' This offers different levels of protection to different soils mentioned in the policy. Development of BMVL is only allowed where justified, but soils with other benefits are only to be retained for incorporation into site restoration.

The policy should offer similar levels of protection to the two types of protected soils.

Response to comment:

Noted

359 North York Moors Association

S

D12

Q04 0727

042: Protection of Agricultural Land

Support the Preferred Policy approach.

Response to comment:

Noted

317 Tarmac

S

D12

Q04 0089

042: Protection of Agricultural Land

This policy is supported.

Response to comment:

Noted

1112 RSPB North

O

D12 Q04 0772
042: Protection of Agricultural Land

Acknowledge the importance of BMV land and need to protect it but object to the approach to restoring land for agricultural afteruse. Policy should also allow for biodiversity-led restoration.

Policy wording should be updated to:

'Reclamation proposals for minerals and waste development on best and most versatile land DO NOT HAVE TO MAKE PROVISION FOR AN AGRICULTURAL AFTERUSE. FOR EXAMPLE, BIODIVERSITY-LED RESTORATION, SUCH AS WETLAND HABITAT CREATION, MAY BE A MORE APPROPRIATE OPTION IN SOME CASES. HOWEVER, SUCH LAND SHOULD BE RESTORED TO A CONDITION AND QUALITY SUCH THAT, IF REQUIRED IN THE LONG TERM, THE LAND AND SOIL WOULD BE IN A STATE CAPABLE OF SUPPORTING AGRICULTURE.

Response to comment:

It is agreed that the policy should be revised to better reflect the objective of ensuring retention of long term potential of soil resources in BMV land.

129 Yorwaste Ltd

S

D12 Q04 0945
042: Protection of Agricultural Land

Support the Policy.

Response to comment:

Noted

128 Yorkshire Wildlife Trust

DNS

D12 Q04 1178
042: Protection of Agricultural Land

Support the comments made by the RSPB on this policy.

Response to comment:

Noted

2173 CPRE (North Yorkshire Region)

S

D12 Q04 0757
042: Protection of Agricultural Land

Best and most versatile land should be protected as much as possible and soil should be retained on site to support this.

Response to comment:

Noted

D12 Q04 0667 This policy is supported.

042: Protection of Agricultural Land

Response to comment:

Noted

879 Strensall & Towthorpe Parish Council

D12 Q04 2322 This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

042: Protection of Agricultural Land

Response to comment:

Noted

1174

D12 Q04 1679 Delete the words 'unnecessary and' in the first sentence of the policy. Replace with 'BEST AND MOST VERSATILE AGRICULTURAL LAND WILL BE PROTECTED FROM IRREVERSABLE LOSS.'
All applications state why the loss of agricultural land is 'necessary'. Generally because of quarrying beneath the water table and not being able to fill the void to restore it to agriculture.
The second paragraph of the policy should be amended to reflect Paragraph 13 of the old MPG7 - ' On many sites the ability to achieve high standards of reclamation should enable mineral extraction to occur without the irreversible loss of land quality. Where minerals underlie the best and most versatile agricultural land it is particularly important that restoration and aftercare preserve the long-term potential of the land as a national, high quality agricultural resource.'

042: Protection of Agricultural Land

Response to comment:

It is considered reference to 'unnecessary' is appropriate taking into account the requirements of para. 112 of the NPPF, which recognises that there may be circumstances that justify development on BMV land.

286 Scarborough Borough Council

D12 Q04 0593 Reference should be made to safeguard Best and Most Versatile Agricultural Land.

042: Protection of Agricultural Land

Response to comment:

Reference is already made to Best and Most Versatile Agricultural Land

3704 Cuadrilla Resources Ltd

O

D12 Q04 1246
042: Protection of Agricultural
Land

Agree with the aims - soil retention and bunding for example. The land take for fracturing development is comparatively small and accords with the aims of this policy in terms of the ability to return the site back to its original condition post appraisal/assessment/production.

Response to comment:

Noted

119 Natural England

S

D12 Q04 1028
042: Protection of Agricultural
Land

Broadly support the policy, it is broadly robust, positive and in line with national policy. Have a number of comments on the policy text and supporting text.

The final paragraph of the policy could be made clearer and have better compliance with the NPPF if

The final sentence is removed and replaced with

'DEVELOPMENT PROPOSALS WILL BE REQUIRED TO DEMONSTRATE THAT ALL PRACTICABLE STEPS WOULD BE TAKEN FOR SOIL RESOURCES TO BE CONSERVED AND MANAGED IN A SUSTAINABLE WAY.

DEVELOPMENT WHICH WOULD DISTURB OR DAMAGE ANY SOILS OF HIGH ENVIRONMENTAL VALUE (E.G. PEATS AND OTHER SOILS CONTRIBUTING TO ECOLOGICAL CONNECTIVITY, CARBON STORES SUCH AS PEATLANDS ETC) WILL NOT NORMALLY BE PERMITTED.'

Response to comment:

Noted. It is agreed that the policy should be revised to refer to this.

2841

S

D12 Q04 0053
042: Protection of Agricultural
Land

Support this policy, add the suggestion in the Sustainability Appraisal as all soil is important.

Response to comment:

Noted.

129 Yorwaste Ltd

S

D13 Q04 0946 Support the Policy.

043: Coal Mining Legacy

Response to comment:

879 Strensall & Towthorpe Parish Council

S

D13 Q04 2323 This policy is supported subject to genuine commitment to the aspirations expressed in the development management policies to protect the Green Belt and the natural and historic environment and also enhance sustainability.

043: Coal Mining Legacy

Response to comment:

1111 The Coal Authority

S

D13 Q14 1196 Support inclusion of this policy which identifies that proposals for non-exempt development is defined Development High Risk Area should be supported by a Coal Mining Risk Assessment in order to ensure that any necessary remedial measures are identified.

043: Coal Mining Legacy

Response to comment:

Summary of representations relating to hydrocarbon chapter and policies and Authorities response to representations.

A large number of responses were received on matters relating to oil and gas. These have been grouped into themes and presented in a supplementary table below, together with a summary response based on the theme.

Summary of main point raised at Preferred Options stage (policies M16, M17 and M18 combined)	Summary response/proposed changes to draft policy
Industry points	
<p>Consistency with national policy, onshore hydraulic fracturing regs etc. - e.g. major development test (fracking deeper than 1200m not major development), Don't apply requirement to demonstrate consideration of other licensed options first, Don't apply surface protections to other designated areas. Need to recognise that exceptional circumstances may apply</p>	<p>Whilst consistency with national policy and relevant legislation is an important consideration, it is also important to ensure that a range of other key assets in the Plan area, which are important to its distinctiveness and attractiveness to residents and visitors as well as for their own sake, are given a high degree of protection. It is agreed that reference to consideration of other options should be removed. Policy should be reworded to provide more clarity on the approach to be taken in relation to surface and underground development and in relation to application of the major development test.</p>
<p>Be clearer on differences between different types of unconventional gas, and between conventional and unconventional, and what types of policy approaches apply</p>	<p>It is agreed that the policies should, where relevant, be amended to provide greater clarity on the distinction between conventional and unconventional hydrocarbons and, where relevant, different forms of unconventional hydrocarbons</p>
<p>Be clearer on the distinction between policies/issues that apply for the 3 main phases of oil and gas development</p>	<p>It is agreed that the policies should, where relevant, be amended to provide greater clarity on the distinction between the main phases of hydrocarbons development.</p>
<p>Be clearer on the terminology used in relation to aspects such as decommissioning (rather than sealing), high volume hydraulic fracturing applies to unconventional whereas hydraulic fracturing could apply to both conventional and unconventional</p>	<p>It is agreed that the policies and text should be amended to clarify this terminology.</p>
<p>Need to address well completion and well testing, which may form part of the exploration process and which may include hydraulic fracturing. Both drilling and well testing/completion may fall within exploration and appraisal. Production stage may also need to include maintenance of wells, which may involve workovers.</p>	<p>It is agreed that this should be clarified in the supporting text.</p>
<p>Shouldn't have a presumption against development of unconventional hydrocarbons within the specified areas as a matter of strategic policy</p>	<p>It is important to ensure that a range of key assets in the Plan area, which are important to its distinctiveness and attractiveness to residents and visitors as well as for their own sake, are given a high degree of protection. It is agreed that policy could be reworded to provide more clarity on the approach to be taken for different forms of hydrocarbons development in</p>

	relation to protected areas.
Need more flexible policy approach for exploration stage	Whilst proposals for exploration of hydrocarbons development may be of relatively short term duration, it is considered that, given the range of sensitive assets in the area and the potential for exploration activity to give rise to significant adverse impact, the potential for a more flexible approach may be limited. However it is agreed that further flexibility for exploration for unconventional hydrocarbons, where hydraulic fracturing is not involved, would be appropriate.
Don't try to apply to all hydrocarbons controls which are only intended to apply to fracking. Need more explanation of what controls apply to what forms of development	It is agreed that the policies should provide for greater distinction between the different main types of hydrocarbons development.
Identify extent of PEDLs in the Plan and explain their consequences, including in terms of access rights.	It is agreed that updated information on PEDLS should be provided in the supporting text.
Make reference to need for cross boundary consultation when proposals are near to MPA boundary	It is agreed that, given the cross-boundary extent of a number of PEDL areas, this should be reference in the supporting text.
Need to recognise that all landscapes have value - European landscape convention	This is already acknowledged elsewhere in the text of the Plan.
Need to reflect lower visual impact of production stage	This will be a matter to consider when assessing individual proposals for compliance in relation to the policies. It is considered important to have a robust policy framework in place.
Don't need to address cumulative impact in policy - leave to DM policies	Given the specific characteristics of hydrocarbons development, particularly unconventional hydrocarbons development, it is considered important to address cumulative impact as a specific issue.
Don't need to duplicate restrictions imposed by primary legislation	It is considered important to include a comprehensive policy approach in the Plan given the potential scale and nature of development that could occur and in order to provide greater clarity to potential developers and other users of the Plan. It is agreed that the supporting text should provide further clarification on the role of other regulators and the relationship between their roles and the planning system.
M16 conflicts with D04 which allows exceptional circumstances	It is agreed that the wording of M16 should be revised to provide greater consistency.
Should not require consideration of alternatives outside NP and AONBs	It is agreed that this requirement should be removed from the Policy.
Policy should be consistent with national Green Belt policy	It is agreed that the wording relating to protection of the Green Belt should be revised for greater clarity.
Pipelines should be required to be "acceptable" rather than least environmental impact	It is agreed that the Plan should recognise that a number of practical constraints could influence routing of pipelines and that the wording of the supporting text should be revised to reflect this.
Mention need for national energy security more prominently in supporting text	It is agreed that this should be referred to in the introductory text as part of national Government's rationale for a diverse range of sources of energy supply.
M17 should require an assessment, not robust assessment as not necessary to provide as	It is agreed that the policy wording should be revised to make reference to robust monitoring

much detail at planning stage as for other regulatory regimes	and control. However, it is considered that reference to assessment should remain as not all matters are addressed by other regulators.
Shouldn't require 'no harm' to water EA will control this and will accept non-hazardous pollutants	It is agreed that the wording should be revised to remove reference to 'no harm'.
Delete ref to policy M16 in M17 as it duplicates criterion 4 of M17	Agreed. This is addressed through the revised structure of the Policy.
Policy should allow for wells to remain suspended whilst other exploration activity takes place in the area as may need revisiting - add ref to 'wells that are not to be retained for further hydrocarbon development are sealed...	It is agreed that this should be reflected in the wording of policy relating to restoration of hydrocarbons development.
Add ref in m17 to where wells are to be retained for further hydrocarbon development, that measures are put in place to prevent contamination of ground and surface waters and emissions to air, where this is not controlled by other regulatory regimes.	See above
M18 production phase needs flexibility - transfer to underground gas grid not always possible	It is considered appropriate to retain a presumption that transport to remote facilities should be via underground pipeline and the proposed policy provides flexibility for development of other processing infrastructure where transfer directly to the gas grid is not practicable.
Coordination may not be viable. Benefits need to be weighed against additional infrastructure which may be required, may be issues outside operator control - eg landownership	Noted. It is considered appropriate to continue to support coordination in use of infrastructure in the interests of minimising overall impacts. The proposed policy wording provides an element of flexibility in the delivery of production and processing facilities.
Transport by pipeline should be 'wherever possible' (including for Policy M19)	It is agreed that policy should recognise that a number of practical constraints could influence routing of pipelines and that the supporting text to the policy should be revised to reflect this. However, it is considered that a presumption in favour of transport by underground pipeline should be retained in order to help minimise overall impacts of development.
Should refer to well decommissioning rather than sealing	Noted. It is agreed that the terminology should be changed.
The plan should focus on the exploration stage and development of a vision for future stages	Whilst it is accepted that there are significant uncertainties at this stage about the outcome of any further exploration work, it is considered important that the Plan sets out a comprehensive approach at this stage, bearing in mind the potential for the Plan to be reviewed in the light of changing circumstances including significant new evidence.
Representations from other parties	
M16 needs to make reference to sensitive receptors within context of unacceptable impact	It is agreed that specific reference to this could be made in the policy and supporting text.
Consider greater protection of setting outside designated areas	It is agreed that further consideration should be given to this, through the potential use of buffer zones around key designations such as National Parks and AONBs.
Need to include 2 mile buffer zone around designated protected areas	As above.

Should protect all classes of groundwater source areas - zones 1, 2 and 3	Noted, although it is considered that the priority should be to ensure protection of the most sensitive source areas, in line with legislation.
Broaden cumulative impact considerations to other human activities	It is considered that such an approach would be impracticable given the range of factors that would need to be taken into account.
Need to address proposals for reinjection	It is agreed that reference to this should be made in the policy.
Need more detailed criteria to protect amenity, businesses and tourism	It is agreed that additional criteria should be developed to help protect amenity and the existing economy.
More attention to long term monitoring	Noted. As a statutory land use plan the Plan is not able to address this issue, which is more appropriately addressed by other regulatory bodies.
Common land and open access land shouldn't be considered for fracking	Noted. It is considered that such areas could be adequately protected through other policies in the Plan.
Should have a no fracking policy	It is considered that such an approach would be in direct conflict with national planning policy.
Should not support UCG	National policy requires plans to address the potential for UCG development.
Should reference GHGs in policy	National policy is supportive of the principle of oil and gas development as part of a mix of energy sources.
Should reference climate change mitigation and adaptation more thoroughly	Noted. This is addressed in policy dealing with the sustainable design and operation of development.
Need to address flaring and venting	This is a matter for other regulatory bodies.
Need limits on traffic	It is not considered practicable to impose specific limits on traffic due to the wide variability in locational circumstances and the nature of the road network around the Plan area.
Needs stronger policy on financial bonds for restoration/remediation	It is agreed that the policy should make reference to a potential requirement for provision of financial guarantees for site restoration in certain circumstances.
Shouldn't allow underground gas storage	National policy requires this matter to be addressed in minerals plans.
Need to consider cross-boundary issues in the Wolds area (East Riding)	Noted. This issue could be addressed in supporting text.
Need more robust approach to monitoring	Noted. Monitoring of the impacts of oil and gas development is the responsibility of a number of regulatory bodies, specific to their individual roles.
Should produce an SPD for fracking	Noted. It is considered that the priority should be to ensure a comprehensive policy context for oil and gas development in the minerals and waste joint plan, which would carry greater weight than an SPD.
Traffic Impact Assessment and Traffic Routing Plans should be required	It is agreed that a requirement for transport assessment should be included and that criteria should be identified to ensure that unacceptable transport impacts do not arise
Greater consideration should be given to carbon emissions and the impact on climate change	Whilst this is noted, Policy D11 sets out requirements relating to sustainable design and operation of development. National Government Policy supports the principle of development of hydrocarbons, including shale gas and the Plan

	needs to be generally consistent with this approach.
All landscapes should be protected not just National Parks and AONBs	Policy D06 provides protection to all landscapes, although it remains appropriate to reflect the hierarchy of designations and provide a degree of flexibility for development to take place.
Provide greater protection to visual intrusion, noise, light, water and air	It is agreed that the Plan should include criteria for this. These are covered in the development management policies in the Plan.
Stronger protection of communities and environment is needed	It is considered that the Policies could be revised to provide a greater degree of protection to the cumulative impacts on local communities and the environment from hydrocarbons development
Proposed developments should be at least 1 mile from the nearest property, home, school, water protection zone. Each fracking site should be 6 miles apart and located next to A roads	It is agreed that consideration should be given to providing more specific criteria in the hydrocarbons policies relating to separation distance and accessibility to the highways network
Green Belt should be protected from the effects from fracking	Policy D05 provides general protection to the Green Belt. As there is overlap between areas covered by PEDLs and designated Green Belt in proximity to the historic City of York, it is considered that consideration should be given to providing specific protection via the hydrocarbons policies.

Contact us

Minerals and Waste Joint Plan, Planning Services, North Yorkshire County Council,
County Hall, Northallerton, North Yorkshire, DL7 8AH

Tel: **01609 780 780** Email: **mwjointplan@northyorks.gov.uk**