

Delegated Decision

01 September 2021

North Yorkshire Minerals and Waste Joint Plan Schedule of Main Modifications to Publication Draft - July 2021



Ordinary Decision

Report of Regeneration, Economy and Growth

Amy Harhoff, Corporate Director - Regeneration Economy and Growth

Electoral division(s) affected:

Countywide

Purpose of the Report

- 1 This report considers a consultation by North Yorkshire County Council on the Schedule of Main Modifications to the North Yorkshire Minerals and Waste Joint Plan (Joint Plan) Publication Draft.

Executive Summary

- 2 The Joint Plan is being progressed through its independent examination. Through the examination hearings a number of main modification have been identified which need to be made and a schedule of main modifications to the Publication Draft Joint Plan has been prepared for consultation. Comments are required by the 15th September 2021.
- 3 Durham County Council has previously responded upon each successive stage of consultation on the development of the Joint Plan and upon related evidence base documents. Having considered the schedule of proposed main modifications, Council officers are satisfied that there is no need for the County Council to make any specific comments as they do not raise issues which either affect strategic cross boundary issues or impact either directly or indirectly upon the environment of County Durham and amenity of its local communities.

Recommendation

- 4 It is recommended that North Yorkshire Council is advised that

- Durham County Council does not have any specific comments on the modifications outlined within the Schedule of Mains Modifications to the Publication Draft Joint Plan; and
- Durham County Council is satisfied that the Duty to Cooperate between North Yorkshire and the Durham County Council has been met throughout the preparation of the Joint Plan.

The draft letter in Appendix 2 of this report has been prepared as the County Council's formal response.

Background

- 5 The Joint Plan is being prepared by North Yorkshire County Council, City of York Council and North York Moors National Park Authority. Once adopted the Joint Plan will set out new planning policies for minerals and waste developments across the whole of the administrative area of the three Authorities outside the Yorkshire Dales National Park and will guide decisions on planning applications between 1 January 2016 and 31 December 2030. The Joint Plan is intended to deal with key questions about future minerals and waste development, such as where future development should be directed, when should future development take place, and what sort of development should take place and how it should be implemented.
- 6 The Joint Plan was submitted to the Secretary of State for independent examination and public hearings were undertaken between 27th February and 13th April 2018, and 24th and 25th January 2019. Through the Examination several policies and supporting text in the Joint Plan were identified where main modifications are required to address concerns identified by the Inspector or other representations to the Joint Plan, or to reflect changes in evidence or national planning policy and a schedule has been prepared for consultation. The Schedule of Main Modifications to the Joint Plan Publication Draft is subject to consultation between Wednesday 21st July 2021 and Wednesday 15th September 2021. All duly made representations received will be submitted to the independent Planning Inspector for consideration while writing their report.
- 7 Durham County Council has considered each successive stage of the Local Plan's preparation since the preparation of the Joint Plan commenced in 2014 and upon a range of evidence base documents. Representations were last submitted upon the Publication Draft - North Yorkshire Minerals and Waste Joint Plan in December 2016. In doing so the County Council's principal interests has been to ensure that the Joint Plan ensures a steady and adequate supply of aggregates given the significant inter-regional flows of aggregates from County Durham and North Yorkshire to the Tees Valley which whilst being a major

centre of demand is not able to make provision to meet its own needs. At the Publication Draft stage, the County Council confirmed its support for the Joint Plans:

- Vision, priorities and objectives;
- The scale of aggregates provision which reflected the Council's Local Aggregate Assessment and the acceptance of the continuing need to maintain both a northern and southern facing sand and gravel landbank to reflect the principal markets that North Yorkshire's sand and gravel quarries have traditionally supplied – both the Tees Valley conurbation to the north and the West Yorkshire conurbation to the south; and
- Approach to moving waste up the waste hierarchy and its intent 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.

Consultation on Schedule of Main Modifications to the Publication Draft July 2021

- 8 One hundred and fifty five main modifications were required to address concerns identified by the Inspector or other representations to the Joint Plan Publication Draft, or to reflect changes in evidence or national planning policy. Main modifications include:
- A commitment to review the Joint Plan every five years rather than through a midterm review;
 - The scale of future aggregates provision and to provide flexibility in provision if need cannot be met by existing permitted reserves and from both allocations and areas of search;
 - To the Joint Plans policy approach to hydraulic fracturing including reference to the importance of maintaining a local policy following the Government announcement in November 2019 of a presumption against the issuing of any further hydraulic fracturing consents;
 - Amendments to the waste capacity gap;
 - A new policy on air quality and for the safeguarding of deep mineral resources (Potash and Polyhalite); and
 - Amendments to detailed development management policies.
- 9 Having considered the schedule of proposed main modifications to the Publication Draft, council officers are satisfied that there is no need for the County Council to make any specific comments as they do not raise issues which either affect strategic cross boundary issues or impact either directly or indirectly upon the environment of County Durham and amenity of its local communities.

Conclusion

- 10 The Schedule of Main Modifications to the Publication Draft Joint Plan published by North Yorkshire County Council have been considered and it is considered that it is not necessary for the County Council to make specific comment upon them.

Contact: Jason Mckewon

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Appendix 1: Implications

Legal Implications

Part of our respective Duty to Cooperate responsibilities.

Finance

None

Consultation

The documents are being consulted upon in accordance with North Yorkshire Statement of Community Involvement.

Equality and Diversity / Public Sector Equality Duty

None

Human Rights

None

Crime and Disorder

None

Staffing

None

Accommodation

None

Risk

None

Procurement

None

Appendix 2: North Yorkshire Minerals and Waste Joint Plan – Schedule of Main Modifications to Publication Draft July 2021

Contact: Jason Mckewon
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Our Ref:
Your Ref:



Vicky Perkin
Head of Planning Services
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Planning Services
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Northallerton DL7 8AH

14 September 2021

Dear Vicky,

North Yorkshire Minerals and Waste Joint Plan Schedule of Main Modifications to Publication Draft July 2021

Thank you for once again for consulting the County Council on your Council's work to prepare the North Yorkshire Minerals and Waste Joint Plan. Having previously considered the detailed policies and provisions of the Publication Draft Joint Plan, the County Council is supportive of the work which is being undertaken. However, having considered the detail within the schedule of main modifications to the Publication Draft the County Council can confirm that it does not consider it necessary to make any specific comments as they do not raise any strategic cross-boundary implications which have not already been considered and addressed in our previous responses. The County Council can confirm that is satisfied that the Duty to Cooperate has been met throughout the preparation of the North Yorkshire Minerals and Waste Joint Plan and looks forward to continuing to work with North Yorkshire County Council on planning matters of joint interest under the Duty to Cooperate.

I trust that these comments are useful to you in progressing the North Yorkshire Minerals and Waste Joint Plan through to its adoption. Should you wish to discuss the matter further please do not hesitate to contact myself or a member of my team.

Yours sincerely

Amy Harhoff
Corporate Director - Regeneration Economy and Growth