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| **Publication stage Response form - Part B** **Please use a separate Part B form for each representation**  |
| Name or Organisation : | Escrick Parish Council |
| *Please mark with an x as appropriate*1. To which part of the Minerals and Waste Joint Plan does this representation relate?
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| Paragraph No./ Site Allocation Reference No. WJP02 |  Policy No. W11 |  Policies Map  |
| 2. Do you consider the Minerals and Waste Joint Plan is :  |
| 2.(1) Legally compliant 2.(2) Sound  | x Yes  Yes  |  No x 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* YesNo  *Justified* Yes No xx*Effective* YesNo  *Consistent with National Policy* YesNo x |
| 2 (3) Complies with the xDuty to co-operate Yes No |
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3. Please give details below of why you consider 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.

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| We support in principle Policy W11 and its prioritisation of previously developed land, industrial and employment land for the use of waste treatment facilities – including anaerobic digestion.Para 3 of the policy states: ‘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.’ In particular we strongly object to the allocation of site WJP02 North Selby Mine - see site assessment in Appendix 1 pages 140-143. Whilst it is appreciated that the site already has a valid planning consent, this has not yet been implemented and we are not aware of any agreement still in place for the glasshouses (which cover a huge tranche of land) and the deliverability and viability of the site is currently uncertain. There was strong opposition to the site’s proposals at that time as they undermined the original principle that the previous permission for the mine was granted on the basis that the site would be restored to agricultural use. Because of non enforcement by NYCC, this then became questioned by the applicant who tried to state that the land was a brownfield site. York Council was forced to reappraise the application and conceded that the site is within the York Green Belt, which has now been confirmed by their latest Local Plan document. The allocation of this site as an AD facility within the York Green Belt is totally contrary to Policy W11 which requires sites to meet the stated locational criteria which this site does not. Neither is the site a brownfield site nor were any assurances made at the application stage that the waste would be locally sourced and produced. Therefore, apart from compounding the ‘mistake’ of a previous non implemented consent, there is no valid planning reason or policy support within the Plan for this site to be allocated should the existing consent expire shortly in April 2017. As the Plan will not be adopted by April, if the site’s permission has not been implemented, then the land’s future should be allowed to be determined by normal Green Belt principles in accordance with Government Policy. |

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

4. Please set out what modification(s) you consider necessary to make 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 will make the Minerals and Waste Joint 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.

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| Deletion of site WJP02 (North Selby Mine) as an allocation, should the current planning permission not be implemented within the approved timescale (ie by April 2017). There are other more suitable sites that can be used for this purpose, and the policy should encourage the use of existing industrial sites when considering its waste priorities. There is no recognition or policy support for companies such as Drax Power Station, for example, which has previously sought to diversify its operations and has recently gained European Commission approval to covert a third power plant to biomass from coal, to take a lead in expanding the range and type of of waste facilities in the County and existing industrial sites should be prioritised before Green Belt sites are used.Again, we attach the comments made previously by Escrick Parish Council so that the Inspector can see our concerns in full. |

 (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 normally be a subsequent opportunity to make further representations based on the origional representation at publication stage.*

***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 **Yes,** I wish to participate

x

 at the oral examination 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:

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***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.**

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| Signature: Helen Guest, Clerk to Escrick Parish Council | Date: 21.12.16 |