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Branch Chair
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Authority: North Yorkshire County Council

Type of consultation: Planning Consultation

Full details of application/consultation: NYM/2022/0103/FUL – Extraction of sandstone at Gayles Quarry, near Gayles Village.

At land: Gayles Quarry, Near Gayles Village, North Yorkshire

Type of response: Objection

Date of Submission: 2nd December 2022

All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

All CPRE North and East Yorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

External planning consultant used in this response:



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Comment

CPRE North and East Yorkshire ('CPRENEY') welcomes the opportunity to comment on this planning application to extract sandstone from the former Gayles Quarry to the east of Gayles Village, Richmond. The application has been submitted to North Yorkshire County Council in their role as Minerals Planning Authority ('MPA') by R&K Wood Planning LLP on behalf of Stainton Quarry Ltd ('the applicant').

Having considered the information submitted in support of the proposals, CPRENEY object to the proposed development on the following grounds:

- No evidence of need has been submitted to justify the re-opening of the redundant quarry;
- The detrimental impact to the character and quality of the landscape; and
- The proposed diverted Public Right of Way will impact people's enjoyment of the countryside at this location.

Planning Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application should be determined in accordance with the development plan unless material planning considerations indicate otherwise. The planning system should contribute to achieving sustainable development. The National Planning Policy Framework ('NPPF') (2021) aims to deliver sustainable development through the implementation of its policies. Paragraph 11 states that for decision making this means:

- c) *'approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - I. *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - II. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

Paragraph 219 of the NPPF clarifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Weight should be given to them according to their consistency with the NPPF. (The closer the policies in the plan to the policies in the Framework, the greater the weight that should be attributed).

The Development Plan relevant to this application consists of the North Yorkshire Minerals and Waste Joint Plan, adopted 2022 (jointly authored by City of York Council, North York Moors National Park Authority and North Yorkshire County Council).

The site is not allocated in the adopted Minerals and Waste Joint Plan ('MWJP'), however, there is policy support via Policy M15 which seeks to

- 1) *'...secure an adequate supply of building stone, proposals will, where consistent with other policies in the Joint Plan, be permitted for:*
 - iii) *the re-opening of former building stone quarries.'*
- 2) *'Proposals for the supply of building stone should be supported by evidence to demonstrate the contribution that the stone proposed to be worked would make to the quality of the built/historic*

environment in the Plan area and/or to meeting important requirements for building stone outside the area. The scale of the proposal should be consistent with the identified needs for the stone.'

CPRENEY note the justification in the applicant's Planning statement at section 3, however, it seems that the rationale to re-open the site and extract Gayles Stone seems to be based on 'potential opportunity' as opposed to a specific need which is not evidenced. The Statement sets out that the stone products would be suitable for a variety of construction projects, and that Stainton Quarry Ltd would be able to expand its markets further. There is no evidence from potential markets that this type of stone is missing or in low supply and thereby justifying a need. As such CPRENEY do not consider that the proposal is in conformity with the policy and as such should be refused.

The site is situated between the village of Gayles and Kirby Hill on the north facing slope rising away from the two settlements, approximately 750m to the south of Gayles and 1km to the west of Kirby Hill with the nearest residential property being 100m to the northeast of the site boundary. It is thought that sandstone will have been extracted from the site which was operational between the late 18th and early 20th century. Since that time, it has been subject to natural regeneration which according to the application's supporting Landscape and Visual Impact Assessment ('LVIA') features '*a matrix of dense scrub, scattered trees, hedgerows, dense bracken, ruderal vegetation and bare ground. The remnant spoil heaps associated with former extraction are located to the north of the existing 'bowl' and also feature established vegetation. There are areas of unimproved neutral grassland, semi-improved neutral grassland, semi-improved acid grassland and acid dry dwarf shrub heath outwith the bowl.*' All of which provide hugely biodiverse habitats and locally valued landscape features as reported by members of the charity.

The surrounding landscape is undulating in nature and consists of pastureland with scattered trees and hedges. The nearest highway is an unnamed road to the east of the site which leads to Sturdy House Lane and a farmstead, some 1.5km from the site. A Public Right of Way (PROW – 20.32/4/2) is routed through the site from the unnamed road to the east, skirting the northern edge of the site.

The site is not within a National Park or Area of Outstanding Natural Beauty or an area designated for its importance to nature conservation, however there are 2 Sites of Importance for Nature Conservation in close proximity to the site – Priest Gill and Park Wood (ancient woodland). There are no heritage assets on the site, however, 1750m to the north of the site is Grade 1 Listed Ravensworth Castle and the Gayles Conservation Area to the northwest of the site.

The proposal would re-open Gayles Quarry and cover an overall footprint of 5 Hectares. The proposal is to extract approximately 225,000 tonnes of block sandstone and walling stone over a 15-year period – equating to a maximum 15,000tonnes pa. The stone would not be cut at Gayles but be transported to Stainton Quarry where the company's processing machinery is based.

The applicant proposes an average of 2 but a maximum of 3 x 20 tonne lorries leaving the site per day to take block sandstone for processing, similarly, an average of 2 but daily maximum of 3 x 20 tonne lorries leaving the site to export walling and landscaping stone. It is assumed that there is a typo in paragraph 4.9 in that this would equate to a daily maximum of 6 HGVs leaving the site per day (not 5 as set out in the Statement). However, this is in effect 12 movements daily, which, for an unnamed road featuring passing places, when this level and type of transportation has not been experienced before (transportation methods would have been different in the early 20th century), is a significant change.

It is acknowledged that the site is a former quarry, and that the landscape in the area is distinctive because of this fact. However, a substantial amount of time has passed incorporating changes to agricultural and working practise since then. The applicant's LVIA states that the visual impact of the changes will be

moderately adverse for both users of the PROW and nearby residential properties and a major adverse effect for one residential property and specific areas on the PROW. Members report utilising the PROW regularly and how the proposed rerouting will impact their enjoyment of and ability to utilise the route - being much steeper. CPRENEY are thus concerned that the proposed diversion may result in putting people off access to the countryside which provides vital benefits to both physical and mental health. It is also considered that there will be a moderate-minor adverse effect on other footpath routes in the area which will overlook the site. As such the cumulative impact is that the effects will be adverse and potentially work together to prevent people from accessing the countryside. As such, CPRENEY consider the proposal should be refused in line with NPPF which requires no unacceptable adverse impacts on the natural environment and MWJP Policy D02 which states that there should be no unacceptable impacts on the amenity of local communities, residents and users of the public rights of way network as a result of (amongst other things) '*visual intrusion*' and to the '*disruption of the public rights of way network.*'

In conclusion, CPRENEY welcomes the opportunity to comment on the proposal to re-open Gayles Quarry to extract sandstone.

It is considered that the applicant has not demonstrated a specific need to re-open the site which has been naturally regenerated for at least 100 years and is now a locally valued landscape and much-frequented walking route. As such, CPRENEY does not feel that the benefits of re-opening this quarry outweigh the harm it will cause to the landscape and amenity of users of the PROW network in the locality and thus object to the proposals.

CPRENEY reserves the right to comment further should any additional information be submitted in support of the proposal.