

**Town and Country Planning Act 1990  
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for  
Permission to Carry out Development**

To: Anglo American Woodsmith Ltd  
c/o Lichfields  
fao: Mr James Cox  
15 St Paul's Street  
Leeds  
LS1 2JG

The above named Authority being the Planning Authority for the purposes of your application validated 19 April 2022, in respect of proposed development for the purposes of **permission for drilling to undertake remediation work on a previously drilled borehole and further exploratory drilling works with associated plant, equipment including drilling rig (max height 30 metres)** at **Woodsmith Mine, Sneaton** has considered your application and has **granted** permission for the proposed development subject to the following:

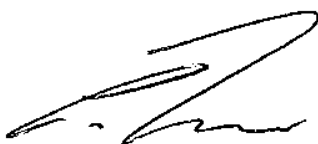
**Condition(s):**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The permission hereby granted is valid only for three years from the date of this permission and the development shall be removed from the site before this consent expires and the site restored in accordance with details to be submitted to and agreed by the Mineral Planning Authority before that date.
3. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

<b>Document Description</b>	<b>Document No.</b>	<b>Date Received</b>
Location Plan	40-ARI-WS-7100-CI-22-01092	01 April 2022
General Arrangement	40-ARI-WS-7100-CI-22-01091	01 April 2022
Construction Method Statement	40-SMP-WS-8300-PA-MS-00001	
Construction Environment Management Plan	40-RHD-WS-70-EN-PL-0053	
Construction Vehicle Management Plan	40-RHD-WS-70-EN-PL-0053	
Noise and Vibration Management Plan	40-RHD-WS-70-EN-PL-0054	
Hydrogeological Risk Assessment	40-FWS-WS-70-WM-RA-0018	

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
4. There shall be no access or egress between the highway and the application site by any vehicles other than via the existing access with the public highway at the main Woodsmith Mine site entrance. The access shall be maintained in a safe manner which shall include the repair of any damage to the existing adopted highway occurring during construction.

Continued/Condition(s)



Mr C M France  
Director of Planning

Date 29 June 2022

**Town and Country Planning Act 1990  
North York Moors National Park Authority**

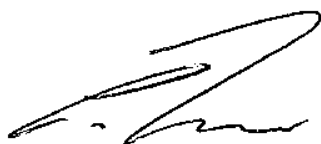
**Notice of Decision of Planning Authority on Application for  
Permission to Carry out Development**

5. Noise and vibration levels generated by the development hereby permitted, in combination with other noise and vibration from the Woodsmith Mine development, shall not exceed the limits established in conditions 20, 21 and 26 of the related planning permission reference NYM/2017/0505/MEIA dated 06 February 2018.
6. The development hereby permitted shall only take place in strict accordance with the limits and mitigation measures contained in the Hydrogeological Risk Assessment and Construction Environment Management Plan forming part of the approved application documents.
7. Notwithstanding the submitted application details the maximum height of the drilling rig hereby authorised shall not exceed 30 metres above adjacent ground level unless otherwise agreed in writing by the Mineral Planning Authority.
8. No lighting shall be installed on, or used in association with, the development hereby permitted unless mitigation measures are applied in accordance with the details specified in paragraph 3.4.2 of the Construction Environment Management Plan reference 40-RHD-WS-70-EN-PL-0053 accompanying the application documents.

**Reason(s) for Condition(s)**

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. To minimise the impact of the development on the landscape and Special Qualities of the National Park in accordance with NYM Strategic Policy A and to ensure that the timeframe of the development is consistent with the associated construction works at Woodsmith Mine permitted under reference NYM/2017/0505/MEIA.
3. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policy A and Strategic Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
4. In accordance with NYM Policy CO2 and MWJP Policy D02 and in the interests of both vehicle and pedestrian safety and the visual amenity of the area.
5. In order to comply with the provisions of NYM Strategic Policy C and MWJP Policy D02 which seek to ensure that new development does not detract from the quality of life of local residents.
6. To protect the natural environment of the National Park in accordance with NYM Strategic Policy H and Policy ENV7 and MWJP Policy D07 and to ensure that the development is carried out in a way which is consistent with the outcome of the Habitats Regulations Screening Assessment for the development.
7. In order to comply with the provisions of NYM Strategic Policy C and MWJP Policies DO2 and DO6 which seek to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.

Continued/Reason(s) for Condition(s)



Mr C M France  
Director of Planning

Date 29 June 2022

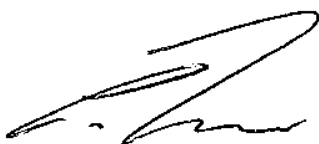
**Town and Country Planning Act 1990  
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for  
Permission to Carry out Development**

8. In order to comply with the provisions of NYM Strategic Policy C, NYM Policy ENV4 and MWJP Policy D02 which seek to ensure that new development does not detract from the quality of life of local residents or have an unacceptable impact on the landscape and Special Qualities of the National Park.

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

Pre-application discussion have been held with the applicant to ensure that the proposals minimise the impact of the development on the National Park and conform with the policies in the adopted development plan.



Mr C M France  
Director of Planning

Date 29 June 2022

Please Note your Rights of Appeal are attached to this Decision Notice

## Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to:
- refuse an application for planning permission or grant it subject to conditions;
  - refuse an application for any consent, agreement or approval required by a condition imposed on a grant of planning permission or grant it subject to conditions; or
  - refuse an application for any approval required under a development order

they may appeal to the Secretary of State of Department of Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice (12 weeks in the case of a minor commercial application). The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so using a form which you can get from the Secretary of State at:

**Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 00 00) or online at [www.planningportal.gov.uk/planning/appeals](http://www.planningportal.gov.uk/planning/appeals)**

### Notes

- Please note, only the applicant possesses the right of appeal.
- No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.
- In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.