

North Yorkshire County Council

Business and Environmental Services

Planning and Regulatory Functions Committee

27 JULY 2021

**NY/2019/0002/ENV (C8/2019/0253/CPO) - PLANNING APPLICATION FOR THE PURPOSES OF THE 9.7 HECTARE QUARRY EXTENSION (AREA 8) EASTWARD FROM THE CURRENT WORKING AREA 7 TO PROVIDE 4.9 MILLION TONNES OF MAGNESIAN LIMESTONE FOLLOWED BY RESTORATION OF THE LAND WITH ENGINEERED FILL FROM EXISTING ADJACENT WASTE TREATMENT FACILITY ON LAND AT WENT EDGE QUARRY, WENT EDGE ROAD, KIRK SMEATON, SELBY, WF8 3LU
ON BEHALF OF WENT VALLEY AGGREGATES AND RECYCLING LTD**

(SELBY DISTRICT) (OSGOLDCROSS ELECTORAL DIVISION)

Report of the Corporate Director – Business and Environmental Services

ADDENDUM TO SUBSTANTIVE REPORT TO APPLICATION

1.0 Purpose of the addendum

1.1 To report on recent changes to the NPPF

2. Recent changes to the NPPF

2.1 On Tuesday 20 July 2021 MHCLG published a revised version of the National Planning Policy Framework, which supersedes that published in February 2019 and against which the application has been assessed.

2.2 The relevant policies and paragraphs of the NPPF are set out in Section 6 of the substantive report and referred to in Section 7.

2.3 The revised NPPF does not include significant changes and all but two of policies and paragraphs referred to in the report, though renumbered, remain the same and are identified in the table below; the changes are not considered to be either significant or relevant to the assessment of the application against the NPPF. Additional paragraphs inserted in the revised NPPF are not considered relevant to this proposal. The paragraphs referred to in the report in Sections 6 and 7 along with their new numbers and relevant changes are set out in the table below.

2.4 In preparing the table it was noted a number of the paragraphs of the NPPF against which the proposal has been assessed in Section 7 are not set out in Section 6; these include:

- Paragraph 84 (now 85) – Supporting a prosperous rural economy:

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing

settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist

- Paragraph 98 (now 100) – Open space and recreation:

Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

- Paragraph 204 (210) – Facilitating the sustainable use of minerals:

Planning policies should:

a) provide for the extraction of mineral resources of local and national importance, but not identify new sites or extensions to existing sites for peat extraction;

b) so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously;

c) safeguard mineral resources by defining Mineral Safeguarding Areas and Mineral Consultation Areas⁷⁰; and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development where this should be avoided (whilst not creating a presumption that the resources defined will be worked);

d) set out policies to encourage the prior extraction of minerals, where practical and environmentally feasible, if it is necessary for non-mineral development to take place;

e) safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material;

f) set out criteria or requirements to ensure that permitted and proposed operations do not have unacceptable adverse impacts on the natural and historic environment or human health, taking into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality;

g) when developing noise limits, recognise that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction; and h) ensure that worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place

- Paragraph 207 (213) – Maintaining supply

Minerals planning authorities should plan for a steady and adequate supply of aggregates by:

- a) *preparing an annual Local Aggregate Assessment, either individually or jointly, to forecast future demand, based on a rolling average of 10 years' sales data and other relevant local information, and an assessment of all supply options (including marine dredged, secondary and recycled sources);*
- b) *participating in the operation of an Aggregate Working Party and taking the advice of that party into account when preparing their Local Aggregate Assessment;*
- c) *making provision for the land-won and other elements of their Local Aggregate Assessment in their mineral plans, taking account of the advice of the Aggregate Working Parties and the National Aggregate Co-ordinating Group as appropriate. Such provision should take the form of specific sites, preferred areas and/or areas of search and locational criteria as appropriate;*
- d) *taking account of any published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates;*
- e) *using landbanks of aggregate minerals reserves principally as an indicator of the security of aggregate minerals supply, and to indicate the additional provision that needs to be made for new aggregate extraction and alternative supplies in mineral plans;*
- f) *maintaining landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised⁷³;*
- g) *ensuring that large landbanks bound up in very few sites do not stifle competition; and*
- h) *calculating and maintaining separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market.*

2.5 No changes have been made to these paragraphs in the revised NPPF.

Committee Report paragraph numbers	NPPF Policy no. cited in report	New NPPF Policy no.	Change	Change	Implications
6.84	47	47	No change		
6.85	48	48	No change		
6.86	54	55	No change		
	55	56	No change		
	56	57	No change		
6.87	80	81	No change		
7.142	84	85	No change		

6.88	96	98	No change		
7.130; 7.134; 7.135	98	100	No change		
6.88; 6.89	102	104	No change		
6.89	108	110	Change	Additional sub para (c): <i>the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and</i>	No implications.
6.89; 7.125	109	111	No change		
6.90; 7.37; 7.43	133	137	No change		
6.90; 7.43	134	138	No change		
6.91	141	145	No change		
6.92; 7.38	143	147	No change		
6.92; 7.39	144	148	No change		
6.93; 7.40	146	150	No change		
6.94; 7.54; 7.73; 7.76	170	174	No change		
6.95; 7.77	175	180	Change	Revised wording to sub paragraph: 2019 – d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity. 2021 – Amended to: d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or	No implications

				enhance public access to nature where this is appropriate.	
6.96	177	182	No change		
6.97	180	184	No change		
6.98	183	188	No change		
6.99	189	194	No change		
6.99	190	195	No change		
6.100	194	200	No change		
6.101	197	203	No change		
6.102; 7.8; 7.97; 7.28	203	209	No change		
7.10; 7.13; 7.28	204	210	No change		
6.103; 7.99; 7.105; 7.106; 7.112; 7.113; 7.119; 7.123; 7.144	205	211			
7.11; 7.13; 7.27	207	213	No change		
6.104; 7.11	208	213	No change		

K BATTERSBY
Corporate Director, Business and Environmental Services
Growth, Planning and Trading Standards

Background Documents to this Report:

1. Published Officer Report dated 27th July 2021

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