

Escrick Parish Council

NYCC Minerals and Waste Consultation Response

DATE : 17 FEBRUARY 2016

Review site Ref	MJP 55 Extraction and WJP 06 Filling with Waste
Address	Land adjacent to former Escrick Brickworks

PARISH COUNCIL RESPONSE BY THE CLERK

Signed :	Date :
Comments prepared by working group on	Date: 17 February 2016

COMMENTS ON MINERALS AND WASTE JOINT PLAN

Having not been advised of the consultation on the Preferred Options, despite having made representations on previous stages of consultations and having such a massive site of 59 ha (almost 146 acres!) being proposed within its Parish, Escrick Parish Council thanks NYCC for the extension on the consultation offered to allow it to be considered at the recent Parish Council meeting and would like the following comments to be considered in relation to the above Consultation references.

Notwithstanding the following comments provided on the proposed allocation of the land adjacent to the former Escrick Brickworks and taking into account the Council's own assessment of timing as advised by the applicants, we would advise that we consider that the scale of the proposals is totally at odds with the timescale of the Plan Period itself. The Plan Period for the Minerals and Waste Joint Plan is to cover the period up to 2030. Yet the estimated date of commencement of the proposals of this site (given that there are existing reserves still to be worked on the adjacent land that already has consent) is 2025, with a subsequent 27 years working period (taking the period under consideration to beyond 2050). Should this site be deemed to be a suitable location for an extension, then there is therefore only a need to find enough land for a further 5 years period or so and therefore it would only be appropriate for a substantially smaller site to be allocated at this stage. The site under consideration therefore needs to be substantially reduced if it is to be found 'sound' and meet the needs of the Plan Period.

These comments apply to both numbers of the site above.

- 1. To protect and enhance biodiversity and geodiversity and improve habitat connectivity:** The assessment accepts that there is likely to be an important impact due to the close proximity of international / national and local designations and key features, including a Natura 2000 site and SINC which are important environments and amenity areas to the local area and cannot be easily replaced. Whilst the report says that there *may* be opportunities to bring 'long term benefits', there is no certainty of this and these would only be once restoration is complete and into the 2nd half of this century, beyond 2050 at the earliest. In the interim, on-site habitats and associated

Escrick Parish Council

NYCC Minerals and Waste Consultation Response

species – included some protected species – would be lost for a substantial period of time. In our view, the losses in the short term would not outweigh the only vague possible benefits in the very long term future.

2. **To enhance or maintain water quality and improve efficiency of water:** There are various potential impacts noted in the assessment, including removal and storage of overburden and fuel spills on site which could release pollutants which could make their way into the ‘Riccall Dam Catchment’ RBMP water body. Compaction by vehicles may also be an issue on site which may create pathways for on-site run off.
3. **To reduce transport miles and associated emissions from transport and encourage the use of sustainable modes of transportation:** We note that the assessment considers that the site would generate 50 two way HGV movements a day and 7 light vehicle movements accessed via the road that services Escrick Business park and then via the A19. The A19 is already a very heavily traffic road, especially at peak times. Lorries either removing excavated materials or bring waste fill would further compound the traffic delays being experienced on this busy commuter road. Recently approved development sites such as the North Selby Mine, major proposed housing allocations in Riccall, Barlby and Selby (including the strategic Olympia Park site) will further compound the traffic congestion already experienced on a daily basis on the A19. At peak times, traffic can already queue as far back as to Riccall from the Designer Outlet. With the ever increasing build up of traffic on the A19, the current long term nature of the proposed operations - a 27 years period - and consequential increase in traffic from the operations must pose the question whether this is a sustainable site in the longer term. We submit that more appropriate locations for mineral / clay extraction would be those strategically located neared to the motorway and trunk road network and NYCC should allocate sites that better meet these criteria elsewhere.

Furthermore, the assessment notes that the site would be likely to have dust /noise impacts on the nearby Escrick Business Park and bisects the Trans Pennine Trail and that consequently mitigation would be required. Thus the proposed operations would have a potential impact on the amenity of existing private residences in the vicinity of the land, as well as two Farms and also the businesses on the currently expanding Escrick Business Park. In particular, there is a Children’s Day Nursery with an outside play area, and there could be environmental health issues (eg from dust) arising from the site’s proximity of residents, employees and children in this area. Therefore the suitability of the site must be questioned due to the potential health and amenity implications for those already living and working nearby, including children.

In addition, the assessment totally ignores the longer term implications and likely impact on usage of the Trans Pennine Trail, apart from noting that that the proposals would pass through, surround and bisects the Trail which is currently a well used pedestrian and cyclist route. It is part of the National Cycle Network as well as part of European walking route E8 and therefore must be protected. It is the only route for

Escrick Parish Council

NYCC Minerals and Waste Consultation Response

pedestrians and cycles linking York and Selby away from the A19, which has no pedestrian and cycle facility along its route. Should the northern site be developed / excavated, a minimum of one road would need to be created and this would bisect the Trail, which would create a conflict between the two uses and would have serious detrimental impact on the amenity of users and would discourage its use. And this totally ignoring the emissions and amenity affects outlined in the assessment. To destroy that environment and thus discourage usage of the Trans Pennine Trail is totally in conflict with the aims and objectives of the policy which is *'to reduce transport miles and associated emissions from transport and encourage the use of sustainable modes of transportation'*.

4. **To protect and improve air quality:** The assessment notes that HGV traffic may generate dust in dry conditions and that there will be local negative effects from dust and air pollution that may affect the adjacent industrial estate and users of the Trans Pennine Trail. As several settlements lie close to the A19 and en route to the brickworks, it states that these receptors may see slightly raised air pollution levels, though not at a 'significant level'. Again we draw your attention to the comments above where we raise concerns for those living and working nearby. The amenity of existing nearby houses (such as Brickworks House) and the children's nursery, as well as nearby settlements, must be protected.
5. **To use soil and land efficiently and safeguard or enhance their quality:** The assessment notes that possibly 59 ha of the best and most versatile land will be lost; a major negative until restoration. National policy requires that the best and most versatile land should be protected, for good sustainable reasons. The site concerned comprises good quality agricultural arable land which is in an attractive area of Escrick Parish. It is currently tenanted and in food production, all of which would be lost should the site be developed as proposed. This would be a loss of employment for those farmers concerned and the loss of good quality local food production, again currently meeting local and national sustainability objectives, which must be a material consideration when considering the suitability of this site against other competing sites for clay production and inert waste disposal.
6. **Reduce the causes of climate change:** The assessment notes that areas of habitat would be lost, and neighbouring priority woodland may be deleteriously affected by changes to hydrology (e.g. a changed surface water regime). Moreover, this site would eventually shift 5 million tonnes of clay off site (over 25 years) and also ship in significant waste for landfill (see WJP06). **This would over time result in a significant and permanent release to the atmosphere.** This would conflict with international, national, regional and local objectives to reduce climate change and cannot be ignored. Due to the huge size of the site proposed, this would have longer term implications for the local environment which are not acceptable.
7. **To respond and adapt to the effects of climate change:** The assessment states that flooding will be an issue with a moderate risk from future river flooding and a low risk

Escrick Parish Council

NYCC Minerals and Waste Consultation Response

from surface flooding (but with patches of high risk). This will require an appropriate FRA and emergency planning procedure to be put in place and suitable application of an on-site sequential approach. It should be noted that extensive areas of fields surrounding the A19 between Escrick and Selby were under water for a substantial period of time following the recent floods in December 2016; the Flood Zone maps and sequential test should be updated to reflect this as it would be highly detrimental and totally contrary to Government policy if further flooding took place as a consequence of the proposals.

- 8. To conserve or enhance the historic environment and its setting, cultural heritage and character:** The assessment acknowledges that there is high archaeological potential for the survival of archaeological remains within the site from the later prehistoric period onwards and, although the site has not been archaeologically evaluated, it is assumed that allocating this site would be likely to cause the loss of these archaeological remains if the site is extracted without mitigation. The archaeological impact will occur throughout the duration of extraction. It is assumed that excavation will result in the **total destruction** of the archaeological remains. As archaeology is a finite, irreplaceable resource, the impact of loss of this massive site will therefore be significant.

It notes that also of significance is the site's proximity to the Escrick Conservation Area. Therefore there would need to be an evaluation of any impact on the Conservation Area and parkland (Escrick Estate). The site concerned is in an attractive area of Escrick Parish, of which in particular that between the Trans Pennine Trail and the A19 trunk road is of high quality landscape value with attractive hedges and mature trees and is of no doubt also ecological significance. The loss of the massive northern area in particular would have a serious detrimental impact on the historic environment of Escrick and its setting, cultural heritage and character, and this part of the Vale of York seen from the A19 and the Trans Pennine Trail.

- 9. To protect and enhance the quality and character of landscapes and townscapes:** The assessment states that the site is not within a locally protected landscape, but it would be visible from the Trans Pennine Trail. The site is about 1.5-2 km from Escrick and is visible from the A19 on the approach from the south. This area would also be sensitive to change due to the proximity to Escrick Park. These are all important environmental factors and the proposals – in particular the massive northern site that abuts both the A19 and the Trans Pennine Trail - would totally destroy the environment for those using these routes.

It acknowledges that the site is currently countryside degraded by large scale hedgerow and hedgerow tree loss as it is in intensive agricultural use (see 5 above), but it is relatively unspoilt by development and within a landscape influenced by the Escrick Estate. Larger scale mineral extraction would represent a significant change. The existing brickworks site is isolated from other similar development and is not currently conspicuous from the A19 although it would be from the Trans Pennine Trail.

Escrick Parish Council

NYCC Minerals and Waste Consultation Response

Therefore the two sites proposed should be separately considered in this and in many other regards.

The assessment acknowledges that there is a need to establish the landscape sensitivity of this area and asks the crucial question *‘Is the site too big for this landscape, or could it be phased?’* An evaluation of the impact on Escrick Conservation Area & the designed landscape of Escrick Park is required. We fundamentally agree with this question and respond that yes, for all of the reasons outlined, the site is too big and must be reconsidered further.

10. **Achieve sustainable economic growth and create and support jobs:** The assessment (12) acknowledges that the clay may need to travel to another facility to actually make the bricks (possibly 20 km away), even if the actual bricks are eventually used locally, of which there is no guarantee. Most larger housebuilders will have a national purchasing agreement and will not buy locally sourced materials, and smaller builders will order and purchase from wherever is most economic. Therefore there is no known sustainability advantage of the location. Whilst there may be a limited number of jobs gained from the extraction operation, there will be a consequential loss of farming jobs. Likewise, the encouragement of jobs created by lorries travelling long distance has poor environmental, climate change and sustainability credentials. Therefore we fail to see the positives cited.
11. **Maintain and enhance the viability and vitality of local communities:** The assessment seeks to justify the location and extent of the site due to the fact that the site is located close to several villages where some small developments may be permitted (Escrick is one of the smaller Designated Service Villages in the District) and Secondary Villages where only the occasional infill plot may be developed. However, for the reasons outlined in 10 above, it is extremely unlikely that any bricks will be used locally; neither do the timescales of the materials being produced match with when such properties may be developed as these would only become available towards the end of the Local Plan period. The effect on the amenity and amenity value to Escrick Park Estate and the Trans Pennine Trail as well as the wider Vale of York along the A19 is totally ignored and undervalued.
12. **To provide opportunities to enable recreation, leisure and learning:** As per 11 above, the effect on these areas (14) is totally ignored and undervalued. Users of the Trans Pennine Trail would experience major visual intrusion, as well as noise and dust impacts (including from any movement that might take place on the bridge across the Trans Pennine Trail), if the large northern site which surrounds the trail for an extensive area is allowed to be developed. Although not a National Trail, this is a nationally significant trans regional route. Significant investment has taken place to create a valuable well used resource and this should not be allowed to be compromised purely to facilitate a development that is far too large and not required for this Plan period.

Escrick Parish Council

NYCC Minerals and Waste Consultation Response

13. To protect and improve the wellbeing, health and safety of local communities:

Again the local impact is ignored in favour of regional impact (15). The majority of users make local journeys; the majority of cycle and pedestrian journeys take place between York and Selby, in order to avoid the A19 where there is no alternative safe cycle or pedestrian route (as there is no continuous footpath or cycle link along the majority of the A19). Therefore users of the Trans Pennine Trail will have the 'choice' of either finding that an extensive section of this walking / cycling route changes detrimentally in terms of character, noise, dust and smell for a significant period of time (25 years), or they will have to walk or cycle along the already dangerous heavily traffic A19 which has not been designed for this purpose. Again the Parish Council objects to the analysis whereby the impacts are considered 'insignificant' and 'minor negative' with no negative scoring, given that there will be an adverse effect on their wellbeing, health and safety for a substantial period if the site as a whole is developed.

In conclusion, there is a huge difference to the Parish of Escrick and many surrounding settlements and the wider environment as to whether the whole of this site is considered further as a Preferred Option or only part, which the report does consider and would be more compliant with the Plan Period. In our view, we would have considerably less concerns and could potentially support the allocation of the substantially smaller parcel of land immediately to the west of Glade Farm and to the south of the existing extraction area only, but NOT the substantially larger parcel to the north. This smaller parcel, if considered suitable, would provide a continuation for the existing business and its employees and would provide more than enough material for the foreseeable future. It would allow a reasonable timescale of production of many years into the medium term and fit within the Plan Period and beyond.

However, in our view, the huge area to the north surrounding Mount Farm, and which is crossed by the Trans Pennine Trail, should NOT be allocated. This site is far too large, would be for the Period well beyond 2030 and potentially up to 2050 (the following Plan Period) and therefore is premature for even consideration at this time. The site concerned comprises good quality agricultural arable land which is in an attractive area of Escrick Parish. The land particularly between the Trans Pennine Trail and the A19 trunk road is of high quality landscape value with attractive hedges and mature trees and is of no doubt ecological significance. The extraction of clay from the larger area cannot be supported and even worse, the subsequent tipping would be readily visible.

It goes without saying that any site that may be allocated should have all of the necessary safeguards for the protection of amenity for all nearby residents and businesses during the extraction, filling and restoration period and full restoration following completion to a suitably high environmental standard (so that the recent problems regarding North Selby Mine are not repeated in the future and where restoration could not be enforced, despite the 'safeguards' and promises at the time that the land was granted consent.) We would expect that if any planning permission is granted in the future, that it include a S106 Agreement guaranteeing that the restoration is to a suitable high environmental standard to reinstate the high quality of this sensitive landscape in the Vale of York.

Escrick Parish Council

NYCC Minerals and Waste Consultation Response

Thus the assessment's question *'Is the site too big for this landscape, or could it be phased?'* is the correct one. Escrick Parish Council fundamentally agrees with this question and respond that yes, for all of the reasons outlined, the site is too big. When considering the Plan Period, there is fundamentally no requirement for such a large allocation that would totally destroy the local environment, have significant effects on climate change, and would have massive amenity and economic implications for those affected by the proposals. We consider that the assessments should be re-undertaken for the smaller area immediately to the west of the existing workings near Escrick Brickworks / Glebe Farm only, where a far lesser adverse impact will arise.