

North Yorkshire Minerals & Waste Joint Local Plan

Examination in Public – Hearings Statement by W Clifford Watts

Matter 1 – Minerals (Crushed Rock)

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.

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)

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?

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?

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?

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?

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)?

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?

W Clifford Watts Statement

- 1. Question 27** - There should be three separate landbanks for the three rock types. Carboniferous limestone has the widest range of uses because of its age and hardness, and it is of regional significance. Magnesian limestone is a younger material, softer with a more limited range of uses (some Magnesian limestone sites produce harder MOT Type 1 and some do not) but is still of regional significance largely because of its location relative to its markets across the Yorkshire/Humber and East Midlands borders and to the City of York. In this respect, the proposal

to have a separate landbank for Jurassic limestone would have a similar justification. It is the relative isolation of the eastern part of the plan area and the unsustainable alternative of long hauling stone from up to 70 km away that points to the need to continue to maintain a landbank and productive capacity in the area. Also, in that the plan identifies a shortfall of Magnesian limestone, this might be capable of being partially met by Jurassic limestone sites if these are allocated where their market areas overlap with Magnesian Limestone sites (question 30).

2. **Questions 28 & 29** – in terms of a landbank for Jurassic limestone, the inquiry needs to turn to Table 6 in the LAA (page 22). This tells us that the reserves of Jurassic Limestone in 2016 were 9.0 Mt all of which are in North Yorkshire. Table 3 (page 17) tells us that the 8 year average of sales is 0.36 Mtpa and the current level of sales is 0.42Mtpa or 12% of the NYCC area's demand. (The data is not available to calculate a 10 year average of sales). If this proportion is applied to the overall local plan provision figure for crushed rock (LAA Table 19, page 36) then the provision for Jurassic limestone would be 12% of 3.75 Mtpa or 0.45Mtpa, which if accepted would allow the Jurassic limestone sites to satisfy a growing demand over the plan period.
3. Applying this figure to the permitted reserves above gives a landbank of $9.0 / 0.45 = 20$ years. However, turning to the LAA Appendix 1 list of sites and to page 56, we can see that of the five permitted Jurassic limestone sites the three active sites only have reserves to last from the short to mid-term without extensions of time or area. Indeed, our own knowledge of the market suggests that the majority of the remaining permitted reserves are located in the two mothballed sites in the Howardian Hills AONB. Although these two sites can begin working at any time, it is submitted that it is not sustainable to rely on their supply because of their location and that on this basis further allocations are justified for all three active sites. This will be explored further in Question 33.
4. We also suggest that the most sustainable option is to recognise the largest quarry in the area, which is Whitewall, and to support its continued contribution to meeting local needs for a variety of products.
5. The plan should be amended by the introduction of a new table setting out the requirements for Jurassic limestone and making the appropriate allocations for the three active sites, or in the absence of current proposals setting out development criteria.
6. The following changes to Policy M05 are proposed (deletions in ~~striketrough~~; new text in **bold**)

Policy M05: Provision of crushed rock

Total provision for crushed rock over the 15 year period 1st January 2016 to 31st December 2030 shall be 56.3 million tonnes, at an equivalent annual rate of 3.75 million tonnes, within which specific provision for a total of 22.5 million tonnes at an equivalent annual rate of 1.50 million tonnes per annum shall be for Magnesian Limestone, **and 6.75 Million tonnes at an equivalent annual rate of 0.45 million tonnes per annum shall be for Jurassic Limestone.** Additional provision shall be made through a mid-term review of provision in the Plan, if necessary, in order to maintain a minimum 10 year landbank of crushed rock, including a separate minimum 10 year landbanks for Magnesian Limestone **and Jurassic Limestone**, at 31 December 2030 based on an annual rate of provision to be determined through the review.

7. The following changes to Policy M06 are also proposed (deletions in ~~strike through~~; new text in **bold**)

Policy M06: Landbanks for crushed rock

A minimum overall landbank of 10 years will be maintained for crushed rock throughout the Plan period. ~~A s~~**Separate minimum 10 year landbanks** will be identified and maintained for Magnesian Limestone crushed rock **and for Jurassic Limestone crushed rock.**

Where new reserves of crushed rock are required in order to maintain the overall landbank above the 10 year minimum period these will be sourced from outside the National Park and Areas of Outstanding Natural Beauty.

8. **Question 31** – the LAA contains detailed figures on all three crushed rock types for both sales and reserves confirming there are currently three or more companies in each category. This freedom to publish data means that the separate identification of each rock type could be produced to make a geographical distribution of sites possible, and in view of the large area covered by the plan, desirable.
9. **Question 33** – the reasons for discounting the allocation of Whitewall quarry are most certainly not justified. The reasons for consideration of this proposal as a strategic issue is dealt with elsewhere in our statements. However, we would say that if the Ryedale Local Plan Core Strategy

can describe the towns of Malton and Norton as occupying “a strategic location between York and Scarborough” (WCW Appendix 4, paragraph 3.13), then the presence of a large mineral working near this location can also be described in the same terms.

Summary of Quarry Facts

10. To summarise the position of the quarry the following information is offered for consideration,
- The quarry currently produces limestone for general construction work, precast concrete panels, and block stone for repair of local buildings. It also supplies about 30,000 – 40,000 tpa of agricultural lime to local and more remote landowners; e.g. 12,500 tpa to Scotland. It also hosts a ready mix concrete plant which is only one of two in the Malton area. There is also a small construction waste recycling area on site.
 - The quarry is very efficient and production losses are only 10% of the quantity extracted, which is low for this type of operation.
 - The quarry has about 10 years reserves left but its planning permission expires in 2023.
 - Working takes place at an average extraction rate of about 180,000 tpa. A maximum rate envisaged would be 250,000 tpa but this would only be achieved organically if the demand was present, and the traffic associated with it would be inclusive of all activities on site.
 - The company wishes to continue to invest in the site in new plant and vehicles but can only justify this if there is a minimum of 20 years reserves. This means that an extension in area and time is needed for the quarry to continue to serve the local community.
 - The main market area is Ryedale and Scarborough districts, the City of York and northern parts of the East Riding for limestone aggregates and products. The market for block stone is more localised in Ryedale, whilst agricultural lime and pre-cast products is carried much further afield into North Yorkshire and beyond. Most pre-cast deliveries are south of the quarry.
 - About 60% of the traffic travels south and 40% north into and through Norton. In general terms, the southern traffic serves York and East Riding, the northern traffic is bound for Ryedale and Scarborough destinations. In particular, the site serves construction projects within Malton and Norton itself.
 - Most traffic is carried in 20 tonnes loads by rigid 6 wheelers most of which is under company control. Panels and blockstone are carried by flatbed articulated vehicles and ready mix concrete is carried in 6m³ mixer trucks.

- All types of traffic arising from quarry activities are included in the following figures. This traffic equates to average vehicle trip¹ south of 21-22 per day (4-5 mm per hour) and trips² north of 14-15 per day (3 mm per hour³).
- At maximum capacity of 250,000 tpa and the same split of direction, the maximum trips south would be 30 per day, and north 20 per day. HGV movements into Norton (some of which would be local to Malton) would be a maximum of 4 mm per hour.
- In common with the rest of the mineral products industry most activities at the quarry are highly integrated internally. The company does not have many external collect customers expect for pre-cast which only accounts for about 4,500 tpa of sales.

Reasons for Discounting an Allocation

11. The reasons for discounting the quarry for an allocation are that there is no strategic need (covered under earlier questions) and traffic and amenity impacts. The stated reason involving the latter is *"The location of the site and its relationship to market areas in the Plan area results in a need for a substantial volume of heavy traffic to travel through an extended length of built up area in Norton-on Derwent, in order to access the major road network, such that there is potential for significant adverse impact on local communities."*⁴
12. The refutation of the reasons for non-allocation is summarised as follows,
 - The facts presented above in paragraph 8 demonstrate that the traffic generation from the quarry is not a substantial volume. In fact, it is very modest in comparison with a typical crushed rock operation.
 - The Jacobs Traffic Assessment for the site assumed a worst case scenario of all of the maximum output of 250,000 tpa going through Norton, which in reality would not happen. This concluded that the submission *"...would typically result in an additional 5-6 HGVs per hour passing through Norton. This is unlikely to be perceptible when considered as a standalone site and as the site is operational, trip generations from the site would be included when examining the effects of the future HGV restriction."*
 - Jacobs make the point that since the quarry is operational a proportion of the traffic is already occurring. The additional traffic associated with an organically increased output would by implication be even more imperceptible.

¹ Calculated as 108,000 tpa divided by 250 working days, divided by 20 t/load.

² Calculated as 72,000 tpa divided by 250 working days, divided by 20 t/load.

³ Calculated as trips multiplied by 2 and divided by 10 hour working day.

⁴ Mineral Discounted Sites Summary document

- The encouragement of the use of the B1248 through Norton as an alternative access to, and taking through traffic away from, the town centre via the improved A64 Brambling Fields junction is a matter of district and County Council policy and is mentioned in paragraphs 3.20 and 7.29 of the Ryedale Core Strategy (**Appendix WCW4**). The company made a financial contribution towards this improvement and would expect to continue to benefit from it.
- The Ryedale Core Strategy Traffic Assessment on which adopted policy was based would have included the existing quarry traffic in its baseline position in assessing the access policy.
- Malton/Norton is a typical North Yorkshire market town and Commercial Street in Norton (on the A1248) is described as a linear 'high street' as part of its designation as a local town centre.
- The company only uses Malton town centre for access to development projects within Malton, just as other operators like Settrington, do. For through traffic the company uses the Brambling Fields junction.
- The 'extended length of built-up area' of Norton referred to is the B1248 which is the secondary road network within the town and is expected by design to accommodate HGV traffic to access the town itself. Existing businesses within the town located in industrial areas, or serving retail outlets such as large supermarkets, must also use this road. We suggest this is more of a 'substantial volume of heavy traffic' than that associated with Whitewall Quarry.
- Importantly, any aggregate delivered to the area for construction projects as part of the Ryedale Core Strategy, must also use this route. Therefore, the use of an alternative source of mineral would make little difference to the impact of HGV aggregate traffic along this route.
- Alternative sources of aggregate have just as great an impact on the B1248 as does Whitewall derived material.
 - Settrington Quarry must either also access the town via the B1248, or gain access to the A64 via narrow country lanes to the east through sensitive villages, and then join the B1248 at Brambling Fields.
 - Newbridge Quarry must also access the town via the A64 and B1248 or through Malton on the A169, and additionally all of its traffic must also travel through the centre of Pickering, which is another town centre in the district.
 - Hovingham and Wath must access Malton from the North West from the Howardian Hills AONB via a number of villages on the B1257. If outlets in Norton are required this traffic must also pass through the AQMA.
 - Alternative imports of Magnesian and Carboniferous limestone from further afield must also access the town via the B1248.

- The potential for significant adverse impacts on local communities will be a matter of planning judgement, but in view of the limited numbers of vehicles involved in traversing the centre of Norton, the fact that the quarry traffic was part of the baseline consideration of district Core Strategy policy, the description of Norton as a linear type high street which would imply a significant element of pedestrian and traffic interaction, the deliberate choice of the B1248 by the local authorities linked to a 'strategic' approach to traffic management in Malton town centre with the aim of directing HGV traffic along this route, the lack of an alternative route for aggregates to access development projects in Malton, the acceptance by the County Council of another quarry operator proposing to use this route, the judgement of consultants that if all of the quarry traffic at maximum output were to use this route its impact would be imperceptible, leads us to conclude that the reason lacks justification and the real impact of quarry traffic has been exaggerated. As such, it is clear that the quarry proposal will not undermine Ryedale's Core Strategy, but on the contrary, will contribute to sustainable outcomes for the town by supplying a locally derived raw material for construction, as well as supporting the district's historic fabric and local industries like agriculture.

13. The examination needs to bear in mind that as a local supplier of aggregates and other products, the quarry meets the aims of national policy to minimise the need to travel and reduce greenhouse gas emissions (NPPF paras 30 & 34) and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (NPPF para 32). The company submits that such residual impacts deriving from an allocation at whitewall would manifestly fail the test of paragraph 32, and development should not be resisted on these grounds.

Complaints History

14. The number of complaints to the County Council about the quarry's operations over the last five years since the company promoted a coating plant on site which was dismissed on appeal, have sometimes been significant. All complaints have been promptly investigated by both the company and the mpa and to date no enforcement action has been taken by the County Council, or indeed suggested. The quarry operates within its planning conditions which are up-to-date, and the complaints are unfounded, whilst some persistent complaints might be considered mischievous. The company is at a loss to explain the strength and persistence of these complaints other than to suggest that the company's activities have become the focal point of a more general dissatisfaction with the policy to direct HGV traffic through Norton.

15. The company is keen to improve its relations with the local community and if an allocation were to be made for an extension to the quarry, the company would submit a consolidating application to bring all of the quarry activities under one planning permission, and also offer to contribute to a quarry liaison group to foster better relations with local residents.

Economic Effects

16. The economic benefits of the quarry are under-appreciated and quite substantial in the context of Ryedale. These can be summarised as follows,

- Annual spend on local services of £1.3M pa. The quarry supports many small independent businesses in the area through buying products and services for its vehicles, employing electricians, estates management contractors, etc. Some of these businesses have written to support the quarry's allocation.
- Employing 25 FTE posts which is a significant proportion of the whole company. Many of these people live in the locality. This is particularly important in the Wolds area of the district which the local authority recognises is in need of greater economic diversification.
- Annual wage bill of £0.65M pa which employees will spend in local shops and for local services.
- Gross value Added (GVA) of £2.75M pa (current prices). Over the lifetime of the quarry this equates to £55M.
- In addition, there is a substantial contribution of £7.68M pa to upstream and downstream activities⁵ including essential support to the local construction industry. Again, expressions of support have been received from customers of the quarry.
- The estimated contribution to employment is 70 persons⁶.
- In addition to the support for the construction industry the quarry also supports the local agricultural sector in its lime business, and supports the maintenance of the district's historic fabric by the supply of building stone.

17. It has also been suggested by the quarry's detractors that the quarry operation has a deleterious effect on one of the district's major industries – horse training. However, the quarry and local horse trainers have been peacefully co-existing for decades, and we number a significant number as our customers, as independent letters of support for the extension testify. It is our submission that the quarry has no deleterious effects on local businesses either by its operation at the site or by traffic emanating from it.

⁵ Estimated by using a Type II multiplier of 2.4 which measures the "knock on impacts" of economic activity in terms of the supply chain and subsequent spending

⁶ Employment multiplier is 2.8 so the total impact on employment per year is to support 70 jobs (25 x 2.8)

18. The quarry can therefore be considered the largest and most significant of the three local active limestone operations but is modest in terms of its size and output when considered against the giants of the Dales and other parts of North Yorkshire. This reflects its essentially local role.

Alternatives

19. If the quarry were to close, the alternatives would be much worse than continuation of quarrying at this site. Whitewall accounts for about half of the local limestone output and benefits from added value activities on site that would be difficult to replace. Settrington Quarry is a much smaller operation, has operational constraints that limit its output and potential to replace added value activities (standing water in the quarry floor, lack of processing and storage areas, etc.) and shares the same access routes to markets. Newbridge Quarry is also much smaller in output, and is located on the edge of the national park, with traffic travelling through the centre of Pickering. This too would face substantial problems in establishing added value activities by virtue of its location and in increasing production to replace capacity lost at Whitewall. For either of these sites to make up for the loss of Whitewall would require outputs at Settrington to increase fourfold, and by 280% at Newbridge. Of course, the output could be shared between the two quarries, but the annual increases in output would still be very substantial.

20. Hovingham Quarry lies in the Howardian Hills AONB but has not been worked for several decades. It requires a new access to be established and there would be amenity issues with its close proximity to the village of the same name. We do not think it has sufficient reserves for it to be viable to reopen. This leaves Wath Quarry, which is also in the AONB. This is large enough to replace Whitewall, and has a good access on to the A1257, although traffic would need to pass through several local villages to reach the SRN and markets. It has a limited life permission which will need to be extended in order to continue operating. Because of its location it would have to pass the major development test for designated landscapes and would also have difficulty in re-establishing the value added activities present at Whitewall because of the greater sensitivity of its location.

21. There are other alternatives further afield but these would involve substantial increases in haulage distances and of course in order to service Malton and Norton would still have to use the access route from Brambling Fields. We estimated that increased haulage distances would be between 46 km and 70 km further from the centre of Malton than Whitewall and increase mineral km by between 8M and 12.5M km pa and carbon use by between 1,700 tonnes and 2,600 tonnes pa.

This is very much a worst case scenario but the potential scale of the substitution can be clearly seen.

22. There is no prospect of the site's output being replaced by secondary or recycled aggregates.
23. We submit that in fact, Whitewall would be difficult to replace with another site and that it is the best of the available alternatives. The impact of its loss to the local economy would be noticeable and its impact on aggregates supplies would be significant with the possibility of attendant substantial increases in costs for customers, which might damage the regeneration of the district's principal town.

Concluding Remarks

24. We also affirm that in the planning balance the costs to the economy and to aggregate supply of not allocating it outweigh any benefits of its premature closure. There would be some benefit in local amenity effects with closure but we have shown that there would be little benefit to traffic levels in Malton and Norton. This would not outweigh the loss of economic activity and employment which could not be easily replaced by other sites.
25. The company has not gone into detail in this statement on environmental matters with the exception of traffic. We rely on our reassessment of the SA site assessment presented in our response to question 5. This was designed to show the inaccuracies of the SA assessment, particularly to highlight the inconsistency of treatment between Whitewall and Settrington. However, it also usefully confirms the similarities between the two sites, and that there are no intractable impediments to allocation for Whitewall. W Clifford Watts therefore asks for an extension at Whitewall quarry to be allocated for extraction in Policy.
26. The following changes to Policy M06 are proposed (deletions in ~~strikethrough~~; new text in **bold**)

Policy M09: Meeting crushed rock requirements

Requirements for Magnesian **and Jurassic** Limestone over the Plan period will be met through existing permissions and the grant of permission on sites allocated in the Joint Plan for working.

Magnesian Limestone allocations:

Part 1) Allocations required in order to meet requirements during the Plan period:

Land at Jackdaw Crag South, Stutton (MJP23)

Land at Barnsdale Bar Quarry (MJP28)

Land at Went Edge Quarry, Kirk Smeaton (MJP29)

Part 2) Allocations required to contribute to maintaining an adequate landbank at 31 December 2030:

Land at Gebdykes Quarry (MJP11)

Land at Potgate Quarry (MJP10)

Jurassic Limestone allocations:

Allocations required in order to meet requirements during the Plan period:

Land at Settrington Quarry (MJP08)

Land at Whitewall Quarry (MJP12)

Maintenance of supply of crushed rock is also supported through the identification of allocated sites at:

~~Land at Settrington Quarry (MJP08) (Jurassic Limestone)~~

Land at Darrington Quarry (MJP24) (retention of processing plant site and haul road)

Proposals for the development of sites identified in this Policy will be required to take account of the key sensitivities and incorporate the necessary mitigation measures that are set out in Appendix 1.