

NORTH YORKSHIRE COUNCIL**LEAD LOCAL FLOOD AUTHORITY****CONSIDERATIONS and RECOMMENDATION**

Application No:	NYM/2023/0130		
Proposed Development:	Application for verification check of conditions 4, 18, 34, 42, 52, 57, 59, 60, 65, 68, 70, 71, 76, 80, 88, 89, 90, 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)		
Location:	Ladycross Plantation near Egton, Lockwood Beck Farm near Moorsholm, Tocketts Lythe, near Guisborough		
Applicant:	Anglo American Woodsmith Ltd		
District/Borough:	North York Moors National Park Authority		
FRM Engineer:	FRM Officer	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.

Recommendation to the Local Planning Authority:

It is noted that the submitted information is in relation to Phase 6 of the Woodsmith Mine development. The LLFA recommend discharge of Condition 60 and 80 in relation to surface water drainage.

Date:	03/04/2023	Approved by:	Emily Mellalieu Flood Risk Management Team Leader
FAO:	Rob Smith		
Issued by:	FRM Officer		

**LEAD LOCAL FLOOD AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

**Continuation
sheet:**

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**Application
No:**

NYM/2023/0130

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

Our ref: RA/2023/145556/01-L01
Your ref: NYM/2023/0130
Date: 12 April 2023

Dear Mr Smith

APPLICATION FOR VERIFICATION CHECK OF CONDITIONS 4, 18, 34, 42, 52, 57, 59, 60, 65, 68, 70, 71, 76, 80, 88, 89, 90, 91, 92, 93, 94 AND 95 OF PLANNING APPROVAL NYM/2017/0505/MEIA AT LAND AT WOODSMITH MINE (FORMERLY DOVES NEST FARM & HAXBY PLANTATION),

Thank you for your consultation regarding the partial discharge of conditions for Phase 6 works at Ladycross Plantation, which was received on 8 March 2023.

Planning Condition 52- Protected Species Management Plan, Planning Condition 57 Landscape & Ecological Management Plan and Planning Condition 70 Arboricultural Method Statement

From a biodiversity perspective, providing the CEMP is followed, and the protected species surveys are conducted by a suitably qualified person, we are satisfied that the conditions 52, 57 and 70 can be partially discharged.

Planning Condition 60 - Surface Water and Planning Condition 80 Surface Water Drainage

From a groundwater quality perspective, providing Surface Water Drainage Scheme is followed we are satisfied that the conditions 60 and 80 can be partially discharged.

Planning Condition 68 - Temporary Structures, Planning Condition 93 – CEMP and Planning Condition 94 - Construction Method Statement

From a groundwater quality perspective, providing CEMP and Construction Method Statement and followed we are satisfied that the conditions 68, 93 and 94 can be partially discharged.

Planning Condition 76 - Soil Management Plan

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

Cont/d..

From a groundwater quality perspective, providing Soil Management Plan and CEMP is followed we are satisfied that the condition 76 can be partially discharged.

Planning Condition 88 - Hydrogeological Risk Assessment and Planning and Condition 90 - Groundwater Management Scheme

From a groundwater quality perspective, providing Hydrogeological Risk Assessment and CEMP is followed we are satisfied that the conditions 88 and 90 can be partially discharged.

Planning Condition 89 - Remedial Action Plan

From a groundwater quality perspective, providing Remedial Action Plan is followed we are satisfied that the condition 89 can be partially discharged.

Final Comments

Once again, thank you for contacting us. Our comments are based on our available records and the information as submitted to us. We have only provided comments on conditions within our remit.

Please quote our reference number in any future correspondence.

If you have any queries please contact me.

Yours sincerely

**Miss Imogen Quirk
Planning Officer**

From:
To: [Planning](#)
Subject: NYM/2023/0130 Extension of Time for response request
Date: 27 March 2023 13:40:27

Hi,

I am emailing to request an extension to the consultation period for the above application, on behalf of my colleague Imogen Quirk.

One of our internal teams has requested additional time due to staff resource issues.

The current target response date, which our records show to be the 29th March 2023. I would therefore be grateful if you could allow us additional time in which to make comment, giving a revised response date of 12th April 2023. We will of course try to provide comments before then if circumstances allow

I apologise for any inconvenience that this may cause.

Kind regards,

Mike.

Mike Walsh
Sustainable Places - Planning Assistant

Please accept my thanks for your email in advance - each UK adult sending one less 'thank you' email a day would save more than 16,400 tonnes of carbon a year.

MY CONTACT DETAILS:

TEAM CONTACT DETAILS:

Environment Agency, First Floor, Foss House, Kings Pool, Peasholme Green, YORK, YO1 7PX



From:
To: [Planning](#)
Subject: RE: NYM/2023/0130
Date: 23 March 2023 09:16:05

Good morning,

We will be providing comment on the above application, but due to staff shortages there has been a delay in response, so I'm requesting an extension to 5th April.

Kind regards,

Imogen Quirk

Planning Advisor – Sustainable Places

Environment Agency Lateral, 8 City Walk, Leeds, LS11 9AT

Working days: Monday to Friday

Date: 21 March 2023
Our ref: 425093
Your ref: NYM/2023/0130



Mr Rob Smith
North York Moors National Park Authority

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

Dear Mr Smith

Planning consultation: Application for verification check of conditions 4, 18, 34, 42, 52, 57, 59, 60, 65, 68, 70, 71, 76, 80, 88, 89, 90, 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 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 and received by Natural England on 08 March 2023.

Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Generic advice is provided in Annex A attached.

If this consultation request is related to nutrient neutrality and/or any of the conditions were requested by Natural England, please re-consult us, making it clear that this is the reason for the referral.

Yours sincerely

Matthew Dean
Consultations Team

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 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 to respond to 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 174 and 175). 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. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on [Gov.uk](#) website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying [Good Practice Guide for Handling Soils in Mineral Workings](#).

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 Site of Special Scientific Interest 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 175 and 179 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 are 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 on [Gov.uk](#). 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 information including links to the open mosaic habitats inventory can be found [here](#).

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

Annex A – Additional advice

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 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 Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 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:

- 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.

Natural England's [Biodiversity Metric 3.1](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 3.1](#) and is designed for use where certain criteria are met. It is available as a beta test version.

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 3.1](#) and is available as a beta test version.

Green Infrastructure

Natural England's [Green Infrastructure Framework](#) provides evidence-based advice and tools on how to design, deliver and manage green infrastructure (GI). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the [15 Green Infrastructure Principles](#). The Green Infrastructure Standards can be used to inform the quality, quantity and type of green infrastructure to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

GI mapping resources are available [here](#) and [here](#). These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

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 urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Annex A – Additional advice

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

Paragraphs 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

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](#).

From:

Subject: FW: NYM/2023/0130
Date: 16 March 2023 15:39:50
Attachments: [NYM_2023_0130.pdf](#)
Importance: High

Hi Rob,

Happy for the conditions related to archaeology to be signed off for the Phase 6 CVC. As stated in the documents, there is very low likelihood of any interaction with archaeology at this stage in this area.

Best, Nick