

Minerals and Waste Joint Plan

Addendum of Proposed Changes to the Publication Draft Plan - Response Form

Part A - Contact details

Your contact details

Name:	Title: MR	Initial(s): M E
Surname: NORTH		
Organisation (if applicable): MINERAL PRODUCTS ASSOCIATION		
Address:	GILLINGHAM HOUSE	
	38-44 GILLINGHAM STREET	
	LONDON	
Post Code: SW1V 1HU		
Telephone: 07568 427719		
Email: mark.north@mineralproducts.org		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes**. **You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 6th September 2017. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:

North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made available to view on the website and as part of the examination.

Addendum of Proposed Changes Response Form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	Mineral Products Association
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Please mark with an x as appropriate

1. To which Proposed Change does this representation relate?

Proposed Change (PC No.)

2. Do you consider the Proposed Change to the Publication Draft Plan is :

2.(1) Legally compliant Yes No

2.(2) Sound Yes No

(2a) Which Element of soundness does your representation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared Yes No *Justified* Yes No

Effective Yes No *Consistent with National Policy* Yes No

2. (3) Complies with the Duty to co-operate Yes No

3. Please give details below of why you consider the Proposed Change to the Publication Draft of the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Policy M06 is not consistent with NPPF on two counts and is therefore considered unsound.

Firstly, the wording of Policy M06 is not consistent with the wording of NPPF paragraph 145 with regards to the provision of landbanks for crushed rock. The NPPF requires *“the maintenance of at least 10 years”* and does not refer to a *“minimum 10 year landbank”* as set out in Policy M06.

Secondly, the policy’s requirement to source new reserves from outside the National Park and AONBs is also not consistent with National Policy. NPPF paragraph 144 states:

“... as far as is practical [emphasis added], provide for the maintenance of landbanks of non-energy minerals from outside National Parks, the Boards, Areas of Outstanding Natural Beauty, World Heritage Sites, Scheduled Monuments and Conservation Areas.”

As currently drafted, Policy M06 seems to imply no future development in the National Park regardless of circumstances.

(continue on a separate sheet/expand box if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: M E NORTH	Date:05/09/2017
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The 'landscape scale benefits' which are sought through Part 2 (viii) of the policy can often only be delivered with large areas of land not be under the control of the developer. As such, this policy cannot be effectively achieved and the policy is therefore considered to be unsound.

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While the MPA has no comments on the specific merits of otherwise of this site allocation it is concerned that the site boundaries have been changed at this late stage in the Plan process as a matter of principle.

A detailed sustainability appraisal has been undertaken by the mineral planning authority to inform the plan making process and it wrong as a matter of principle to reduce the site extent following the observations of HE without detailed evidence.

The issue of setting, if relevant, would be a matter to be properly tested at the planning application stage. It is not sustainable to sterilise mineral at this stage of the mineral plan process.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) to the 'Proposed Change' you consider necessary to make the Publication Draft of the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification to the 'Proposed Change' will make the Publication Draft Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The original site boundary for the site allocation should be reinstated.

(continue on a separate sheet/expand box if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not be a subsequent opportunity to make further representations.

After this stage further submissions will be only at the request of the Inspector, based on matters and issues he/she identifies for examination.

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

It is hoped that attendance at the examination will enable an opportunity to explain why the suggested amendments / additions are considered justified.

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