
From: Forecast, Lauren

Sent: 09 April 2021 17:14

To: Rob Smith

Subject: Application for verification check of conditions 37, 39, 42, 56, 60, 70 & 95 of planning

Application for verification check of conditions 37, 39, 42, 56, 60, 70 & 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 NYMNP (winning & working of minerals) (+ Variation of Condition 5).

Dear Rob,

Thank you for consulting Natural England on the above planning application. We have the below comments to make:

No Objection

Natural England has no objection to the proposed verification of conditions.

We would however like to make the following comments regarding the CEMP:

We note that species rich road verges are to be protected. We recommend remediation with low nutrient top soil could to reduce future weed burden/ dominance.

We welcome the proposed dust management (Section 7)

Kind Regards,

Lauren

Lauren Forecast
Team Leader
Casework and Coordination Team
Yorkshire and Northern Lincolnshire Area Team
Natural England

During the current coronavirus situation, Natural England staff are working remotely and from some offices to provide our services and support our customers and stakeholders. Although some offices and our Mail Hub are now open, please continue to send any documents by email or contact us by phone to let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

Wash hands. Cover face. Make space.

**NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES**



**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Application No: **NYM/2021/0037/CVC**

Proposed Development: Application for verification check of conditions 4, 18, 34, 46, 47, 52, 57, 60, 64, 68, 70, 71, 73, 76, 79, 91, 92, 93, 94, 95 & 97 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:

CH Ref: **Case Officer:** Pam Johnson

Area Ref: **Tel:**

County Road No: **e-mail:**

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

Date: 10 March 2021

FAO: Rob Smith **Copies to:** Area office

The Highway Authority has received sufficient information to discharge the condition relating to **NYM/2021/0037/CVC** however further assessment of these proposals may be required to ensure compliance with highway legislation

The Local Highway Authority (LHA) has considered the following conditions:-

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No: _____

Condition Number		Discharged/Not Discharged
4	phasing plan	Discharged for those matters within the remit of the LHA
18	Noise and vibration	Outside the remit of the LHA
34	Construction traffic management plan	Discharged for those matters within the remit of the LHA
46	Ground water/ surface water monitoring	Outside the remit of the LHA
46	Hydrogeological risk assessment	Outside the remit of the LHA
46	Remedial action plan	Outside the remit of the LHA
47	Groundwater management scheme	Outside the remit of the LHA
52	Protected species management plan	Outside the remit of the LHA
57	Landscape and ecology management plan	Outside the remit of the LHA
60	Surface water drainage	Outside the remit of the LHA
64	Temporary fencing	Outside the remit of the LHA
68	Temporary structures	Outside the remit of the LHA
70	Arboricultural method statement	Outside the remit of the LHA
71	Hard & soft landscaping	Outside the remit of the LHA
73	Woodland management plan	Outside the remit of the LHA
76	Soil management plan	Outside the remit of the LHA
79	Surface water drainage	Outside the remit of the LHA

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No: _____

91	Emissions	Outside the remit of the LHA
92	CVPMP (construction vehicle & plant management plan)	The condition discharge relies on information submitted for Phase 7. There is no evidence to show that matters have not changed.
93	CEMP	Discharged for those matters within the remit of the LHA
94	Construction method statement	Discharged for those matters within the remit of the LHA
95	Written Scheme of Investigation (archaeology)	Outside the remit of the LHA
97		No information has been submitted in support of this condition.

Signed:

Pam Johnson

For Corporate Director for Business and Environmental Services

Issued by:

Transport and Development
East Block
County Hall
Northallerton
North Yorkshire
DL7 8AH

e-mail:

Date: 26 February 2021
Our ref: 341931
Your ref: NYM/2021/0037/CVC



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

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

BY EMAIL ONLY

Dear Rob Smith

**Planning consultation: Application for verification check of conditions 4, 18, 34, 46, 47, 52, 57, 60, 64, 68, 70,71, 73, 76, 79, 91, 92, 93, 94, 95 & 97 of planning approval NYM/2017/0505/MEIA a tLand 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 (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)**

Thank you for your consultation on the above dated 28 January 2021 which was received by Natural England on 28 January 2021

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.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites or protected landscapes and has no objection.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

European sites – North York Moors Special Protection Area and Special Area of Conservation

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the North York Moors Special Protection Area and Special Area of

Conservation and has no objection to the proposed development.

To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

North York Moors Site of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Protected Landscapes – North York Moors National Park

Based on the plans submitted, Natural England has no objection to the proposed development. We do not consider that the proposed development would compromise the purposes of designation or special qualities of the National Park. We would advise that the proposal is determined in line with relevant NPPF and development plan policies, landscape and visual impacts are minimised as far as possible and landscape advice is obtained from the National Park landscape advisor.

Other advice

Protected Species

Natural England notes the comments made by North York Moors NPA Ecologist Elspeth Ingleby (dated 17.02.21) on protected species, most notably bats. Natural England supports these comments and advises that lighting is designed to avoid impacts on bat species.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me on

Yours sincerely

Lauren Forecast
Yorkshire and northern Lincolnshire

Annex A

Natural England offers the following additional advice:

Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

² <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website www.nationaltrail.co.uk provides

information including contact details for the National Trail Officer.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

Mr Rob Smith
North York Moors National Park
Development Control
The Old Vicarage Bondgate
Helmsley
York
YO62 5BP

Our ref: RA/2021/142697/01-L01
Your ref: NYM/2021/0037/CVC
Date: 24 February 2021

Dear Mr Smith

APPLICATION FOR VERIFICATION CHECK OF CONDITIONS 4, 18, 34, 46, 47, 52, 57, 60, 64, 68, 70,71, 73, 76, 79, 91, 92, 93, 94, 95 & 97 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 NYMNP (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 regarding the above proposal which was received on 28 January 2021.

We have reviewed the information submitted with the application. We note that the covering letter lists Phase 13 works as:

“Phase 13 covers off the following proposed works at the Woodsmith Mine:

- *Establishment and use of temporary laydown area for storage of segments;*
- *Construction and use of secondary secure storage unit;*
- *Extension to warehouse facility;*
- *Installation of siltbuster chemical store;*
- *Installation of weatherproof storage shelter in MTS maintenance area;*
- *Installation of bollard lighting between the welfare car park and the security cabin and;*
- *Extension to welfare building canopy”*

and the supporting document entitled:

Environment Agency
Lateral 8 City Walk, LEEDS, LS11 9AT.

www.gov.uk/environment-agency

Cont/d..

HYDROGEOLOGICAL RISK ASSESSMENT (NYMNP 45 & 46 - PHASE 13) (HRA)
states:

“As no hydrogeological risks have been identified associated with the Phase 13 Works, there will be no additional requirements for revision of the existing construction and operational environmental monitoring scheme, groundwater management plan or the remedial action plan above those previously documented for Phases 11 and 12 (Refs. 13, 16, 17 and 18).”

Environment Agency position

Given the information noted above we have no further comments.

We trust the above advice is useful.

If I can be of any further assistance, please don't hesitate to contact me.

Yours sincerely

Mrs Frances Edwards

Sustainable Places Planning Advisor

From:
To:
Cc: [Planning](#)
Subject: NYM/2021/0037/CVC
Date: 17 February 2021 16:09:11

Dear Rob

After appraising the information submitted detailing the next stage of the development, I am generally satisfied with the information provided, although I have some comments regarding the impact of lighting from the development.

The lay down area is on the edge of the development, and although not close to the main bat mitigation area is in close proximity to surrounding woodland which will be used for foraging. As such, this area should only be lit during operational hours and be suitably shielded to direct light only to where it is needed with a warm white spectrum. The proposed bollard lighting will also need to be of a fully shielded design and utilise warm white bulbs of 3000K or less.

The proposed units in the pond area should be primarily unlit due to the proximity to good bat foraging and mitigatory roosting habitat, so any lighting will need to be operational using PIR, and again be suitably shielded and of a low heat (<3000K).

Many thanks

Elspeth

Elspeth Ingleby MA_{Cantab} ACIEEM

Ecologist

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

From:
To: [Planning](#)
Subject: FAO Rob Smith NYM/2021/0037/CVC
Date: 11 February 2021 16:09:27
Attachments: [image006.png](#)
[image007.png](#)

Dear Rob,

Thank you for your consultation on the above application. Unfortunately we are unable to provide a response to this consultation by the target response date, which our records show to be the 17 February 2021. I would therefore be grateful if you could allow us an additional week in which to make comment, giving a revised response date of 24 February 2021. We will of course try to provide comments before then if circumstances allow.

I apologise for any inconvenience that this may cause. If I do not hear from you within 3 working days of this email I shall assume that this extension is acceptable.

Kind regards
Frances

Frances Edwards MSc PIEMA

Planning Advisor, Sustainable Places (Yorkshire)

Environment Agency | ~~Lateral, 8 City Walk, Leeds, LS11 9AT~~ office currently closed – please use email or phone



CORONAVIRUS PROTECT YOURSELF & OTHERS	For the latest guidance: - INTRANET.EA.GOV - NHS.UK/coronavirus - GOV.UK/coronavirus	
--	---	--

Information in this message may be confidential and may be legally privileged. If you have received this message by mistake, please notify the sender immediately, delete it and do not copy it to anyone else. We have checked this email and its attachments for viruses. But you should still check any attachment before opening it. We may have to make this message and any reply to it public if asked to under the Freedom of Information Act, Data Protection Act or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes.