

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
9 February 2016

Subject: CITY OF YORK COUNCIL, NORTH YORK MOORS NATIONAL PARK
AUTHORITY AND NORTH YORKSHIRE COUNTY COUNCIL JOINT MINERALS
AND WASTE PLAN – PREFERRED OPTIONS CONSULTATION

**All Wards outside North York Moors National Park
Portfolio Holder for Environmental and Planning Services: Councillor B Phillips**

1.0 PURPOSE AND BACKGROUND

- 1.1 The Preferred Options consultation document is the third main step in the preparation of the Minerals and Waste Plan, which is being prepared jointly by City of York Council, the North York Moors National Park Authority and North Yorkshire Country Council. The Preferred Options present new draft planning policies for minerals and waste and identifies possible new sites for minerals and waste development. The purpose of this report is to set out the main implications of the Plan for Hambleton District and seek approval for a formal response.
- 1.2 A full copy of the Preferred Options document and supporting evidence can be seen in the Members Lounge.

2.0 IMPLICATIONS FOR HAMBLETON

Hydrocarbons (oil and gas)

- 2.1 A recent British Geological Survey Report identifies a prospective area for shale gas which extends at a depth right across northern England and identifies possible resources in Hambleton.
- 2.2 The Government has indicated that there is a national need to explore and develop shale gas in a safe, sustainable and timely way. The exploitation of shale gas involves the process of hydraulic fracturing which is more commonly referred to as “fracking”. Hydraulic fracturing involves the injection of water, sand and non-hazardous chemicals at high pressure into horizontally drilled boreholes. The pressured mixture causes the shale to crack and methane from the shale flows up the borehole.
- 2.3 In order to drill for hydrocarbons a Petroleum and Exploratory Development Licence (PEDL) is required from the Department for Energy and Climate Change (DECC). In December 2015 a further block of licence areas were offered by DECC and as can be seen on the map at Appendix 1 a significant area to the south of the District is now covered by PEDL licences. The Minerals and Waste Plan does not allocate sites for fracking however, the fact that there are licensed areas within Hambleton District provides opportunity for fracking activities which will be determined against the policies in the Plan once adopted.
- 2.4 There is clear support from Government for exploring and developing shale and changes have been made to permitted development rights to allow the drilling of temporary boreholes for petroleum explorations without the requirement for planning permission. The Minerals and Waste Plan aims to support the development of hydraulic fracturing in line with Government aspirations subject to requirements which seek to prevent unacceptable

harm on the environment and local amenity. The Joint Minerals and Waste Plan contains three policies which set out how planning applications will be considered; at exploration and appraisal stage; and at the production and processing stage. The policies seek to mitigate the harm from hydrocarbon developments particularly in regard to seeking a co-ordinated approach at the production stage and in terms of considering the cumulative harm which may be caused.

- 2.5 It is unclear at present how the Preferred Options will impact Hambleton as it is very much dependent on the development and success of hydraulic fracturing elsewhere in the Country.

Safeguarding of Minerals Resources and Waste Infrastructure

- 2.6 The safeguarding of minerals resources and minerals and waste infrastructure is an important aspect of national planning policies. Its purpose is not to prevent other forms of development on or near to a resource or infrastructure but to ensure its presence is taken into account for instance it may be decided that the mineral resource is extracted prior to development taking place.
- 2.7 The Preferred Options document sets out policies which aim to safeguard mineral resources and infrastructure and contains maps which identify the safeguarding areas. A large part of the District is covered by safeguarding areas, however the implications are different depending on the type of mineral which is safeguarded. Once adopted the safeguarding policies will need to be considered by the Council's planning officers when making decisions on planning applications. However it should be noted that the Plan sets out safeguarding exemption criteria for proposals which do not require consideration under the safeguarding policies and therefore they will only apply to larger proposals such as retail complexes and wind turbines.

Sand and Gravel Resources

- 2.8 The Minerals and Waste Plan area has traditionally been a major supplier of sand and gravel in the Yorkshire and Humber and Tees Valley areas, as well as within North Yorkshire and growth and development in all these areas is expected to take place over the plan period.
- 2.9 The National Planning Policy Framework requires that minerals authorities make provision for landbanks for sand and gravel of at least 7 years supply (i.e. sufficient reserves with planning permission to last a 7 year period at the anticipated annual rate of extraction identified in the Plan). The assessment of future requirements for aggregate has indicated that provision for further working needs to be made in order to ensure continuity of supply of some types of aggregates particularly concreting sand and gravel, building sand and Magnesium Limestone. The requirements for concreting sand and gravel will be met through a number of preferred sites in Hambleton.

Preferred Sites in Hambleton

- 2.10 The plan contains a number of preferred sites which lie within Hambleton District. All of these sites have been tested through the Sustainability Appraisal process conducted by the County Council. A brief summary of all the sites and the outcome of the assessment process is attached at Annex 1.

- 2.11 The evidence which has been submitted on the assessment of the sites suggests that the impacts for most of the sites are acceptable, however there are concerns in relation to the Preferred Sites at Scruton (MJP43), Oaklands, near Well (MJP07) and Ripon Quarry, North Stainley (MJP14).
- 2.12 The Site which has been submitted at Scruton covers an area of 95.44 hectares and the indicated annual output is 250,000 tonnes per annum. This will generate an average of 90 two way vehicle movements per day. A significant part of the western part of the site has not been put forward as a preferred site due to the potential landscape impacts which would arise from workings to the eastern part of the proposed site. Although the Preferred Options document states that the reduction in the size of the site would reduce the reserve to 2-3,000,000 tonnes it is not clear what this means in terms of traffic movements. There are concerns about the impact this volume of HGV movement will have on the existing road network.
- 2.13 The concerns in relation to the site at Oaklands relate to the speed of travel of vehicles from the existing quarry which travel along the B6267 and the impact further vehicles movements will have on existing residential properties.
- 2.14 The site proposed at North Stainley comprises two separate sites, one of which is located in Hambleton and the other in Harrogate District. The proposals will involve the extension of the existing sand and gravel extraction at Ripon Quarry. There are concerns about the impact of further extensions of the quarrying activity on the residential amenity of nearby residents, particularly in relation to water supply and on the nearby historical assets. There are also concerns with regards to the long term restoration of the sites and the impact further bodies of water would have on the appearance of the wider landscape.

3.0 PROPOSED RESPONSE

- 3.1 It is proposed that Officers write to North Yorkshire County Council, City of York Council and the North York Moors National Park Authority with the comments outlined below:-

It is considered that 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 District, given the Government's support for this type of onshore gas exploitation. The approach for the safeguarding of mineral resources is also considered to be a proportionate basis for ensuring that there are sufficient future resources.

The annex of the Minerals and Waste Plan which provides details on the preferred and discounted sites sets out information relating to the size of the site, mineral output and estimated daily vehicle movements. However these figures relate to the whole site rather than the site put forward as a preferred site, which means it is difficult to come to conclusions on the real impacts of the development. It would be helpful if more accurate figures could presented in the next iteration of the Plan.

The Council is generally supportive of the preferred options put forward in the Preferred Options consultation document however there are specific concerns in relation to Scruton (MJP43), Oaklands, near Well (MJP07) and Ripon Quarry, North Stainley (MJP14) as set out in paragraphs 2.11, 2.12 and 2.13.

4.0 LINK TO COUNCIL PRIORITIES:

- 4.1 The relevant Council priorities which the Preferred Options document relates to include the following:

- Caring for the Environment
- Providing a Special Place to Live

5.0 **RISK ASSESSMENT:**

5.1 There are no risks in approving the recommendation.

5.2 The key risk is in not approving the recommendation as shown below:-

Risk	Implication	Prob*	Imp*	Total	Preventative action
No input into the location of minerals and waste sites affecting Hambleton District	Sites are allocated without relation to Hambleton LDF site allocations	4	4	16	Make representations on the Joint Minerals and Waste Plan and sites put forward as preferred sites.

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

6.0 **FINANCIAL IMPLICATIONS:**

6.1 There are no financial implications for the Council attached to the recommendations of this report.

7.0 **LEGAL IMPLICATIONS:**

7.1 There are no legal implications for the Council attached to the recommendations of this report.

8.0 **EQUALITY AND DIVERSITY ISSUES:**

8.1 There are no implications for the Council relating to equality and diversity attached to the recommendations of this report.

9.0 **RECOMMENDATIONS:**

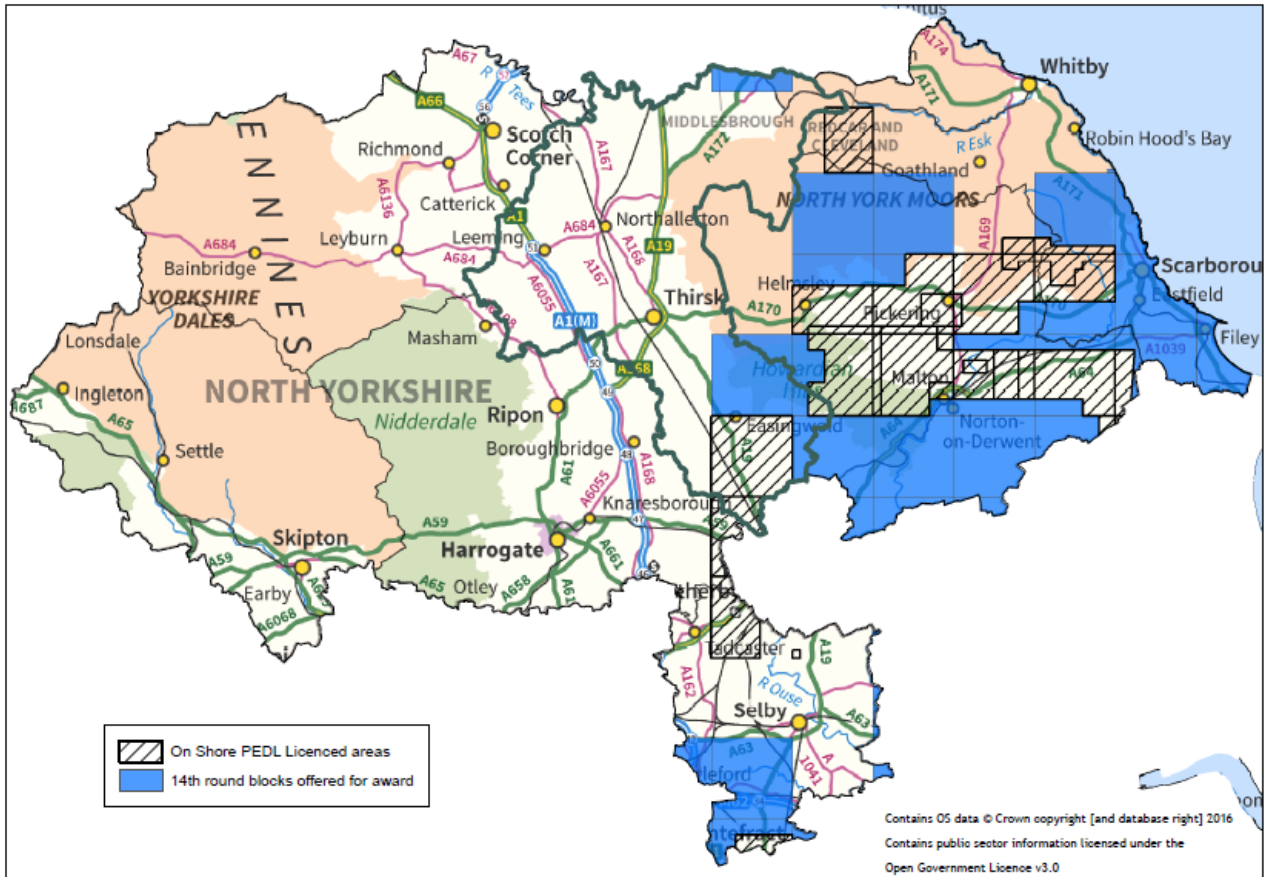
9.1 That Cabinet gives approval for the comments set out in paragraph 3.1 and these be passed onto the City of York Council, the North York Moors National Park Authority and North Yorkshire County Council as a formal response to the Preferred Options for the Joint Minerals and Waste Plan.

MICK JEWITT

Background papers: None
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Annex 1

Map of Petroleum Exploration and Development Licence area



Annex 2

Summary of the Site Assessments set out in Appendix 1 of Preferred Options Consultation

MJP06 Langwith Hall Farm, east of Well – Extraction of sand and gravel

The site covers an area of 43.1ha and is currently in agricultural use but adjacent to an existing quarry site. The site has been put forward for the extraction of 500,000 tonnes of sand and gravel over a period of 5 years. With this volume of extraction it is estimated that there will be 200 2-way HGV movements per day, which will utilise the existing Nosterfield Quarry access onto the B6267 (this level of traffic generation is the same as the current levels). The site could contribute to meeting requirements for the supply of sand and gravel in the southwards distribution area over the plan period. The site is considered to be a preferred site as no overriding constraints have been identified through the site assessment and a planning application has been submitted to NYCC.

Oaklands near Well – Extraction of sand and gravel

As submitted by the landowner, the site covers an area of 44.6ha adjacent to site MJP06 but the Plan proposes to reduce the area by approximately 60% . Although currently in agricultural use, the proposal is essentially the extension of the existing Nosterfield Quarry. There will be around 200 two HGV movements which will utilise the existing quarry access onto the B6267 (effectively same as current traffic levels). The applicants state the site will provide an annual output of 500,000 tonnes of gravel and sand over a period of 6 years, however this is based on the whole site as submitted . only part of the site has been put forward as a preferred allocation to help reduce impacts on the landscape and setting of Well.

MJP33 Home Farm, Kirkby Fleetham – Extraction of sand and gravel

The site covers a significant area of 190ha and is currently in agricultural and woodland use. This is for a proposed new quarry. The owners estimate that 300,000 tonnes of sand and gravel will be extracted each year for a period of 17 years, however this is on the basis of the full site which was submitted. The site is likely to generate 128 two HGV movements each day. Access to the site is proposed via a new bridge over the river swale onto the B6271. Part of the proposed site has been excluded in order to protect the setting of Kirkby Fleetham Hall.

MJP43 Land to the west of Scruton – Extraction of sand and gravel

The site covers an area of 95.44ha, is currently in agricultural use and will provide 250,000 tonnes of sand and gravel annually based on the full site submitted. This is a proposed new quarry. There are uncertainties about the precise access arrangements which would either be onto the east bound carriageway of the Bedale-Aiskew-Leeming Bar bypass to the east of Leases Road or onto the roundabout at the junction between the Bedale-Aiskew-Leeming Bar Bypass and Leases Road at Leeming Bar. Although there are no overriding constraints it is considered that there would be significant landscape impacts with the potential extraction of mineral from the land to the west of Low Street due to the impact of the ridgeline parallel with the A1. Therefore the eastern half has been put forward as a preferred site whilst the western half has been excluded. The Plan estimates that this reduces the total reserve from 6,500,000 – 8,000,000 tonnes to 2-3,000,000 tonnes.

Sites which straddle Hambleton and Harrogate District

MJP14 Ripon Quarry – Extraction of sand and gravel

The site at Manor Farm West covers an area of 6.2 ha and will provide 800,000 tonnes of sand and gravel per year for up to 4 years. The site is currently in agricultural use and access will be directly onto the A6108 in Harrogate District, with sand and gravel from the Hambleton part of the site taken across the River Ure without using highways. The site is subject to considerable constraints however it is considered that these could be capable of being mitigated to an acceptable level and therefore is a preferred site.

Straddling Hambleton and Richmondshire Districts

MJP21 Land at Killerby- Extraction of sand and gravel

The site covers an area 213 ha of which 122 is proposed for the extraction of 650,000 tonnes per year up to 2021. The majority of the site is within Hambleton District but access would be directed towards the new Local Access Road that will run alongside the upgraded A1(M). No overriding constraints have been identified and therefore the site is a preferred site.

MJP17 Land to the south of Catterick – Extraction of sand and gravel

The site covers a total area of 102.1ha which is currently in agricultural and woodland use. The proposed access is not yet known however it will take into account the new mid- Catterick A1 roundabout in order to access the strategic road network. No overriding constraints have been identified at this stage through the site assessment process. However it is considered that development should exclude the south western part of the site to help reduce impacts on the registered Park and Garden at Hornby Castle, thus removing approximately half of the proposed site within Hambleton District.

A further two sites have been discounted as preferred options:-

- MJP 38, Mill Cottages, West Tanfield. The site is discounted as it would only make a small contribution to requirements and it is considered that there would be likely to be significant adverse impacts on the historic environment south-east of Tanfield as well as local amenity.
- MJP60 Land to the West of Kirkby Fleetham. The site is discounted as there are likely to be significant adverse impacts including on local amenity, best and most versatile agricultural land and the local landscape and other options are considered more appropriate to meet requirements.

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