

Matters, Issues & Questions:

Matter 1: Minerals – Crushed Rock

Question 27 - 33

Crushed Rock

27. Paragraph 5.4 of the MWJP states that there are three main types of crushed rock: Carboniferous limestone, Magnesian limestone and Jurassic limestone. I note that a separate landbank is to be maintained for Magnesian limestone. Should there also be separate landbanks for Carboniferous limestone and Jurassic limestone? If not, why not? Do they have different qualities and different applications/end uses? (PPG 27-066-20140306)

Information on sales and reserves of crushed rock are contained in LPA/05 *Local Aggregates Assessment for the North Yorkshire Sub-region – Third Review 2017 (Draft)*. This document reflects the most up-to-date data based on the annual *Aggregates Monitoring Survey* for the 2016 calendar year. Table 3 on page 17 provides a breakdown of sales of crushed rock for each of the main types (Carboniferous, Magnesian and Jurassic Limestones). Table 6 on page 22 provides a breakdown of permitted reserves. Expected future requirements for each of the main types of crushed rock are shown in Table 25 on page 41 of LPA/05, based on their respective historic sales share of total crushed rock sales, applied to the assumed total annual requirement for crushed rock of 3.75mt (see paragraph 9.3 of LPA/05).

Table 25 shows that there are sufficient permitted reserves of Carboniferous Limestone to meet projected future sales of this rock type over the Plan period, with very substantial reserves remaining. There is therefore no expectation of any constraint on supply of Carboniferous Limestone during the Plan period, or on the ability of the area to maintain a 10 year landbank at the end of that period. For Jurassic Limestone, there are adequate permitted reserves for the Plan period, with a surplus to contribute to a landbank at 31st December 2030. As acknowledged in the Plan (page 62, paragraph 5.46), release of some further reserves of Jurassic Limestone may be needed to maintain a 10 year landbank at the end of the Plan period and an allocated site (MJP08 (Settrington Quarry, page 58, CD18)) is put forward to provide for this. The Plan also allows for the potential for other reserves of Jurassic Limestone to come forward, through Policy M10–*Unallocated extensions to existing quarries*, subject to criteria in the policy being met. However, with reference to Magnesian Limestone, there is a greater disparity between existing permitted reserves and expected future

requirements, with reserves insufficient to ensure continuity of supply over the Plan period (and hence also no expectation of reserves being available to contribute to a landbank at the end of the Plan period).

Historically, planning for aggregates supply in North Yorkshire has not sought to make separate provision for the three main rock types. This is reflected in the policy approach in the adopted North Yorkshire Minerals Local Plan (1997) (LPA/39), which made provision for crushed rock as a single entity. Neither has the YH AWP (or its predecessor, the Yorkshire and Humber Regional Aggregates Working Party) suggested that there is a basis for making separate provision for each of the three main rock types. This reflects the relatively large scale of reserves of crushed rock in the Plan area and the fact that there is some overlap in potential end use between the three types. However, taking into account the current supply/potential future requirement imbalance applying specifically to Magnesian Limestone, and the fact that historically this rock type accounts for a relatively significant proportion of total crushed rock supply in the area (approximately 40%), it is considered important that the Plan facilitates continued availability of supply. The supply of Jurassic Limestone is less constrained and only accounts for around 12% of total supply and, as noted earlier, there is no expectation of significant constraint in supply of Carboniferous Limestone during, and for a substantial period of time beyond the end of, the Plan period.

It is acknowledged that PPG indicates that provision of separate landbanks may be justified where there is a distinct market for a specific type or quality of aggregate. The crushed rock resources in the Plan area represent a range of qualities, with Carboniferous Limestone generally able to meet higher quality requirements including for concreting and roadstone uses. Magnesian Limestone is relatively variable in quality, with some sites/resources able to produce aggregate suitable for concreting and roadstone uses, whereas other resources are only suitable for lower quality end uses. Jurassic Limestone is used predominantly for lower quality uses. The ability of Magnesian Limestone to meet a range of quality specifications, including some higher quality uses, means that it is important as a source of crushed rock in the parts of the Plan area where Carboniferous Limestone is not available (i.e. particularly in the southern and central parts) and in terms of maintaining a source of supply able to meet a range of end use requirements in proximity to some of the more densely populated parts of the Plan area, including parts where other sources of primary aggregate supply (both concreting sand and gravel and crushed rock) are not available.

Taking these circumstances into account, as well as advice in PPG, it is therefore considered that there is a particular justification for identifying a separate landbank for Magnesian Limestone.

28. If separate specific landbanks were to be maintained, would the MWJP make sufficient provision for at least a 10 year landbank for each type of crushed rock throughout the Plan period, or would additional allocations be needed?

Local Aggregates Assessment for the North Yorkshire Sub-region – Third Review 2017 (Draft) LPA/05 (Page 41, Table 25) summarises the current position in terms of permitted reserves and forecast future requirements to the end of the Plan period, for Carboniferous, Magnesian and Jurassic Limestone. This information shows that there are sufficient reserves of Carboniferous Limestone (69.7mt) to meet requirements over the Plan period (25.2mt) and to maintain a landbank of more than 10 years at 31st December 2030. As noted in the response to Q. 27, there are insufficient permitted reserves to meet anticipated requirements for Magnesian Limestone during the Plan period (permitted reserves of 9.9mt against a potential requirement of 21mt). For Jurassic Limestone permitted reserves (9mt) are sufficient to meet potential requirements of 6.3mt during the Plan period and to make a substantial contribution to a 10 year landbank at the end of the Plan period. It follows from the above that, if separate landbanks were to be maintained for each of the three rock types, further allocations for Magnesian Limestone (as provided for in the Plan through Policy M09) would be needed to meet requirements during the Plan period; allocations (as provided for in the Plan through Policy M09) would not be required for Carboniferous Limestone, and allocations would only be needed for Jurassic Limestone in order to provide a full 10 year landbank at the end of the Plan period.

29. Table 3 (Summary of requirements, allocations and sites for Magnesian limestone) only gives details for Magnesian limestone. Where are the figures for the other main types of limestone (Carboniferous and Jurassic)? How does the Plan seek to ensure that requirements for these types of limestone are met?

Detailed information on reserves and expected future requirements for each of the main crushed rock types is contained in the evidence base for the Plan, specifically Table 25 of *MEB01 Local Aggregates Assessment for the North Yorkshire Sub-region – Second Review September 2016* and *LPA/05 Local Aggregates Assessment for the North Yorkshire Sub-region – Third Review 2017 (Draft)*. The position relating to requirements for crushed rock including Carboniferous and Jurassic Limestone is explained in the text of the Plan, particularly paragraphs 5.28, 5.30, 5.32 and 5.46. The supply position relating to Carboniferous and Magnesian Limestone is set out in more detail in the response to Qs. 27 and 28. In summary, requirements for Carboniferous Limestone are expected to be met through existing permitted reserves, together with any additional contribution which may be made through permissions

granted under Policy D10: *Unallocated extensions to existing quarries*. Requirements for Jurassic Limestone will be met through existing permitted reserves, reserves in site allocation MJP08 (Settrington Quarry, page 58, CD18) (Policy M09) as well as any additional contribution which may be made through permissions granted under Policy D10 (*Reclamation and after-use*).

The Plan sets out an express policy commitment, through Policy M06 – *Landbanks for crushed rock*, to maintain a minimum 10 year landbank for crushed rock (i.e. including Carboniferous and Jurassic Limestone) throughout (and hence at the end of) the Plan period. However, it also recognises the need for the scale of requirements to meet this to be kept under review, including through the LAA process, as reflected in paragraph 2 of Policy M05 – *Provision for crushed rock* and the text of the Plan at paragraph 4.11. This approach is consistent with a managed approach to aggregates supply as required by national policy and guidance.

30. Table 3 seems to show insufficient provision of Magnesian limestone in that the requirement is 22.4mt (7.4 plus 15.00) but estimated reserves in proposed allocations are only 14.5mt (7.00 plus 7.5). Are there any other sites/areas of search that are suitable for allocation? If not, how is it intended that the shortfall will be met, if at all?

Existing permitted reserves of Magnesian Limestone, together with additional resources in sites proposed for allocation through Policy M09 – *Meeting crushed rock requirements*, are sufficient to meet expected future requirements for this rock type during the Plan period (as shown in Plan Table 3, the identified shortfall to 31st December 2030 is 7.4mt, with a total resource available in proposed allocations of 14.5mt). These additional resources are therefore also sufficient to make a substantial contribution to a landbank of Magnesian Limestone at the end of the Plan period. As shown in Table 25 of *MEB01 (Local Aggregate Assessment for North Yorkshire sub-region second review)*, the assumed annual requirement for Magnesian Limestone is 1.5mt. Therefore remaining reserves in allocated sites at the end of the Plan period (7.1mt) would be sufficient to provide for a further 4 to 5 years' supply. There is also the potential for further reserves to come forward in the form of unallocated extensions to existing sites through Policy M10 – *Unallocated extensions to existing quarries*. It should also be noted that actual sales of Magnesian Limestone during 2016 (the first year of the Plan period), were 1.18mt and therefore below projected sales of 1.5mt on which requirements in the Plan are based. The potential need for review and additional provision to maintain a minimum 10 year landbank of Magnesian Limestone at the end of the Plan period is stated in paragraph two of Policy M05 – *Provision of crushed rock*, and backed up by the separate commitment in Policy M06 – *Landbanks of crushed rock* to maintain a minimum landbank of 10 years for this type of crushed rock.

Such an approach is considered to be in line with PPG (ID: 27-080-20140306) which states that: *Landbanks of aggregate mineral reserves, or aggregate landbanks, are principally a monitoring tool to provide a mineral planning authority with early warning of possible disruption to the provision of an adequate and steady supply of land-won aggregates in their particular area.*

Aggregate landbanks should be used principally as a trigger for a mineral planning authority to review the current provision of aggregates in its area and consider whether to conduct a review of the allocation of sites in the plan. In doing so, it may take into account the remaining planned provision in the minerals local plan (LPA/39).

The Authorities also note that the approach in the Plan of identifying and maintaining a separate landbank for Magnesian Limestone results in more provision for crushed rock (in total) than would be the case if crushed rock were treated as a single entity (as has been the case in the NYCC area since the introduction of the policy requirement to maintain a landbank and as is the case in the adopted *Minerals Local Plan (LPA/39)*). This is because total reserves of crushed rock at the end of 2016 are 88.6mt (see LPA/05 page 41 Table 25), with a forecast requirement from that date to the end of the Plan period of 52.5mt (i.e. 3.75mt x 14 years), with a further 37.5mt required for a 10 year landbank at the end of the Plan period, resulting in a total crushed rock requirement of 90mt against permitted reserves of 88.6mt. In the context of this theoretical total shortfall of 1.4mt, the proposed allocation in the Plan, via Policy M09 – *Meeting crushed rock requirements*, of 14.5mt of Magnesian Limestone and 1.7mt of Jurassic Limestone would therefore result in significant additional overall crushed rock resources, amounting to 14.8mt, being made available beyond those needed to maintain a 10 year overall crushed rock landbank at the end of the Plan period. This approach is considered to provide additional flexibility in terms of the total quantity of provision for crushed rock being made through the Plan and bearing in mind that there is some overlap in end use between Carboniferous Limestone and higher quality Magnesian Limestone resources (see also response to Q27). Although other sites for Magnesian Limestone were put forward during preparation of the Plan these were not considered for allocation.

31. Are there sufficient resources of crushed rock to make a geographical distribution of sites (similar to concreting sand and gravel)? If so, should this be done, given the extensive Plan area?

Differing circumstances apply to the geographical distribution and end use of crushed rock and concreting sand and gravel resources, such that it is not considered practicable to identify a geographical distribution for provision in the same way, as explained below.

The basis for identifying separate provision for the concreting sand and gravel northwards and southwards distribution areas and for building sand is two-fold. Firstly, building sand serves a very distinct and separate end use to concreting sand and gravel and there is therefore very little, if any, substitutability between the two products. Secondly, concreting sand and gravel in North Yorkshire is generally of high quality and makes a very important contribution to supply into markets outside the Sub-region, as well as within it. The spatial context to the Plan area is such that it falls between substantial areas of demand to both the north and south (i.e. Teesside and adjacent areas and the West and South Yorkshire sub-regions respectively). In both these locations, concreting quality sand and gravel is scarce and becoming increasingly so, particularly in the West and South Yorkshire areas. As a result, but also reflecting the fact that sand and gravel is a high volume relatively low value product, a relatively clear distinction has developed whereby concreting sand and gravel resources in the northernmost part of the Plan area (i.e. in the Catterick/Scorton area) which lie in relatively close proximity to Teesside and adjacent more urbanised areas, form an important component of supply into that market. Evidence obtained during preparation of the Plan suggests that this position is likely to be maintained during the Plan period. Resources further south within North Yorkshire tend to serve the internal market and provide exports into the West and South Yorkshire area (see MEB01 *Local Aggregate Assessment for North Yorkshire sub-region* (second review) page 45 iv) for more discussion of this matter).

By contrast, whilst crushed rock resources are relatively wide spread in the Plan area, and also supply markets outside the area, they are of less strategic significance than concreting sand and gravel and a wider range of sources of supply, including sources outside the Plan area, may be able to contribute into the same markets. There is also a greater degree of overlap between end uses across the main types of crushed rock worked in the Plan area and less clear evidence on the existence of distinct geographical markets for crushed rock worked in particular parts of the Plan area. It is noted that neither the aggregates industry nor other MPAs involved in the YHAWP have specifically advocated the identification of distinct geographical distribution of sites for crushed rock provision during development of the LAA. However, please note the response to Q.27 and Plan paragraph 5.44 in terms of the effect of separately identifying a landbank for Magnesian limestone in helping to maintain availability of supply of crushed rock in a part the Plan area where other sources of supply are not available. Similarly Plan paragraph 5.46 refers to the effect of allocation MJP08 (Settrington Quarry, page 58, CD18) in maintaining supply of Jurassic Limestone crushed rock in the eastern part of the Plan area.

It is therefore not considered that there is sufficient justification to identify a specific geographical distribution for crushed rock sites.

32. Should Policy M06 (Landbanks for crushed rock) provide more flexibility with respect to new reserves from Areas of Outstanding Natural Beauty (AONBs) by inserting “as far as practical” in the second paragraph (NPPF paragraph 144 second bullet uses this phrase)?

Whilst it is acknowledged that NPPF Paragraph 144 second bullet states that, in determining planning applications, MPAs should, as far as is practical, provide for the maintenance of landbanks of non-energy minerals from outside AONBs, Policy M06 – *Landbanks for crushed rock* of the Plan is a strategic policy reflecting circumstances in the Plan area. In particular there is, in overall terms, a relatively healthy supply position for crushed rock, with additional provision made in the Plan to supplement this. The main identified shortfall for crushed rock in the area relates to Magnesian Limestone, which does not occur within the AONBs and there are substantial areas of other crushed rock resources located outside the AONBs. It is therefore not expected, on the basis of current information, that there will be a justification for the release of significant new reserves within such areas as a matter of strategic policy. Notwithstanding this strategic position, Policy M01 – *Broad geographical approach to supply of aggregates* (and policy justification in Plan paragraph 5.8) does acknowledge that, within the AONBs, the extension of time for extraction of remaining reserves at existing quarries and/or limited lateral extension or deepening to help their continued operation over the Plan period may be acceptable, subject to Policy D04 – *Development affecting the North York Moors National Park and the AONBs* and other criteria. This is considered to represent an appropriate balance reflecting circumstances in the area and providing a degree of flexibility in the Plan and is considered to be consistent with the approach in national policy.

33. Is the basis for discounting the omission site at Whitewall Quarry (MJP12), which extracts Jurassic limestone, justified? I note that the *Discounted sites summary document (SD18)*, October 2016, indicates that there is no need to release additional reserves of Jurassic Limestone, yet the Plan does not provide figures to support this. Is this an existing working quarry? What would the economic impact be of its closure? Does it supply crushed rock and building stone?

The discounted (omission) site at Whitewall Quarry (site MJP12 in the *Discounted Sites Summary Document (page 55, SD18)*) is an existing quarry working Jurassic Limestone, primarily as aggregate, although it is understood that some building stone has also been supplied from the site. As noted in the response to Q.28, existing permitted reserves (9mt) of Jurassic Limestone are sufficient to meet potential requirements of 6.3mt during the Plan period and to make a substantial contribution to a 10 year landbank at the end of the Plan period. Therefore further allocation of Jurassic Limestone is only needed in order to provide a full 10 year landbank at the end of the Plan period. As stated

in the Plan at paragraph 5.46, the additional reserves required to provide a 10 year landbank at 31 December 2030 is projected to be 1.8mt. Provision for this is effectively met through the proposed allocation MJP08 (Land at Settrington Quarry, page 58, CD18) which contains an estimated 1.7mt. As noted in response to Q. 21, there is no specific requirement in national policy or guidance to maintain a full landbank at the end of the Plan period.

The Plan makes provision for review and rolling forward of requirements and, if necessary, allocations as part of a managed approach to aggregates supply. There is further potential and flexibility, via Policy M10 – *Unallocated extensions to existing quarries*, for additional resources to come forward, including for Jurassic Limestone, through unallocated extensions to existing sites where it can be demonstrated that relevant criteria can be met. This potential is referenced, in the context of both Carboniferous and Jurassic Limestone, in the Plan (page 62, paragraph 5.46). The policy justification to Policy M10 (page 63, paragraph 5.50) indicates that development on unallocated sites could be appropriate for reasons of avoiding adverse impact on the local and wider economy. However, taking into account the current circumstances relating to crushed rock supply, including Jurassic Limestone, it is not considered that there is adequate strategic justification at this point in time to allocate the site in the Plan as a sustainable longer term source of supply, taking into account its location in relation to the major road network and built up areas in Malton/Norton and the impacts of environment and local amenity that would be likely to arise as a result of the extended duration of activities over a significant period of time.

Specific information on the economic impact of its closure is not available (bearing in mind also that the site has remaining reserves and the existing permission does not expire for a number of years and therefore non-allocation of the site is not expected to have any short term impact). The actual economic impact of closure is likely to reflect a balance between a number of factors, including direct adverse impacts on employees and contractors and indirect impacts on local supply chains, in the context of the potential for positive beneficial effects on other suppliers of aggregate into markets that would otherwise have been served by Whitewall Quarry. It is also noted that representations have been received expressing concerns about the impact of extending the life of the quarry on the established race horse training businesses in the vicinity of the site. Whilst it is similarly not practicable to quantify any such effects, if they occur, the potential for such adverse effects associated with allocation of the site helps to illustrate the difficulty in attributing specific overall effects on the economy as a result of omission of the site.

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