

### Matter 13 - Minerals and Waste

Our key concern in this matter is the need for a new policy for unconventional hydrocarbons. This is not reflected in the Inspector's questions and we would welcome an opportunity to discuss this at the Examination. We would be happy to suggest draft text for this additional policy. Policy M16 of the North Yorkshire Joint Minerals and Waste Plan (Publication Draft November 2016) provides a partial basis for this, and we have included a copy of that policy below. However we realise it is a joint plan that covers both the national park and adjacent area/setting, so policies appropriate to a sole MPA/NPA would have to be finessed.

It covers hydrocarbon developments where either the surface or sub-surface aspects of the development would be in or adjacent to a National Park or other designated area, including application of the major development tests and use of a buffer zone. The Examination in Public of the NYJMWP has just concluded and the Inspector has indicated that she is minded to find the policies below sound. We consider it essential that the DMP establishes a similarly robust approach, both as the Minerals Planning Authority for the Park and to enable proposals that straddle the Authority boundary and/or buffer zone to be rigorously assessed and controlled.

We may also wish to comment orally on other aspects of Policy DMMW1.

#### Policy M16, North Yorkshire Joint Minerals and Waste Plan (Publication Draft November 2016).

*Hydrocarbon development of the types identified below should be located in accordance with the following principles:*

a)

- *exploration, appraisal and production of conventional hydrocarbons, without hydraulic fracturing;*
- *exploration for unconventional hydrocarbons, without hydraulic fracturing;*

*Proposals for these forms of hydrocarbon development will be permitted in locations where they would be in accordance with Policies M17 and M18 and, where relevant, part d) of this Policy.*

b)

- *Exploration, appraisal and production of conventional hydrocarbons, involving hydraulic fracturing;*
- *Exploration for unconventional hydrocarbons, involving hydraulic fracturing;*
- *Appraisal and/or production of unconventional hydrocarbons (other than coal mine methane):*

*i) Surface proposals for these forms of hydrocarbon development will only be permitted where they would be outside the following designated areas: National Park, AONBs, Protected Groundwater Source Areas, the Fountains Abbey/Studley Royal World Heritage Site and accompanying buffer zone, Scheduled Monuments, Registered Historic Battlefields, Grade I and II\* Registered Parks and Gardens, Areas which Protect the Historic Character and Setting of York, Special Protection Areas, Special Areas of Conservation, Ramsar sites and Sites of Special Scientific Interest.*

ii) *Sub-surface proposals for these forms of hydrocarbon development, including lateral drilling, underneath the designations referred to in i) above, will only be permitted where it can be demonstrated that significant harm to the designated asset will not occur. Where lateral drilling beneath a National Park or AONBs is proposed for the purposes of appraisal or production, this will be considered to comprise major development and will be subject to the requirements of Policy D04.*

iii) *Surface and sub-surface proposals for these forms of hydrocarbon development will also be required to be in accordance with Policies M17 and M18. Surface proposals will also, where relevant, need to comply with Part d) of this Policy.*

c) *Coal mine methane:*

*Proposals for production of coal mine methane resources will be supported where any surface development would be located on industrial or employment land or within the developed surface area of existing or former coal mining sites.*

d) *All surface hydrocarbon development:*

i) *Where proposals for surface hydrocarbon development fall within a National Park or an AONB or associated 3.5km buffer zone identified on the Policies map, or is otherwise considered to have the potential to cause significant harm to a National Park and/or AONB, applications must be supported by a detailed assessment of the potential impacts on the designated area/s. This includes views of and from the associated landscapes from significant view points and an assessment of the cumulative impact of development in the area. Permission will not be granted for such proposals where they would result in unacceptable harm to the special qualities of the designated area/s or are incompatible with their statutory purposes in accordance with Policy D04.*

ii) *Surface hydrocarbon development will only be permitted where the undeveloped character of defined Heritage Coast will be protected.*

e) *Conversion of well pads and wells for further or alternative forms of hydrocarbon development:*

*Where proposals are brought forward for the conversion of an exploration well pad or individual well to one to be used for appraisal and/or production purposes, or for the conversion of a well pad or individual well used for conventional hydrocarbons to one to be used for unconventional hydrocarbons, such proposals shall be subject to the spatial principles set out in this Policy as relevant.*