

From: Meirion Jones
Sent: 29 March 2019 10:42
To: Rob Smith
Subject: RE: Sirius Minerals - consultation NYM/2019/0041/cvc - Woodsmith Mine

Hi Rob,

Thank you for the in-depth explanation.

Further to our discussions earlier this week and the email from Julia Beaumont's on 5th March 2019. The applicant's consulting engineers have only submitted drainage calculations for the 1 in 20 annual return period. This addresses bullet point 13 of condition 79 which states that *"A timetable for the implementation of the Surface Water Drainage Scheme, including during the construction phase. This is to include details regarding the phasing of the construction works demonstrating that the storage available during construction is maximised (i.e. that the period of time that only the minimum 1 in 20 standard of protection is kept to the shortest possible)."* I understand that it is NYMNP's interpretation that the construction period accounts for the construction for the whole site and not the construction of the surface water drainage attenuation features as required by bullet point 1. Bullet point 1 states *"confirmation that the surface water drainage system is to be built first so that it is available to provide the drainage for the construction phase as well as the completed mine head"*. The submitted calculations demonstrate that the additional hardstanding for phase 9 during the 1 in 20 annual probability event will not increase runoff rates from the site beyond the permitted Q_{bar} rate of 207l/s. In that case, the submitted information is sufficient to recommend partial discharge of condition 79 in relation to phase 9.

However, I understand that Phase 9 is temporary and only required to treat waste water from the site during construction of the remaining phases. As such all the additional hardstanding will need be removed once the wider site and drainage system becomes operational. It is therefore imperative that the approval for the partial discharge of condition 79 (bullet point 13) is caveated with a clause that either requires complete removal of the temporary additional impermeable area once the development and drainage system is complete and operational **or** that the drainage calculations are updated to satisfy the remainder of condition 79. In particular, bullet point 4 states the applicant will have to *"demonstrate that surface water run-off generated up to and including the 1 in 100 critical storm will not exceed the runoff from the undeveloped site following the corresponding rainfall event"*. The condition further states that *"sufficient attenuation storage for up to and including the 1 in 100 storm event plus a 30% allowance for climate change, and surcharging the drainage system can be stored on site without risk to people or property without overflowing into a watercourse."*

On the proviso that the partial discharge of condition 79 is caveated as above, the LLFA has no objection.

Kind Regards
Meirion

Meirion Jones
Flood Risk Project Engineer

Mr Meirion Jones FdSc BSc (Hons) | Flood Risk Project Engineer | Business and Environmental Services | Flood Risk Management Team | North Yorkshire County Council | East Block | County Hall | Racecourse Lane | Northallerton | DL7 8AH



From: Rob Smith
Sent: 29 March 2019 09:26
To: Meirion Jones
Subject: RE: Sirius Minerals - consultation NYM/2019/0041/cvc - Woodsmith Mine

Hi Meirion

Further to your query on this I've now looked into the matter in more detail and discussed the position with Sirius and their planning adviser. Although I wasn't involved in the project at the time when the original permission was granted (ref NYM/2014/0676/MEIA), I understand that the 119 l/s figure (subsequently reflected in the 2018 condition 79) has its origins in the Environment Agency's response (from December 2014) to consultation on the application eventually granted permission in October 2015. During the period between the EA response in December 2014 and the eventual issue of permission in October 2015 discussions continued between various parties on a range of detailed matters, and I understand there were over 30 draft schedules of planning conditions prepared before the final version was issued! One change introduced during that process, and following dialogue with the EA, was to revise the allowable rate to the 207 l/s figure actually reflected in condition 79 of the 2015 permission. What appears now to have happened is that in drafting the 2018 permission (NYM/2017/0505/MEIA) the relevant part of condition 79 was carried forward from an

earlier draft of the 2015 conditions (ie pre-dating the change to the allowable rate figure).

I also note that the Section 73 amending application granted permission in 2018 under ref NYM/2017/0505/MEIA did not seek a modification of the 2015 version of condition 79 (although suggested revisions to other conditions were put forward) and that the Environment Agency consultation response to that application expressed no objection from a flood risk perspective.

We therefore think that the figure included in the current permission is an anomaly and that there was no intention to supercede the 207 l/s value.

Hopefully this provides a sufficient basis for you to issue your consultation response to the current conditions discharge application. Apologies for the confusion over this matter, and thanks for picking it up. Moving forward we will look for a more formal mechanism to regularise this anomaly.

Don't hesitate to get back in touch if you want to discuss this further.

Kind regards

Rob

From: Meirion Jones
Sent: 27 March 2019 15:25
To: Rob Smith
Subject: RE: Sirius Minerals - consultation NYM/2019/0041/cvc - Woodsmith Mine

Hi Rob,

Just a quick one, I tried to call.

I've just noticed that condition 79 varies slightly between the decision notice NYM/2014/0676/MEIA and / NYM/2017/0505/MEIA. The latest condition requires surface water discharge to be restricted to 119 l/s for the whole site and distributed over three watercourses. Julia Beaumont's email states that the allowable rate is 207 l/s based on 6.5 l/s per hectare – this is in accordance with the previous condition for NYM/2014/0676/MEIA. Has the condition for NYM/2017/0505/MEIA superseded the earlier condition. The application for the above Condition validation check application references the latter decision notice. I'm now not sure what the overall discharge rate should be, irrespective of design storm event.

I'm a bit confused! Could you give me a call to discuss?

Kind Regards
Meirion

Meirion Jones
Flood Risk Project Engineer

Mr Meirion Jones FdSc BSc (Hons) | Flood Risk Project Engineer | Business and Environmental Services | Flood Risk Management Team | North Yorkshire County Council | East Block | County Hall | Racecourse Lane | Northallerton | DL7 8AH |

Our SuDS guidance for developers is
changing from April 1st. Find out more at
<https://www.northyorks.gov.uk/flood-and-water-management>



From: Rob Smith [mailto:rob.smith@northyorkmoors.org.uk]
Sent: 27 March 2019 15:06
To: Emily Mellalieu
Cc: Meirion Jones
Subject: RE: Sirius Minerals - consultation NYM/2019/0041/cvc - Woodsmith Mine

Thanks Emilly

Meirion kindly called me earlier this afternoon and hopes to have a response out shortly.
Thanks you both for your help.

Rob

From: Emily Mellalieu
Sent: 27 March 2019 14:43
To: Rob Smith
Cc: Meirion Jones
Subject: RE: Sirius Minerals - consultation NYM/2019/0041/cvc - Woodsmith Mine

Hi Rob

The engineer for the area is out of office this week however I have passed to Meirion Jones (cc'd)
who will endeavour to progress in the circumstances.

Emily

From: Rob Smith [mailto:rob.smith@northyorkmoors.org.uk]
Sent: 27 March 2019 09:39
To: Emily Mellalieu
Subject: Sirius Minerals - consultation NYM/2019/0041/cvc - Woodsmith Mine

Hello Emily

Not sure if you can help with this but I'm just trying to chase up a response to a
consultation we sent on the above application by Sirius Minerals. You sent an initial
response on 20 February requesting updated drainage calculations. These were
subsequently provided via email on 6 March. The applicant is chasing hard for a
decision and this is now the only outstanding item on this application. Are you able to
help expedite a response?

Many thanks

Kind regards

Rob Smith
Senior Minerals Planner

North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Tel. no. 01439 772700

Web: www.northyorkmoors.org.uk




PRINCESS ROYAL
TRAINING AWARD
2018

NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES
LEAD LOCAL FLOOD AUTHORITY
CONSIDERATIONS and RECOMMENDATION



Application No:	NYM/2019/0041/CVC LLFA		
Proposed Development:	Application for verification check of conditions 4, 18, 34, 46, 47, 52, 57, 60, 64, 68, 70, 71, 73, 76, 79, 81, 91, 92, 93, 94 and 95 of planning approval NYM/2017/0505/MEIA at Land at Woodsmith Mine (formerly Doves Nest Farm & Haxby Plantation), Sneatonthorpe (minehead); underneath 252 km2 of the NYMNPA (winning & working of minerals); a corridor extending underground from the edge of the NP boundary to Wilton Complex (mineral transport system);		
Location:	Ladycross Plantation near Egton, Lockwood Beck Farm near Moorsholm, Tocketts Lythe, near Guisborough (intermediate shaft sites); site within the eastern limits of the Wilton Complex, Teeside (tunnel portal)		
Applicant:			
District/Borough:	North York Moors National Park Authority		
FRM Engineer:	Meirion Jones	LPA Case Officer:	Rob Smith
Note to the Planning Officer:			
Thank you for consulting the Lead Local Flood Authority on the planning application referenced above.			
The following documents are noted:			
<ul style="list-style-type: none"> Woodsmith Mine – Phase 9 Works NYMNPA 60 and 79 Surface Water Drainage Schemes, Arup, Report Reference 40-ARI-WS-7100-CI-RP-01004, Revision 0, Dated 22nd January 2019. 			
In assessing the submitted proposals and reaching its recommendation the Authority would like to make the following comments:			
It is understood from the above document that the drainage strategy prepared for Phase 3 (Ref, 40-ARI-WS-71-PA-RP-1050_0_IFU_20170403 SWD DoC 60_79, Rev 0, Arup, April 2017) and updated for the phase 7 (Ref:40-ARI-WS-7100-CI-RP-01001_0_IFU_20180831 SWD DoC 60_79, Rev 0, Arup, August 2018.) are still applicable to Phase 9.			
Date:	20 February 2019	Approved by:	Emily Mellalieu Flood Risk Management Team Leader
FAO:	Rob Smith		
Issued by:	Meirion Jones		

LEAD LOCAL FLOOD AUTHORITY CONSIDERATIONS and RECOMMENDATION		
Continuation sheet:	Page 2 of 2	
Application No:	NYM/2019/0041/CVC LLFA	

The report sets out what works will be completed as part of Phase 9 and how the activities are likely to impact on the proposed drainage scheme. It is noted that the installation and operation of the non-domestic Wastewater Treatment Plant and the extension of the internal access road will increase the drained platform area by 0.12ha and 0.43ha respectively. Whilst the changes are small increases in impermeable when considering the overall site area, a cumulative increase in of 0.55ha is still a substantial amount of hardstanding.

The report concludes the additional area can be accommodated within the existing drainage network without any modifications, whilst still achieving the permitted discharge rates and design basis.

The LLFA cannot find any evidence in the form of updated calculations within the submitted documentation to support the conclusions of the Phase 9 Surface Water Drainage Schemes report.

Recommendation to the Local Planning Authority:
The submitted documents are limited and the LLFA recommends that the applicant provides further information before conditions 60 and 79 are discharged in relation to Phase 9. The following should be submitted and approved by the Local Planning Authority;

- Updated drainage calculations for Phase 9 works.

Our ref: NYM/2019/0041/CVC
Internal - Yorkshire Wildlife Trust
Yorkshire Wildlife Trust
fao: Sara Robin
1 St George's Place
York
YO24 1GN

Date: 30 January 2019

This matter is being dealt with by: Mr Rob Smith

Dear Sir/Madam

Application for verification check of conditions 4, 18, 34, 46, 47, 52, 57, 60, 64, 68, 70, 71, 73, 76, 79, 81, 91, 92, 93, 94 and 95 of planning approval NYM/2017/0505/MEIA at Land at Woodsmith Mine (formerly Doves Nest Farm & Haxby Plantation), Sneatonthorpe (minehead); underneath 252 km2 of the NYMNPA (winning & working of minerals); a corridor extending underground from the edge of the NP boundary to Wilton Complex (mineral transport system); Ladycross Plantation near Egton, Lockwood Beck Farm near Moorsholm, Tocketts Lythe, near Guisborough (intermediate shaft sites); site within the eastern limits of the Wilton Complex, Teeside (tunnel portal)

Grid Reference 481916 507204

I have received the above condition verification check application. The details including forms, supporting information and plans for the application are available under the application reference number on the Authority's website using the following link:

<http://planning.northyorkmoors.org.uk/Northgate/PlanningExplorer/ApplicationSearch.aspx> and by following the instructions given.

Should you wish to view the electronic file at the Authority's offices, please call to make an appointment between the hours of 9am and 5pm Monday to Friday.

If you are being consulted by email please allow 24 hours for these plans to be made available.

I would be grateful for any comments you may have on this application within **21 days** of the date of this letter.

Yours faithfully

Mr M Hill

Head of Development Management

Comment:

It does not appear that there will be any impacts on bats from this part of the development works. The Protected Species Management Plans are already in place.

Sara Robin
Conservation Officer (Planning)
Yorkshire Wildlife Trust
1 St George's Place
York
YO24 1GN

Date: 20 February 2019
Our ref: 272382
Your ref: NYM/2019/0041/CVC



Mr Rob Smith
North York Moors National Park Authority
planning@northyorkmoors.org.uk

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

Dear Mr Rob Smith

Planning consultation: Phase 9 works application for verification check of conditions 4, 18, 34, 45, 46, 47, 52, 57,60, 68, 70,73, 76, 79, 81, 87, 91, 92, 93, 94, 95 & 97 of planning approval NYM/2017/0505/MEIA

Location: Land at Woodsmith Mine (formerly Doves Nest Farm & Haxby Plantation), Sneatonthorpe (minehead); underneath 252 km² of the NYMNPA (winning & working of minerals); a corridor extending underground from the edge of the NP boundary to Wilton Complex (mineral transport system); Ladycross Plantation near Egton, Lockwood Beck Farm near Moorsholm, Tocketts Lythe, near Guisborough (intermediate shaft sites); site within the eastern limits of the Wilton Complex, Teeside (tunnel portal)

Thank you for your consultation on the above dated 30 January 2019 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England notes the information provided in relation to the discharge of conditions 46, 60, 79, 93 and 94 and has no concerns regarding our areas of strategic environmental interest.

Natural England has not assessed the discharge of condition 52 concerning the Protected Species Management Plan for bats. Natural England has published [Standing Advice](#) on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at

We would be happy to comment further on any additional information provided if you wish to consult us.

From: [Elspeth Ingleby](#)
To: [Rob Smith](#)
Cc: [Planning](#)
Subject: NYM/2019/0041/CVC - Woodsmith Mine phase 9 works
Date: 18 February 2019 12:08:57

Dear Rob,

Having looked through the relevant documentation relating to this CVC application, I am comfortable that all necessary controls and procedures have been observed with regards to the treatment of non-domestic waste water and the remediation and monitoring plans appear sufficient. The documentation makes clear that an EA permit for discharge of waste water to the beck is required and this must be obtained before the treatment plant is brought into use.

Many thanks,

Elspeth

Elspeth Ingleby

Ecologist

North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York YO62 5BP
Telephone: 01439 772700

Please note: I work 2 days per week on Ecology matters. My normal working pattern is Monday and Thursday.

From:
To: [Planning](#)
Subject: RE: Land at Woodsmith Mine (formerly Doves Nest Farm & Haxby Plantation), Sneatonthorpe (minehead); underneath 252 km2 of the NYMNP (winning & working of minerals); a corridor extending underground from the edge of the NP boundary to Wilton Complex (mine
Date: 31 January 2019 09:25:10
Attachments:

Thank you for consulting the Environment Agency regarding the above proposed development. We have reviewed the information submitted and we wish to make the following comments.

Conditions 52,57,70,73 and 95 (Phase 9) do not appear to have been requested by the EA. We therefore have no comment on their discharge.

If there's any doubt about whether a consultation is needed, please give us a call (Tel. 020 302 56862). Please do the same if you think we've incorrectly returned a consultation.

Kind regards,

Sustainable Places, Yorkshire