

Matter 1: Minerals

Issue: “Whether the vision, objectives and strategic minerals policies seek to provide a sufficient supply of locally and nationally important minerals in an efficient and sustainable manner and whether the proposed allocations are the most appropriate”

Question 6: “Are the reasons for selecting allocated minerals sites/ preferred area/ areas of search over reasonable alternatives made clear in the SA? Have all reasonable alternatives been assessed and are reasons for rejection set out?”

1. The sites at Pollington and Mill Balk are allocated sites hence we have no material comments over what has been put forward previously that have been used to allocate the sites. The supply of clay with particular reference to the Plasmor operations is relevant to the considerations. We have provided further information as these have been raised in the Inspectors questions
2. Appendix 2 of the Sustainability Appraisal (SA) report sets out the methodology for selecting allocated minerals sites. There are limited sites available within North Yorkshire for the extraction of clay.
3. Plasmor Limited specialises in the manufacture of light weight building blocks that are half the weight of standard blocks. The light weight blocks provide valuable thermal qualities, construction efficiency advantages and significant health and safety benefits. The blocks are produced from ultra light weight aggregate produced at Plasmor’s expanded clay production plant at Great Heck. The plant at Great Heck which opened in May 2000 is unique in the UK. A second kiln was installed at the Heck facility in 2006. An element critical to the long term stability of the company is the establishment of secure supplies of raw materials. Particularly important is the supply of clays suitable for use in the manufacture of the ultra light weight aggregate.
4. The company currently obtains clay for processing at Hemingbrough Quarry. At current rates of consumption the consented reserves at Hemingbrough are sufficient to supply the light weight aggregate plant for up to 6 years. Consistent with all brick and tile works it is essential that a longer term source of supply of good quality clay is secured to safeguard the investment in the production plant and employment and to ensure the continued provision to the construction industry of this valuable product. The clay used to produce the aggregate must be pure with minimal sand and silt content. Plasmor

Limited have spent several years investigating potential sources of clay including sites with existing consents for extraction. Plasmor Limited have concluded from their investigations that there are only two viable options for ensuring a supply of good quality clay. These are an extension to Hemingbrough Quarry or extraction of clay from land adjacent to former Escrick Brickworks (MJP55). Further information on this site is included in the answer to question 46.

5. Questions 10 and 11 are concerned with 'mineral allocations in general'. The answer to question 10 with regard to alternatives is covered above in the answer to question 6. Question 11 is covered in more specific terms in the response to question 46. With regards to question 11, the plan seeks to ensure that any significant constraints/ adverse impacts of development of the allocated sites are overcome/mitigated to an acceptable level through the development management policies. These ensure that all relevant environmental impacts are assessed and that proposed development does not give rise to any unacceptable impacts. A response to these comments is included under question 46.

Question 46: *“Yorkshire Wildlife Trust and Escrick Parish Council object to the allocation in Policy M13 of the Preferred Area on land adjacent to former Escrick Brickworks (MJP55) largely on the basis of the impact on the York-Selby cycle path Site of Importance for Nature Conservation (SINC), agricultural land, traffic and the local environment generally. Can these potential impacts be acceptably mitigated? How has the balancing exercise justified the allocation? It is also suggested that the area is too large. Is the size of the area justified?”*

- *Can the potential impacts on the York-Selby cycle path Site of Importance for Nature Conservation (SINC) be acceptably mitigated?*
6. We have not had access to the full consultation response from Yorkshire Wildlife Trust or Escrick Parish Council or other consultees who may have raised environmental matters. We have reviewed the consultation response summary available on North Yorkshire County Council's website.
 7. The York-Selby Cycle Path bisects from north to south the land the subject of the allocation in Policy M13 of the preferred area on the land adjacent to former Escrick Brickworks (MJP55). Yorkshire Wildlife Trust state in their response to the Draft Plan that the York-Selby Cycle Path is a Site of Importance for Nature Conservation (SINC)

and that this should consequently be included in Appendix 1 of the Draft Plan. North Yorkshire County Council agree and suggest a revision to the text in Appendix 1 to make reference to the York-Selby Cycle Path SINC. Plasmor agree with this amendment as it is an important planning consideration that should be included in the final plan.

8. In July 2017 North Yorkshire County Council issued a scoping opinion under Regulation 13 of the Town and Country (Environmental Impact Assessment) (England and Wales) Regulations 2011 for the *“extraction of clay (to be exported to the existing Plasmor facility at Great Heck), construction of a new site access from the B1222, site restoration through importation of inert restoration materials to agriculture and nature conservation after use including water bodies, wetland habitats and the creation of public access on land adjacent to and to the north of the former Escrick Brickworks, Escrick, North Yorkshire, YO19 6ED.”* The Scoping Report included survey results based on an anticipated extraction boundary referred to as ‘the site’. The site was located within the preferred area on land adjacent to the former Escrick Brickworks. The scoping opinion included comments from a range of environmental specialists on the scope of information to be provided within any forthcoming Environmental Impact Assessment. Notably the scoping opinion raised no ‘in principle’ environmental issues with the proposal for the extraction of clay at the site.
9. In the scoping opinion the County Ecologist states that *“the restoration of the site provides an excellent opportunity to create habitats of value for biodiversity and ideally these should be characteristic of the local environment, seeking to extend networks of habitats and utilising native species.”* The Yorkshire Wildlife Trust also commented that *“The SINC will also provide excellent opportunities for connecting up habitat through the restoration process”*.
10. In terms of the environmental impacts on the York-Selby Cycle Path SINC a range of baseline ecology surveys were undertaken in 2017 to understand the baseline ecological conditions at the site. A statement from ESL (ecological consultants who have undertaken the ecological surveys at the site) is provided below.

“Part of the proposed application area is immediately adjacent to a 300m stretch of the York-Selby cycle path SINC. The SINC comprises a hard surfaced cycle track between two verges of scrub and semi-mature trees (bound in parts by hedgerows) that form a green corridor through the arable

landscape. All of the land within the proposed application area that adjoins the SINC is currently under intensive arable production with no buffer habitats present.

The cycleway crosses the Bentley Park Drain via a culverted land bridge and dissects the application area into two parcels. The farmland either side of the SINC is currently accessed by tractors and other farm vehicles via an unsurfaced field track along the north bank of Bentley Park Drain that crosses the cycleway at the location of the land bridge.

The trees and/or hedgerows along the outer edges of the SINC will be protected by root protection zones throughout the quarrying operations and this in turn will provide a strip of buffer habitat between the green corridor and the active quarry that does not currently exist.

The arable fields adjacent to the SINC are subject to regular farming operations with standard farm machinery and the cycleway is well used by cyclists, runners and dog walkers. As such there is already frequent disturbance to the corridor which limits the daytime use of the SINC to species that are resilient to such levels of disturbance.

There will be no quarrying operations outside of daylight hours and as such there are no requirements to install any artificial lighting that would result in disturbance to commuting and foraging bats or other light phobic nocturnal species. Best practice working methods will be employed to ensure that the habitats within the SINC are not subject to any dust contamination. In conclusion therefore, it is considered that all potential negative impacts on the SINC as a result of the proposals can be avoided or fully mitigated.”

11. For the above reasons it is considered that any ecological impacts arising as a result of mineral extraction operations within the preferred area on land adjacent to former Escrick Brickworks (MJP55) can be acceptably mitigated.
 - *Can the potential impacts on agriculture be acceptably mitigated?*

12. Impacts on agricultural land will be considered during the design of the proposed scheme as requested in Natural England's response to the Scoping Opinion provided by North Yorkshire County Council "*any application would assess the impacts of the development on farm structure and viability, and on other established rural land use and interests, both during the site working period and following its reclamation.*" Impacts on agricultural land will be considered through the planning application process through the preparation of an agricultural land survey, soil survey and assessment of potential impact upon best and most versatile agricultural land. Careful design, soil stripping and soil management in accordance with good practice and careful restoration as is carried out at the current Hemingbrough site will mitigate potential impacts to agriculture.
13. Consideration of impacts on agricultural land will be an important consideration during the design of the proposed restoration scheme. The existing agricultural use will be temporarily stopped if the site was used for clay extraction. However there is the potential for the site to be returned to agricultural use as part of the proposed restoration scheme. This will have to be carefully balanced with other important considerations such as ecological and biodiversity enhancement and opportunities for public access.
14. Fundamental to the design of the proposed Escrick site will be the restoration proposals. At the current Escrick site and at Hemingbrough the accepted principles of the restoration are similar and include nature conservation comprising water bodies, wetland habitats, tree and hedgerow planting together with public access. It is likely that the restoration of the proposed Escrick site will include agricultural use. The detailed restoration proposals will be developed as part of the Environmental Impact Assessment.
15. For the above reasons the potential impacts on agriculture are capable of being acceptably mitigated.
 - *Can the potential impacts on traffic be acceptably mitigated?*
16. Preliminary work has commenced on assessing the baseline traffic and transport conditions on the allocation in Policy M13 of the preferred area on the land adjacent to former Escrick Brickworks (MJP55) as part of the preparation of the planning application for Escrick by Tesh Consultants Ltd (involved in the scoping process and access design). They have provided the following comments:

“Two options for connecting the proposed extraction area at Escrick to the local road network have been considered. These are:

“A haul road from the proposed extraction area northwards to the C307 Cawood Road to a point approximately 300m west of the C307 Cawood Road bridge.

A haul road from the proposed extraction area eastwards to the existing processing area on the former Escrick brickworks site and using the existing access onto the A19. The York-Selby cycle path would be crossed by a temporary bridge over the cycle path to provide segregation between pedestrians and cyclists and the quarry traffic. The temporary bridge would be removed once the extraction area has been restored.

As the minerals being extracted from the proposed extraction area are to supply Plasmor’s manufacturing facilities the clay extraction and exportation rate is closely aligned with the manufacturing production rates it is predicated that there would be an average of 60 HGV loads per day. This equates to a daily average of 120 one-way HGV movements. This predicted level of traffic is well within the capacity of both the C307 Cawood Road and the A19. The HGV movements would be spread throughout the day which equates to 14 one-way movements per hour (or a one-way movement every 4 minutes) for the quarry’s anticipated working hours of 07.00-16.00hrs. Impact during peak hours on the road network would be minimal.”

17. The above comments and baseline work demonstrate that potential impacts on traffic and transport as a result of mineral extraction operations in the site allocated as a preferred area in Policy M13 are capable of being acceptably mitigated and therefore the allocation is justified.
 - *Can the potential impacts on the local environment generally be acceptably mitigated?*
18. Whether environmental impacts on the local environment as a result of the mineral extraction within the preferred area can be acceptably mitigated will be considered and assessed as part of the EIA and planning application process. Plasmor have engaged

baseline environmental studies in accordance with the Scoping Opinion received from North Yorkshire County Council. None of the technical consultees providing input into this process have identified any significant constraints/ adverse impacts that it is considered cannot be overcome/mitigated to an acceptable level. Any planning application will be subject to an Environmental Impact Assessment in which the impacts of a proposal will be robustly assessed. It is considered that appropriate mitigation can be put forward to ensure the potential impacts on the local environment are minimised.

- *How has the balancing exercise justified the allocation?*
19. The NPPF provides in paragraph 142 that *“since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation”*. Paragraph 146 goes on to state that a stock of at least 25 years of brick clay should be maintained in order to supply an adequate supply of industrial minerals and that consideration should be given to the *“need for provision of brick clay from a number of different sources to enable appropriate blends to be made”*.
 20. Paragraphs 5.75 – 5.80 of the Publication Draft set out the justification for the allocations. The allocation in Policy MJP55 of land adjacent to former Escrick Brickworks as a preferred area is justified through considering the existing active brick clay extraction sites in the area and the associated manufacturing facilities to which the extraction sites provide clay to. Consideration is also given to the sites in the area that have been granted planning permission. The response to question 6 provides further detail on this.
 21. Plasmor consider this approach is sound and that the inclusion of the extension to Hemingbrough as an allocated site and land adjacent to the former Escrick Brickworks as a preferred area are fully justified in the interests of providing a stock of at least 25 years of brick clay.
 - *It is also suggested that the area is too large. Is the size of the area justified?*
 22. The supporting text to Policy M13 states in paragraph 5.77 that *“it is not expected that development of the whole of the preferred area would be acceptable under this policy.”* and that *“any proposals needed in the longer term to maintain supply to the Plasmor brickworks would need to be carefully designed within the preferred area to ensure protection of the environment”*. Plasmor agree that it is unlikely that the entirety of the

preferred area will be taken forward. The company look to retain a sufficient land bank to support the block manufacturing site at Great Heck. The extent of any extraction area will be defined based on the results of environmental surveys, working methods and design mitigation requirements together with restoration design.