

North Yorkshire Minerals Local Plan 1997

Policy 4/1 Determination of Planning Applications

In considering an application for mining operations, the Mineral Planning Authority will need to be satisfied that, where appropriate:-

- a) the mineral deposit on the application site has been fully investigated;
- b) the siting and scale of the proposal is acceptable;
- c) the proposed method and programme of working would minimise the impact of the proposal;
- d) landscaping and screening has been designed to effectively mitigate the impact of the proposal;
- e) other environmental and amenity safeguards would effectively mitigate the impact of the proposal;
- f) the proposals and programme for restoration are acceptable and would allow a high standard of restoration to be achieved;
- g) a high standard of aftercare and management of the land could be achieved;
- h) the proposed transport links to move the mineral to market are acceptable; and
- l) any cumulative impact on the local area resulting from the proposal is acceptable.

Policy 4/6A Nature Conservation and Habitat Protection - Local

In making decisions on planning applications, the Mineral Planning Authority will protect the nature conservation or geological interest of Local Nature Reserves and of other sites having a nature conservation interest or importance, and will have regard to other wildlife habitats.

Policy 4/10 Water Protection

Proposals for mining operations and the associated depositing of mineral waste will only be permitted where they would not have an unacceptable impact on surface or groundwater resources.

Policy 4/13 Traffic Impact

Where rail, waterway or other environmentally preferable modes of transport are not feasible, mining operations other than for coal, oil and gas will only be permitted where the level of vehicle movements likely to be generated can be satisfactorily accommodated by the local highway network and would not cause undue disturbance to local communities

Policy 4/14 Local Environment and Amenity North Yorkshire Waste Local Plan

Proposals for mining operations and the associated depositing of mineral waste will be permitted only where there would not be an unacceptable impact on the local environment or residential amenity.

Policy 4/17 Importation of Waste

Proposals for mining operations involving restoration through infilling with imported wastes will only be permitted where

- (a) waste disposal can assist in achieving the most appropriate restored landform; and
- (b) the transport and disposal of the waste would not have an unacceptable impact on the environment or local amenity

North Yorkshire Waste Local Plan 2006

Policy 4/1 Waste Management Proposals

Proposals for waste management facilities will be permitted provided that:

- a) the siting and scale of the development is appropriate to the location of the proposal;
- b) the proposed method and scheme of working would minimise the impact of the proposal;
- c) there would be an unacceptable environmental impact;
- d) there would not be an unacceptable cumulative impact on the local area;
- e) the landscaping and screening has been designed to effectively mitigate the impact of the proposals in a way that is sympathetic to local landscape character;
- f) where appropriate, adequate provision is made for the restoration aftercare and management of the site to an agreed afteruse;
- g) the proposed transport links are adequate to serve the development; and
- h) other environmental and amenity safeguards would effectively mitigate the impact of the proposal;
- i) it can be demonstrated that the proposal represents the Best Practicable Environmental Option for dealing with waste;
- j) the location is geographically well located to the source of the waste thereby according with the proximity principle.

Policy 4/3 Landscape Protection

Proposals for waste management facilities will only be permitted where there would not be an unacceptable effect on the character and uniqueness of the landscape. Wherever possible, proposals should result in an enhancement of the local landscape character.

Policy 4/18 Traffic Impact

Where rail, waterway or other environmentally preferable modes of transport are not feasible, waste management facilities will only be permitted where the level of vehicle movements likely to be generated can be satisfactorily accommodated by the local highway and trunk road network and would not have an unacceptable impact on local communities.

Policy 4/19 Quality of Life

Proposals for waste management facilities will be permitted only where there would not be an unacceptable impact on the local environment and residential amenity.

Policy 4/21 Progressive Restoration

Planning applications for waste disposal should demonstrate that wherever possible and practicable, progressive restoration will be undertaken to a high standard to achieve a prescribed after-use or combination of after-uses.

Policy 4/22 Site Restoration

Proposals for waste disposal should demonstrate that the restoration proposals will restore and enhance, where appropriate, the character of the local environment.

Policy 5/3 Recycling, Sorting and Transfer of Industrial, Commercial and Household Waste

Proposals for facilities for recycling, sorting and transfer of industrial, commercial and household wastes will be permitted provided that:-

- a) the proposed site is suitably located within an existing, former or proposed industrial area of a character appropriate to the development; or
- b) the proposed site is suitably located within a redundant site or building
- c) the proposed site is appropriately located within or adjacent to active or worked out quarries or landfill sites and;
- d) the operations are carried out in suitable buildings; and
- e) the highway network and site access can satisfactorily accommodate the traffic generated; and
- f) that in appropriate cases it does not prejudice the restoration and afteruse of the quarry or landfill site; and
- g) the proposal will not have an unacceptable impact on local amenity or the environment.

Policy 6/1 Landfill Proposals

- a) Proposals for additional landfill capacity for the disposal of waste will be permitted provided that:-
- b) it can be demonstrated that there is an over-riding need for the development and there are no available alternative methods for treating the waste; or
- c) it is required for the restoration of a former mineral void which cannot be satisfactorily reclaimed in any other way; and
- d) where appropriate, provision is made for the selective recycling of waste; and
- e) the highway network and site access can satisfactorily accommodate the traffic generated; and
- f) the proposal will not have an unacceptable impact on local amenity or the environment.

Selby District Local Plan 2005

ENV1

Proposals for development will be permitted provided a good quality of development would be achieved.

In considering proposals the District Council will take account of:

- 1) The effect upon the character of the area or the amenity of adjoining occupiers;
- 2) The relationship of the proposal to the highway network, the proposed means of access, the need for road/junction improvements in the vicinity of the site, and the arrangements to be made for car parking;
- 3) The capacity of local services and infrastructure to serve the proposal, or the arrangements to be made for upgrading, or providing services and infrastructure;
- 4) The standard of layout, design and materials in relation to the site and its surroundings and associated landscaping;
- 5) The potential loss, or adverse effect upon, significant buildings, related spaces, trees, wildlife habitats, archaeological or other features important to the character of the area;
- 6) The extent to which the needs of disabled and other inconvenienced persons have been taken into account;
- 7) The need to maximise opportunities for energy conservation through design, orientation and construction; and
- 8) Any other material considerations

ENV2

A) Proposals for development which would give rise to, or would be affected by, unacceptable levels of noise, nuisance, contamination or other environmental pollution including groundwater pollution will not be permitted unless satisfactory remedial or preventative measures are incorporated as an integral element in the scheme. Such measures should be carried out before the use of the site commences.

B) Where there is a suspicion that the site might be contaminated, planning permission may be granted subject to conditions to prevent the commencement of development until a site investigation and assessment has been carried out and development has incorporated all measures shown in the assessment to be necessary.

ENV21

A) Where appropriate, proposals for development should incorporate landscaping as an integral element in the layout and design, including the retention of existing trees and hedgerows, and planting of native, locally occurring species.

B) The District Council may make tree preservation orders, impose planting conditions, or seek an agreement under Section 106 of the Town and Country Planning Act 1990 to ensure the protection and future maintenance and/or replacement of existing trees, hedgerows and proposed new planting.

T1

Development proposals should be well related to the existing highways network and will only be permitted where existing roads have adequate capacity and can safely serve the development, unless appropriate off-site highway improvements are undertaken by the developer.

Selby District Core Strategy Local Plan 2013

SP1 Presumption in Favour of Sustainable Development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date (as defined by the NPPF) at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

Policy SP15 Sustainable Development and Climate Change

A. Promoting Sustainable Development

In preparing its Site Allocations and Development Management Local Plans, to achieve sustainable development, the Council will:

- a) Direct development to sustainable locations in accordance with Policy SP2;
- b) Give preference to the re-use, best-use and adaption of existing buildings and the use of previously developed land where this is sustainably located and provided that it is not of high environmental value;
- c) Achieve the most efficient use of land without compromising the quality of the local environment;
- d) Ensure that development in areas of flood risk is avoided wherever possible through the application of the sequential test and exception test; and ensure that where development must be located within areas of flood risk that it can be made safe without increasing flood risk elsewhere;
- e) Support sustainable flood management measures such as water storage areas and schemes promoted through local surface water management plans to provide protection from flooding; and biodiversity and amenity improvements.
- f) Ensure development proposals respond to land characteristics to minimise risks of erosion, subsidence and instability, and to exploit opportunities for reclamation and reinstatement of contaminated land.

B. Design and Layout of Development

In order to ensure development contributes toward reducing carbon emissions and are resilient to the effects of climate change, schemes should where necessary or appropriate:

- a) Improve energy efficiency and minimise energy consumption through the orientation, layout and design of buildings and incorporation of facilities to support recycling;

- b) Incorporate sustainable design and construction techniques, including for example, solar water heating storage, green roofs and re-use and recycling of secondary aggregates and other building materials, and use of locally sourced materials;
- c) Incorporate water-efficient design and sustainable drainage systems which promote groundwater recharge;
- d) Protect, enhance and create habitats to both improve biodiversity resilience to climate change and utilise biodiversity to contribute to climate change mitigation and adaptation;
- e) Include tree planting, and new woodlands and hedgerows in landscaping schemes to create habitats, reduce the 'urban heat island effect' and to offset carbon loss;
- f) Minimise traffic growth by providing a range of sustainable travel options (including walking, cycling and public transport) through Travel Plans and Transport Assessments and facilitate advances in travel technology such as Electric Vehicle charging points;

Policy SP18 Protecting and Enhancing the Environment

The high quality and local distinctiveness of the natural and manmade environment will be sustained by:

1. Safeguarding and, where possible, enhancing the historic and natural environment including the landscape character and setting of areas of acknowledged importance.
2. Conserving those historic assets which contribute most to the distinct character of the District and realising the potential contribution that they can make towards economic regeneration, tourism, education and quality of life.
3. Promoting effective stewardship of the District's wildlife by:
 - a) Safeguarding international, national and locally protected sites for nature conservation, including SINCs, from inappropriate development.
 - b) Ensuring developments retain, protect and enhance features of biological and geological interest and provide appropriate management of these features and that unavoidable impacts are appropriately mitigated and compensated for, on or off-site.
 - c) Ensuring development seeks to produce a net gain in biodiversity by designing-in wildlife and retaining the natural interest of a site where appropriate.
 - d) Supporting the identification, mapping, creation and restoration of habitats that contribute to habitat targets in the National and Regional biodiversity strategies and the local Biodiversity Action Plan.
4. Wherever possible a strategic approach will be taken to increasing connectivity to the District's Green Infrastructure including improving the network of linked open spaces and green corridors and promoting opportunities to increase its multi-functionality. This will be informed by the Leeds City Region Infrastructure Strategy.
5. Identifying, protecting and enhancing locally distinctive landscapes, areas of tranquillity, public rights of way and access, open spaces and playing fields through Development Plan Documents.
6. Encouraging incorporation of positive biodiversity actions, as defined in the local Biodiversity Action Plan, at the design stage of new developments or land uses.
7. Ensuring that new development protects soil, air and water quality from all types of pollution.
8. Ensuring developments minimise energy and water consumption, the use of non-renewable resources, and the amount of waste material.
9. Steering development to areas of least environmental and agricultural quality.

Policy SP19 Design Quality

Proposals for all new development will be expected to contribute to enhancing community cohesion by achieving high quality design and have regard to the local character, identity and context of its surroundings including historic townscapes, settlement patterns and the open countryside.

Where appropriate schemes should take account of design codes and Neighbourhood Plans to inform good design.

Both residential and non-residential development should meet the following key requirements:

- a) Make the best, most efficient use of land without compromising local distinctiveness, character and form.
- b) Positively contribute to an area's identity and heritage in terms of scale, density and layout;
- c) Be accessible to all users and easy to get to and move through;
- d) Create rights of way or improve them to make them more attractive to users, and facilitate sustainable access modes, including public transport, cycling and walking which minimise conflicts;
- e) Incorporate new and existing landscaping as an integral part of the design of schemes, including off-site landscaping for large sites and sites on the edge of settlements where appropriate;
- f) Promote access to open spaces and green infrastructure to support community gatherings and active lifestyles which contribute to the health and social well-being of the local community;
- g) Have public and private spaces that are clearly distinguished, safe and secure, attractive and which complement the built form;
- h) Minimise the risk of crime or fear of crime, particularly through active frontages and natural surveillance;
- i) Create mixed use places with variety and choice that compliment one another to encourage integrated living, and
- j) Adopt sustainable construction principles in accordance with Policies SP15 and SP16.
- k) Preventing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water, light or noise pollution or land instability.
- l) Development schemes should seek to reflect the principles of nationally recognised design benchmarks to ensure that the best quality of design is achieved.

North Yorkshire Minerals and Waste Joint Plan (Publication Draft 2016)

Policy D01: Presumption in favour of sustainable minerals and waste development

When considering development proposals the Authorities will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The Authorities will always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date then the Authority will grant permission unless:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- Specific policies in the NPPF indicate that development should be restricted such as policies relating to National Parks and AONBs. Where proposals constitute major development in the National Park and AONBs they will be assessed against the requirements for major development in designated areas set out in Policy D04 of this Joint Plan.

Policy D02: Local amenity and cumulative impacts

1) 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 impacts on local amenity, local businesses and users of the public rights of way network and public open space including as a result of:

- noise,
- dust,
- vibration,
- odour,
- emissions to air, land or water
- visual intrusion,
- site lighting
- vermin, birds and litter
- subsidence and land instability
- public health and safety
- disruption to the public rights of way network
- the effect of the development on opportunities for enjoyment and understanding of the special qualities of the National Park
- cumulative effects arising from one or more of the above at a single site and/or as a result of a number of sites operating in the locality

Proposals will be expected as a first priority to prevent adverse impacts through avoidance, with the use of robust mitigation measures where avoidance is not practicable.

2) Applicants are encouraged to conduct early and meaningful engagement with local communities in line with Statements of Community Involvement prior to submission of an application and to reflect the outcome of those discussions in the design of proposals as far as practicable

Policy D03: Transport of minerals and waste and associated traffic impacts

1) Where practicable minerals and waste movements should utilise alternatives to road transport including rail, water, pipeline or conveyor.

Where road transport is necessary, proposals will be permitted where:

- There is capacity within the existing network for the level of traffic proposed and the nature, volume and routing of traffic generated by the development would not have an unacceptable impact on local communities, businesses or other users of the highways network, or any such impacts can be appropriately mitigated, for example by traffic controls, highway improvements and traffic routing arrangements; and
- Access arrangements are appropriate to the volume and nature of any road traffic generated and safe and suitable access can be achieved for all users of the site, including the needs of non-motorised users, where relevant; and
- There are suitable arrangements in place for on-site manoeuvring, parking and loading/unloading.

Where access infrastructure improvements are needed to ensure that the requirements above can be compiled with, information on the nature, timing and delivery of these should be included within the proposals.

2) For all proposals generating significant levels of road traffic, a transport assessment and green travel plan will also be required to demonstrate that opportunities for sustainable transport and travel have been considered and will be implemented where practicable.

Policy D06: Landscape

1) All landscapes will be protected from the harmful effects of development. Proposals will be permitted where it can be demonstrated that there will be no unacceptable impact on the quality and/or character of the landscape, having taken into account any proposed mitigation measures.

2) For proposals which may impact on nationally designated areas including the National Park, AONBs, and the adjacent Yorkshire Dales National Park, a very high level of protection to landscape will be required. Development which would have an unacceptable landscape impact on these areas will not be permitted.

3) Protection will also be afforded to the historic character and setting of York and to areas defined as Heritage Coast. Permission will only be granted where it would not lead to an unacceptable impact on the historic character or setting of York or on the undeveloped character of Heritage Coast, unless the need for, or benefits of, the development outweigh the harm caused.

4) Where proposals may have an adverse impact on landscape, tranquillity or dark night skies, schemes should provide for a high standard of design and mitigation, having regard to landscape character, the wider landscape context and setting of the site and any visual impact, as well as for the delivery of landscape enhancement where practicable.

Policy D07: Biodiversity and geodiversity

1) Proposals will be permitted where it can be demonstrated that there will be no unacceptable impacts on biodiversity or geodiversity, including on statutory and non-statutory designated or protected sites and features, Sites of Importance for Nature Conservation, Sites of Local Interest and Local Nature Reserves,

local priority habitats, habitat networks and species, having taken into account any proposed mitigation measures.

2) A very high level of protection will be afforded to sites designated at an international level, including SPAs, SACs and RAMSAR sites. Development which would have an unacceptable impact on these sites will not be permitted.

3) Development which would have an unacceptable impact on the notified special interest features of a SSSI or a broader impact on the national network of SSSIs, or the loss or deterioration of ancient woodland or aged or veteran trees, will only be permitted where the benefits of the development would clearly outweigh the impact or loss.

4) Where development would be located within an Impact Risk Zone defined by Natural England for a SPA, SAC, RAMSAR site or SSSI, and the development is of a type identified by Natural England as one which could potentially have an adverse impact on the designated site, proposals should be accompanied by a detailed assessment of the potential impacts and include proposals for mitigation where relevant.

5) Through the design of schemes, including any proposed mitigation measures, proposals should seek to contribute positively towards the delivery of agreed biodiversity and/or geodiversity objectives, including those set out in agreed local Biodiversity or Geodiversity Action Plans, or in line with agreed priorities of any relevant Local Nature Partnership, with the aim of achieving net gains for biodiversity or geodiversity and supporting the development of resilient ecological networks.

6) In exceptional circumstances, and where the development site giving rise to the requirement for offsetting is not located within a SPA, SAC, RAMSAR or SSSI, the principle of biodiversity offsetting to fully compensate for any losses will be supported. These circumstances include where:

- i) It has been demonstrated that it is not possible to avoid or mitigate against adverse impacts; and
- ii) The provision of compensatory habitat within the site would not be feasible; and
- iii) The need for and/or benefits of the development override the need to protect the site; and
- iv) Any compensatory gains would be delivered within the minerals or waste planning authority area in which the loss occurred.

Policy D08: Historic environment

1) Minerals or waste development proposals will be permitted where it can be demonstrated that they will conserve and, where practicable, enhance those elements which contribute to the significance of the area's heritage assets including their setting.

2) Particular regard will be had to the benefits of conserving those elements which contribute most to the distinctive character and sense of place of the Plan area including:

- The World Heritage Site at Fountains Abbey/Studley Royal;
- The historic character and setting of York;
- The archaeological resource of the Vale of Pickering, the Yorkshire Wolds, the North York Moors and Tabular Hills, and the Southern Magnesian Limestone Ridge.

3) Proposals that would result in less than substantial harm to the significance of a designated heritage asset (or an undesignated archaeological site of national importance) will be permitted only where this is outweighed by the public benefits of the proposal. Where proposals would lead to substantial harm to or total loss of the significance of a designated heritage asset (or an undesignated archaeological site of national importance), planning permission will be refused unless it can be shown that the substantial harm

or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or all of the following apply:

- i) The nature of the heritage asset prevents all reasonable uses of the site; and
- ii) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- iii) Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- iv) The harm or loss is outweighed by the benefit of bringing the site back into use.

Proposals affecting an archaeological site of less than national importance will be permitted where they would conserve those elements which contribute to its significance in line with the importance of the remains. In those cases where development affecting such sites is acceptable in principle, mitigation of damage will be ensured through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, adequate provision should be made for excavation and recording and subsequent analysis, publication and archive deposition before or during development.

Policy D10: Reclamation and afteruse

Part 1)

Proposals which require restoration and afteruse elements will be permitted where it can be demonstrated that they would be carried out to a high standard and, where appropriate to the scale and location of the development, have demonstrably:

- i) Been brought forward following discussion with local communities and other relevant stakeholders and, where practicable, the proposals reflect the outcome of those discussions;
- ii) Taken into account the location and context of the site, including the implications of other significant permitted or proposed development in the area and the range of environmental and other assets and infrastructure that may be affected, including any important interactions between those assets and infrastructure;
- iii) Reflected the potential for the proposed restoration and/or afteruse to give rise to positive and adverse impacts, including cumulative impacts, and have sought where practicable to maximise potential overall benefits and minimise overall adverse impacts;
- iv) Taken into account potential impacts on and from climate change factors;
- v) Made best use of onsite materials for reclamation purposes and only rely on imported waste where essential to deliver a high standard of reclamation;
- vi) Provided for progressive, phased restoration where appropriate, providing for the restoration of the site at the earliest opportunity in accordance with an agreed timescale;
- vii) Provided for the longer term implementation and management of the agreed form of restoration and afteruse (except in cases of agriculture or forestry afteruses where a statutory 5 year maximum aftercare period will apply).

Part 2)

In addition to the criteria in Part 1) above, proposals will be permitted which deliver a more targeted approach to minerals site restoration and afteruse by contributing towards objectives, appropriate to the nature, scale and location of the site, including where relevant:

- i) In areas of best and most versatile agricultural land, prioritising the protection and enhancement of soils and the long term potential to create areas of best and most versatile land during reclamation of the site;
- ii) Where opportunities allow, particularly for sand and gravel extraction in the flood plains of the rivers Swale and Ure, providing additional flood storage capacity to help to minimise flooding in upstream and downstream locations;
- iii) Within the National Park and AONBs, enhancing the special qualities of the designated area and/or providing opportunities for the enjoyment and understanding of those special qualities;
- iv) Within airfield safeguarding zones, particularly where reclamation for biodiversity is involved, ensuring that reclamation and afteruse proposals respect safeguarding constraints whilst maximising the potential restoration and afteruse benefits delivered by the site;
- v) In proximity to important heritage assets, ensuring that the significance of assets and their settings is sustained and where practicable enhanced and, also where practicable, that opportunities to facilitate enjoyment of the asset are provided;
- vi) Where the development is located within or adjacent to identified green infrastructure corridors, reflecting any locally agreed priorities for delivery of additional or enhanced green infrastructure and ecosystems services;
- vii) In proximity to major settlements within and adjacent to the Plan area, and subject to local amenity considerations, providing enhanced opportunities for informal and formal public access and recreation;
- viii) Promoting the delivery of significant net gains for biodiversity and the establishment of a coherent and resilient ecological network, based on contributing, where practicable, towards established objectives including the creation of Biodiversity Action Plan habitats, and seeking to deliver benefits at a landscape scale;
- ix) Creating geodiversity benefits where appropriate including contributing towards the delivery of priorities identified in any relevant Geodiversity Action Plan.

Policy W01: Moving waste up the waste hierarchy

- 1) Proposals will be permitted where they would contribute to moving waste up the waste hierarchy through:
 - i) the minimisation of waste, or;
 - ii) the increased re-use, recycling or composting of waste, or;
 - iii) the provision of waste treatment capacity and small scale proposals for energy recovery (including advanced thermal treatment technologies), which would help to divert waste from landfill.
- 2) Further capacity for the large scale recovery of energy from waste (in excess of 75,000 tonnes annual throughput capacity), including through advanced thermal treatment technologies, will only be permitted in line with Policy W04 and where any heat generated can be utilised as a source of low carbon energy or, where use of heat is not practicable, the efficient recovery of energy can be achieved.
- 3) The provision of new capacity for the landfill of residual non-inert waste will be permitted where it can be demonstrated that it is the only practicable option and sufficient permitted capacity within the Plan area is not available. Proposals for the extension of time at existing permitted landfill sites with remaining void space will be supported in principle, where necessary either;
 - (i) to maintain capacity for disposal of residual waste, or;

(ii) to achieve the satisfactory restoration of the site.

4) Landfill of inert waste will be permitted where it would facilitate:

- i) a high standard of quarry reclamation in accordance with agreed reclamation objectives, or;
- ii) the substantial improvement of derelict or degraded land where it can be demonstrated that the import of the waste is essential to bring the derelict or degraded land back into beneficial use and the scale of the importation would not undermine the potential to manage waste further up the hierarchy.

Policy W05: Meeting waste management capacity requirements - Construction, Demolition and Excavation waste (including hazardous CD&E waste)

1) Net self-sufficiency in capacity for management of CD&E waste will be supported through:

- i) Permitting proposals which would deliver increased capacity for recycling CD&E waste where the development would be consistent with the site locational and identification principles in Policies W10 and W11;
- ii) Permitting proposals for additional transfer station capacity for CD&E waste where it can be demonstrated that additional provision would help reduce overall impacts from road transport of waste and the development would be consistent with the site locational and identification principles in Policies W10 and W11;
- iii) Permitting proposals for additional landfill capacity for CD&E waste where it would be consistent with the principles set out in Policy W01 parts 3) and 4);
- iv) Permitting proposals for extending the time allowed to use remaining void space at existing CD&E landfill sites that are the subject of time-limited permissions.

2) Provision of capacity for management of CD&E waste is also supported through site allocations for:

i) Allocations for recycling of CD&E waste:

Land at Potgate Quarry, North Stainley (WJP24)

Land at Allerton Park, near Knaresborough (WJP08)

Land at Darrington Quarry, Darrington (MJP27)

Land at Barnsdale Bar, Kirk Smeaton (MJP26)

Land at Went Edge Quarry, Kirk Smeaton (WJP10)

Land at Duttons Farm, Upper Poppleton (WJP05)

ii) Allocations for landfill of CD&E waste:

Land at Brotherton Quarry, Burton Salmon (WJP21)

Land at Duttons Farm, Upper Poppleton (WJP05)

Land adjacent to former Escrick Brickworks, Escrick (WJP06)

Proposals for landfill at sites WJP05 and WJP06 will only be permitted as a means of enabling reclamation of any mineral workings developed in connection with allocations MJP52 and MJP55 as relevant.

Sites MJP26, MJP27, WJP10 and WJP05 are located in the Green Belt and any development will need to comply with relevant national and local Green Belt policy.

3) Proposals for development of the allocated sites for recycling or landfill referred to in 2) above will be required to take account of the key sensitivities and incorporate the necessary mitigation measures that are set out in Appendix 1.

Policy W10: Overall locational principles for provision of waste capacity

The allocation of sites and determination of planning applications should be consistent with the following principles:

- 1) Providing new waste management capacity within those parts of the Plan area outside the North York Moors National Park and the Areas of Outstanding Natural Beauty, unless the facility to be provided is appropriately scaled to meet waste management needs arising in the designated area and can be provided without causing unacceptable harm to the designated area.
- 2) Maximising the potential of the existing facility network by supporting the continuation of activity at existing time limited sites with permission, the grant of permission for additional capacity and/or appropriate additional or alternative waste uses within the footprint of existing sites and, the extension to the footprint of existing sites.
- 3) Supporting proposals for development of waste management capacity at new sites where the site is compatible with the requirements of Policy W11; and the site is located as close as practicable to the source/s of waste to be dealt with. This means:
 - a) For new facilities serving district scale markets for waste, particularly LACW, C&I and CD&E waste, or for facilities which are not intended to serve the specialised needs of particular industries or businesses, giving priority to locations which are within or near to main settlements in the area (identified on the key diagram) or, for facilities which are intended mainly to serve localised needs for waste management capacity in more rural parts of the Plan area, including agricultural waste, where they are well-located with regard to the geographical area the facility is expected to serve;
 - b) For larger scale or specialised facilities expected to play a wider strategic role (e.g. serving multi-district scale catchments or which would meet specialised needs of particular industries or businesses), these will be located where overall transportation impacts would be minimised taking into account the market area expected to be served by the facility.

Policy W11: Waste site identification principles

The allocation of sites and determination of planning applications for new waste management facilities should be consistent with the following principles:

- 1) Siting facilities for the preparation for re-use, recycling, transfer and treatment of waste (excluding energy recovery or open composting) on previously developed land, industrial and employment land, or at existing waste management sites, giving preference to sites where it can be demonstrated that co-locational benefits would arise taking into account existing or proposed uses and economic activities nearby. Where the site or facility is proposed to deal mainly with waste arising in rural areas then use of redundant agricultural buildings or their curtilages will also be acceptable in principle and, for agricultural waste, appropriate on-farm locations;
- 2) Siting facilities for the open composting of waste on previously developed land, industrial land, existing waste management sites and, where the site or facility is proposed to deal with small scale waste arisings in rural areas, the curtilage of redundant agricultural buildings or other appropriate on-farm locations. Where development of new capacity on greenfield land is necessary then preference will be given to sites located on lower quality agricultural land. Sites for the composting of waste where the process may release bioaerosols should be located at least 250 metres from the nearest residential building;

3) Siting facilities involving the recovery of energy from waste, including through anaerobic digestion, on previously developed land, industrial and employment land, or at existing waste management sites, giving preference to sites where it can be demonstrated that co-locational benefits would arise taking into account existing or proposed uses and economic activities nearby, including where the energy produced can be utilised efficiently. For facilities which can produce combined heat and power, this includes giving preference to sites with the potential for heat utilisation. Where the site or facility is proposed to deal mainly with agricultural waste through anaerobic digestion including energy recovery, then use of redundant agricultural buildings or their curtilages and other appropriate on-farm locations will also be acceptable in principle;

4) Siting facilities to support the re-use and recycling of CD&E waste at the point of arising (for temporary facilities linked to the life of the associated construction project) and at active mineral workings where the main outputs of the process are to be sold alongside or blended with mineral produced at the site; as well as at the types of sites identified in 1) above, where these are well related to the sources of arisings and/or markets for the end product;

5) Siting facilities to provide additional waste water treatment capacity, including for waste water containing Naturally Occurring Radioactive Materials, at existing waste water treatment works sites as a first priority. Where this is not practicable, preference will be given to use of previously developed land or industrial and employment land. Where development of new capacity on greenfield land is necessary then preference will be given to sites located on lower quality agricultural land. Siting of facilities for management of waste water from hydrocarbons development will also be considered under the requirements of Policy M18 where relevant;

6) Providing any additional capacity required for landfill of waste through preferring the infill of quarry voids for mineral site reclamation purposes, giving preference to proposals where a need for infill has been identified as part of an agreed quarry reclamation scheme and where any pollution control concerns can be mitigated to an acceptable level.

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, the capacity of transport infrastructure and any cumulative impact from previous waste disposal facilities, in line with national policy.