

# North York Moors National Park Authority

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District/Borough: Ryedale District  
Parish: Appleton-Le-Moors

Application No. NYM/2018/0787/FL

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**Proposal: alterations to and change of use of 2 no. buildings formerly used in connection with mineral extraction to agricultural use together with construction of extensions to one of the buildings**

**Location: Land at Spaunton Quarry, Kirkbymoorside**

**Decision Date: 04 April 2019**

**Extended to:**

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## Consultations

**Parish** – No comments received.

**Highways** – No objections.

**Environmental Agency** – No objections on flooding issues. Recommend an informative be placed on any approval.

**Site Notice/Advertisement Expiry Date** – 28-March-2018

**Others** –

**Ron & Audry Dale, 2 Catterbridge.** Comments apply to both applications. Would like to know more about the traffic type and numbers and whether there will be a sign near out property will there be 365 day access 24 hours a day.

**CL162 Group** – Object, would undermine the 2003 restoration plan. More benefit from restoring the social/cultural/heritage value of the common than agricultural benefit. The owner has previously accepted many times the need to restore the quarry fully including removal of former quarry buildings. The money is already allocated by Cemex for the demolition. As common land it is not the right location for agricultural development. This is simply a device to circumvent the master plan. Would be premature to approve given SoS has not sanctioned any common land swop. The existing permission for the cabins should not be seen as any baseline for not implementing the masterplan as the SoS has not consented the development. Would ask officers to give great weight to the impact on Common Land issue. There has not been any application submitted to PINS for any Common land swop.

**Yorkshire Wildlife Trust:** Content that the buildings are not likely to contain bat roosts and there appear to be no trees removed . There would be scope to improve bat habitat in new and around the buildings and recommend a condition and informative be placed on any approval.

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## Director of Planning's Recommendation

**Refusal** for the following reasons:

1. The site forms the greatest remaining part of the final outstanding restoration of this former large limestone quarry. The retention of the former two quarry buildings, albeit modified and extended, would have an undermining effect and seriously dilute the character and appearance of the ongoing restoration of the former quarry to a more natural form and thus detract from the Authority's approved Landscape Restoration Plan which sets a vision for an attractive landform and landscape post quarrying. The buildings are not of architectural or historic importance and do not make a positive contribution to the landscape and character of the National Park. As such their retention through conversion would be contrary to the provisions of Core Policy A, and Development Policy 8 of the NYM Core Strategy which, amongst other things, seek to retain traditional buildings which make an important contribution to the quality and character of the landscape, together with seeking to ensure development conserves and enhances the wider landscape and Special Qualities of the National Park, and avoids damage to the landscape.
2. The Local Planning Authority does not consider that the benefits to agriculture set out in the application justification outweigh the harm that would be likely to accrue from the significant harm to the Landscape Restoration Plan vision for the site which involves open access for the public to enjoy an attractive semi-natural landscape and the undermining of the social/cultural/heritage value of the common land in the locality. As such the proposals would be contrary to the provisions of Core Policy A of the NYM Core Strategy which, amongst other things, seeks to maintain and enhance the natural environment and landscape and not detract from the quiet enjoyment, peace and tranquillity of the Park. Furthermore the proposal would conflict with Development Policy 12 which seeks to ensure the character and appearance of the Park is maintained by ensuring new farm buildings are related physically and functionally to existing buildings associated with the business. Insufficient justification has been submitted to demonstrate why buildings could not be located at Spaunton Estate's existing moor farms thus avoiding the creation of livestock and agricultural storage buildings in this isolated location away from any existing agricultural buildings.
3. The proposed development involves the creation of agricultural buildings for use by livestock with welfare and husbandry requirements which are likely to lead to pressure for a farm workers dwelling(s) which would be likely to have a harmful an urbanising impact on the locality contrary to the provisions of NYM Core policy A and Development Policy 12.



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**Background**

Spaunton Quarry is a former limestone quarry, now closed and approximately 90+% restored back to agriculture/woodland. It is located some 2.5 km east of Kirkbymoorside with good road access off the A170. The area that has not been fully restored essentially relates to the non-demolition of a series of semi-derelict former quarry buildings. The layout of the quarry can be described as comprising three distinct areas, a northern basin section and associated tree planted slopes was the first area to be restored, a middle basin area and a southern basin section in two parts which was the last to be levelled and is now being naturally vegetated. All the buildings awaiting demolition lie in the southern section which is closest to the quarry link road which leads onto the A170. The application site lies in one of the two southern parts, and comprises a mid-slope platform with some perimeter tree belt screening, it was previously used for the storage of quarried building products ready for sale. This area, along with much of the quarry is also classified as 'Common Land' as part of the larger Spaunton Common, although that designation for the quarry part of the Common was 'suspended' whilst the quarry was working/being restored, the landowner believes the open access to the common land is now restored following the cessation of active quarrying works. The whole quarry is approximately 93 ha with a valley/gorge type topography and is surrounded by woodland belts. A stream, Catter Beck runs through the site north-south. A public footpath crosses the site northeast - south west.

The application relates to two existing semi derelict former quarry buildings located close to the main vehicular entrance to the quarry where the site widens out from the long access road onto the A170 road. The proposals firstly, envisage recladding the taller of the buildings with dark green steel plastisol sheeting to roof and walls and inserting a roller shutter door to create a store for agricultural machinery and sheep fodder. Secondly to clad the lower twin roof building with steel sheeting to walls and roof with low stone walling and adding a 20m by 10m extension of concrete block and timber boarded walls and steel sheet roof to form an over wintering sheep shed.

The application was accompanied by: a Planning Statement, a contaminated Land report, an ecology appraisal, a Landscape & Visual Assessment, and a flood risk assessment. Additional information (29/3/18) was submitted in relation to the proposal in relation to Development Plan policy DP12 and further information (partly confidential) was submitted (23/5/19) in respect of the wider Spaunton Estate agricultural context.

In brief, the submitted justification explains that Spaunton Quarry forms a small part of the much larger Spaunton Estate which encompasses over 2600 hectares (7000acres). Officers are aware that the bulk of the Estate lies to the north of Appleton le Moors village and a smaller part lies to the south of the village and within it Spaunton quarry lies at the southern tip of the Estate. Three full time staff are employed to manage the habitat and look after the estates flock of moor sheep. As the quarry has been used for stone extraction for 160 years, the applicant considers there is scope to continue an economic use in the form of a new green field farm steading for overwintering of sheep and storage of machinery that would free up existing Estate farm accommodation. The applicants explain that there are economic benefits from keeping lambs longer and taking the moorland flock off the moors late October/November and transferred into sheds to be fed during January, Feb, March, April then fed in quarry/turned out onto the Moor mid may. The Estate have overwintered the flock both at a moorland farm in Rosedale and down at the owners Buttercrambe estate near York and considers the proposal would be much more effective for a number of reasons including inadequate existing buildings at and difficult roads at Rosedale. There would be further land

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**Background continued**

management benefits from less grazing of the moors and from managing the grassland at the quarry.

The Authority commissioned an independent agricultural review of the justification which confirmed there would be agricultural benefits to the applicants if the development was approved albeit the functionality and suitability of the buildings are not overly suited to the proposal'.

**Main Issues**

Spaunton Quarry is the largest quarry in the National Park and for many years the limestone extraction has scarred the landscape in this part of the National Park. Following a 'called in' planning Inquiry in 1997, the Inspector decided that there were plenty of Limestone sources outwith National Parks and refused the appeal to set in place a process for the closure and restoration of the large quarry to a more natural landform that would also eventually benefit from open access onto the common land parts of the quarry.

Restoration has been slow but the quarry is more than 90% restored and there remain several buildings to be demolished to finalise the restoration plan. The two buildings the subject of this application are part of the several buildings awaiting demolition to finalise the restoration and secure a substantial environmental and public benefit. Over the last twenty years the Authority has fairly consistently sought the eventual restoration of the quarry. The key issue is considered to be whether there is an agricultural benefit that would outweigh the environmental and public benefits of not completing the restoration by allowing the retention of the buildings in a modified and extended form and the associated paraphernalia and activity associated with a new greenfield' agricultural steading to allow the applicant to keep lambs for longer on the estate before sale.

Core Policy A seeks to deliver Park purposes and to direct acceptable development to appropriate locations. Officers have no doubt that establishing a new farm steading in the quarry would undermine and dilute the returning of the site back to a more natural form, character and appearance. Whilst the applicants have set out how the two new buildings could build on the current arrangements to keep lambs longer by not transferring the lambs to land near York or by investing and improving housing at Rosedale it is considered that the environmental and public harm significantly outweigh the applicant's agricultural benefits and refusal is recommended.

Furthermore NYM Core Policy 12 recognises that this National Park is not characterised by remote field barns, rather agricultural buildings are clustered with their respective farm houses. This gives rise to a generally uncluttered landscape. The policy seeks to ensure new agricultural buildings are sited adjacent to existing farm houses/buildings/business base unless there are exceptional circumstances.. The applicant has set out a case why they consider exceptional circumstances apply however officers consider the case overstated and whilst all hill farms are far from ideal with often inadequate buildings and tight access these are capable of being overcome. There are social and environmental benefits associated with keeping existing rural and in-village farms working. The creation of a whole new steading would result in additional paraphernalia and activity levels which would harm the character and appearance of this newly restored part of the quarry and be likely to lead to pressure for future agricultural dwellings to deal with associated animal welfare and husbandry issues.

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**Main Issues continued**

The application site is registered common land which has social, cultural and heritage value which are set out at length in the CL162 comments.. Common land is a material planning consideration. The agricultural benefits are not considered to outweigh the potential resulting loss of common land albeit the Secretary of State does have the power to grant a land swap if considered appropriate. Such land swaps are subject to their own regime of control .

Other confidential issues including: future of farming subsidies, off-site development opportunities, continuity of lamb supply and benefits of a dedicated collection point do outweigh the harm set out above.

In summary, the agricultural and land management benefit justifications are not considered sufficient to outweigh the significant harm to the landscape character and appearance from preventing the full restoration of this large former quarry back to a more natural landscape form with associated low levels of activity which would result in an environmental, public access and nature conservation benefit.

**Contribution to Management Plan Objectives**

Refusal is considered likely to help meet Policies E1 and E3 which seek to maintain and enhance the landscape character of the Park and ensure new development does not have a detrimental impact.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

Officers have previously explained to the applicant the overriding desire by the LPA to complete the quarry restoration including demolition of the application buildings. No matters raised during the processing of the application were sufficient to outweigh the presumption in favour of following Core Policy A and DP 12 and resisting this sporadic development in the countryside.