

Amendments/Additional Information

- Amended layout of buildings/outside areas
- Additional background information
- Amended design
- Revised access arrangements
- Change of description of proposed development
- Change in site boundaries
- Other (as specified below)

Mark Hill

From: Robert Staniland
Sent: 08 August 2016 17:01
To: Chris France
Cc: Mark Hill; laura.marchan; Andy Hornung; James Barrie; David.clayden; Sam Kipling
Subject: RE: Correspondence from William Woods - 0184
Attachments: Doves Nest Farm: Drainage; TN-P4-DNF-CH-001 DNF Shaft Access - Highway Drainage 160729 Rev0.pdf; TN-P4-DNF-CH-002 DNF Welfare Access Highway Drainage 160729 Rev0.pdf

Good afternoon Chris,

This email (and attachments) provides responses to clarifications requested by the Authority via the email from Mark Hill of 13/07/16. Each clarification is addressed in turn and references the relevant attachment, as necessary.

NYM clarification 1: Confirmation that no part of the works will encroach on to the SSSI.

The North York Moors SSSI is located to the west and south of the B1416. The extent of works for Highway Improvement 1: Dove's Nest Farm Shaft Access and Highway Improvement 2: Dove's Nest Farm Welfare Access are within the adopted highway boundary of the B1416 and do not encroach any further west or south of this. Therefore, YPL can confirm that the works do not encroach on the SSSI.

NYM clarification 2: Evidence to demonstrate that the ditches providing the drainage do not connect to Sneaton Thorpe Beck.

Arup has prepared two highway drainage technical notes covering Highway Improvement 1: Dove's Nest Farm Shaft Access (TN-P4-DNF-CH-001 Rev 0) and Highway Improvement 2: Dove's Nest Farm Welfare Access (TN-P4-DNF-CH-002 Rev 0) (see attached).

The drainage ditch at Highway Improvement 1 does not outfall to Sneaton Thorpe Beck.

The drainage ditch at Highway Improvement 2 does outfall to Sneaton Thorpe Beck.

As set out in the material submitted to partially discharge planning condition 4: Phasing Plan, Highway Improvement 2 will not be constructed until after commencement of development and will, therefore, be referenced within the material submitted to discharge planning condition 60.

NYM clarification 3: Confirmation that the proposed drainage arrangements do not require the consent of NYCC Lead Local Flood Authority (LLFA).

The NYCC Lead Local Flood Authority has confirmed that the proposed drainage arrangements do not require its consent. The correspondence is attached to this email.

Based on the responses provided, please can you confirm that the Authority is now in a position to issue a 'letter of comfort' to confirm that the construction of Highway Improvement 1: Dove's Nest Farm Shaft Access can occur prior to condition 60 being discharged?

YPL can confirm that condition 60 will be discharged prior to commencement of development on site, prior to construction of Highway Improvement 2: Dove's Nest Farm Welfare Access.

If you require any further clarification, please let me know.

Best regards,

Rob.

Robert Staniland
Environment Manager

Sirius Minerals Plc
A: 7-10 Manor Court | Manor Garth | Scarborough | YO11 3TU

From: Mark Hill [mailto:m.hill@northyorkmoors.org.uk]
Sent: 13 July 2016 09:52
To: Victoria Hill
Cc: laura.marchant@arup.com; Andy Hornung; James Barrie; William Woods; Justin Gartland; Gareth Edmunds; Laura-Beth Hutton; Morag Thomson; Matthew Hunt; Robert Staniland; Hugh Scanlon; David.clayden; pam.johnson; Sam Kipling; Chris France
Subject: RE: Correspondence from William Woods - 0184

Victoria, apologies for the delay in replying , I was waiting for advice from other agencies.

Following on from the advice, I am looking for York Potash to provide me with the clarifications below;

- Confirmation that no part of the works will encroach on to the SSSI,
- Evidence to demonstrate that the ditches providing the drainage do not connect to Sneaton Thorpe Beck,
- Confirmation that the proposed drainage arrangements do not require the consent of NYCC Lead Local Flood Authority (LLFA).

On receipt of appropriate clarifications I will be able to provide the 'letter of comfort' that are seeking that construction of the two DNF access road entrance bell mouths within the highway verge to the site boundary will not be likely to lead to any Planning enforcement action concerning the failure to provide details of full minesite drainage details prior to constructing the two access bellmouths. The letter will also spell out the need to comply with the objectives of the condition requiring the submission and associated approval of full drainage plans for the minesite prior to commencement of construction.

I look forward to hearing from you.

Regards.

Mark Hill

Head of Development Management
Normal Workdays : Monday to Thursday

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

Tel. no. 01439 772700
Web: www.northyorkmoors.org.uk

From: Victoria Hill
Sent: 10 June 2016 14:05
To: Mark Hill
Cc: laura.marchant; Andy Hornung; James Barrie; William Woods; Justin Gartland; Gareth Edmunds; Laura-Beth Hutton; Morag Thomson; Matthew Hunt; Robert Staniland; Hugh Scanlon
Subject: Correspondence from William Woods - 0184

Good afternoon Mark,

Please find attached correspondence from Williams Woods regarding *York Potash NYM/2014-0676/MEIA NYMNPA Condition 60* for your attention.

Kind regards,
Victoria Hill
Project Support & Document Management

Sirius Minerals Plc
A: 7-10 Manor Court | Manor Garth | Scarborough | YO11 3TU

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MM

Wendy Strangeway

From: Mark Hill
Sent: 27 July 2016 11:27
To: Planning
Subject: FW: NYMNPA Condition 4
Attachments: GEN-P9-XXX-PLN-003 NYMNPA Condition 4 160726 Rev 2.pdf

Pls book in
m

From: Laura Marchant [mailto:Laura.Marchant@arup.com]
Sent: 26 July 2016 15:46
To: Mark Hill
Cc: Chris Williams; Andrew Hornung; Robert Staniland; James Barrie; william. woods (william.woods); Justin Gartland
Subject: NYMNPA Condition 4

Mark,

Please find the YPL response to the NYCC comments on NYMNPA Condition 4.

If you require any further clarifications please do not hesitate to contact me.

Kind Regards,

Laura Marchant
Senior Planner

Arup
Rose Wharf 78 East Street Leeds LS9 8EE United Kingdom



From: Mark Hill [mailto:m.hill@northyorkmoors.org.uk]
Sent: 15 July 2016 10:18
To: Robert Staniland; Laura Marchant
Subject: FW: NYM-2016-0460-CVC

Rob/Laura , please see attached letter from NYCC Highways regarding the CVC for condition 4 - phasing plan. This again relates to your filling in question 7 which states you are seeking full clearing of the substantive condition. Please can you clarify that you are only seeking part clearing for those matters set out in the documentation.

Regards.

Mark Hill

Head of Development Management
Normal Workdays : Monday to Thursday

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Tel. no. 01439 772700
Web: www.northyorkmoors.org.uk

From: Pam Johnson
Sent: 14 July 2016 13:15
To: Mark Hill
Cc: Planning
Subject: NYM-2016-0460-CVC

Letter attached.

Kind regards
pam

Access your county council services online 24 hours a day, 7 days a week at
www.northyorks.gov.uk.



WARNING

Any opinions or statements expressed in this e-mail are those of the individual and not necessarily those of North Yorkshire County Council.

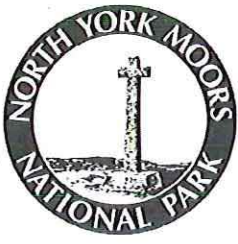
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If you receive an automatic response stating that the recipient is away from the office and you wish to request information under either the Freedom of Information Act, the Data Protection Act or the Environmental Information Regulations please forward your request by e-mail to the Information Governance Team (infogov@northyorks.gov.uk) who will process your request.

North Yorkshire County Council.



North York Moors National Park Authority
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Telephone: 01439 772700
Email: planning@northyorkmoors.org.uk
Website: www.northyorkmoors.org.uk

Application for approval of details reserved by condition.
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.
If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title:	Mr	First Name:	Robert	Surname:	Staniland
Company name:	York Potash Ltd				
Street address:	7-10 Manor Court				
	Manor Garth	Telephone number:			
		Mobile number:			
Town/City:	Scarborough	Fax number:			
Country:		Email address:			
Postcode:	YO11 3TU				

Are you an agent acting on behalf of the applicant? Yes No

2. Agent Name, Address and Contact Details

Title:	Mrs	First Name:	Laura	Surname:	Marchant
Company name:	Ove Arup and Partners Ltd				
Street address:	Rose Wharf				
	78 East Street	Telephone number:			
		Mobile number:			
Town/City:	Leeds	Fax number:			
Country:	West Yorkshire	Email address:			
Postcode:	LS9 8EE				

NYMNP
26 JUL 2015

3. Site Address Details

Full postal address of the site (including full postcode where available)

House: [] Suffix: []
House name: Doves Nest Farm
Street address: B1416
Sneaton,
North Yorkshire
Town/City:
Postcode: YO22 5HZ



Description of location or a grid reference (must be completed if postcode is not known):
Easting: 489723
Northing: 505842

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? [X] Yes [] No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:
Title: Mr First name: Mark Surname: Hill
Reference:
Date (DD/MM/YYYY): (Must be pre-application submission)

Details of the pre-application advice received:
On-going discussions with North York Moors National Park Authority throughout the submission of the York Potash Project and subsequent discharge of conditions

5. Description of the Proposal

Please provide a description of the approved development as shown on the decision letter:
The winning and working of polyhalite by underground methods including construction of a minehead at Doves Nest Farm involving access, maintenance and ventilation shafts, the landforming of associated spoil, the construction of buildings, access roads, car parking and helicopter landing site, attenuation ponds, landscaping, restoration and aftercare and associated works. In addition the construction of an underground tunnel between Doves Nest Farm and land at Wilton that links to the mine below ground, comprising 1 no shaft at Doves Nest Farm, 3 no intermediate access shaft sites, each with associated landforming of associated spoil, the construction of buildings, access roads and car parking, landscaping, restoration and aftercare, the construction of a tunnel portal at Wilton comprising buildings, landforming of spoil and associated works at Doves Nest Farm and Haxby Plantation, Sneatonthorpe (proposed minehead); underneath 252 sq km of the NYMNP A (winning and working of minerals); a corridors extending underground at the edge of NP boundary of Wilton International Complex (mineral transport system); lady cross plantation near Egton, Lockwood beck near Moorsholm, Tocketts Lythe near Guisborough (intermediate shaft sites); site within the eastern limits of the wilton international complex, Teesdide (tunnel portal).

Application reference number: NYM/2014/0676/MEIA Date of decision: 19/10/2015

Please state the condition number(s) to which this application relates:
Condition number(s):
Condition 4: Phasing Plan

Has the development already started? [] Yes [X] No

6. Discharge of Condition(s)

Please provide a full description and/or list of the materials/details that are being submitted for approval:
The following material has been provided to discharge condition 4:

3. Discharge of Condition(s)

TN-P9-XXX-PLN-001 Highway Phase 160726 Rev 2
YP-P9-XXX-PLN-001 Highway Phase Location Plan 160721 Rev 1
GEN-P9-XXX-PLN-003 NYM 4 Covering Letter 160726 Rev 1
0000-APP-EXE-PLN-003 - PC4 - Phasing Plan - Rev 0

7. Part Discharge of Condition(s)

Are you seeking to discharge only part of a condition? Yes No

If Yes, please indicate which part of the condition your application relates to:
Condition to be discharged for Highway work phase and does not include the permanent ghost island right turn lane on the A171 at the junction of the C82 to Egton (highway improvement 5) and the site access to the Lady Cross Plantation Site (highway improvement 4), as they are not currently being progressed as part of the highway works phase.

3. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? Yes No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)
 The agent The applicant Other person

3. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. Date



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

Admiral House Rose Wharf
78 East Street
Leeds LS9 8EE
United Kingdom



26 July 2016

Dear Mr Hill,

YORK POTASH NYM/2014/0676/MEIA NYMNPAA CONDITION 4 – Phasing Plan

Following the submission of the material to part discharge planning condition 4 of North York Moors National Park Authority Planning Permission NYM/2014/0676/MEIA on the 22nd June 2016, this letter (and attachments) provides updated information following comments from North Yorkshire County Council.

As previously discussed with the Authority and in York Potash Limited's (YPL) letter reference 20160517/APP/0177 dated 17th May 2016, YPL seeks to discharge conditions relating exclusively to 'preparatory' Highways Improvements works.

The Phasing Plan Deliverables have been altered to respond to NYCC comments in the following manner:

***NYCC comment:** The application is for full discharge of Condition 4, however, the documents submitted make no reference to the construction of the permanent 'ghost island right turn lane' on the A171 at the junction of the C82 to Egton. This omission should be addressed and the submitted documents amended or a partial discharge requested.*

YPL response: The highway work titled 'the construction of the permanent ghost island right turn lane on the A171 at the junction of the C82 to Egton (highway improvement 5) and the site access to the Lady Cross Plantation Site (highway improvement 4) are required to provide safe access to the Lady Cross Plantation site.

The site works at Lady Cross Plantation are deferred and not being progressed during the current phase of development and, as such, highway improvements 4 and 5 were not included in the submission. This has been made clearer in TN-P9-XXX-PLN-001 Rev 1. YPL can confirm, therefore, that it is seeking to partially discharge condition 4. The updated Planning Application Form for condition 4 has been enclosed within this letter.

***NYCC Comment;** The phasing plan does not enable the timing of individual packages of work to be distinguished, the dates when the works will be undertaken to be established or identify all the conditions to be discharged prior to construction of the highway works. Whilst these matters can be controlled by other matters including the granting of Agreements under Section 278 of the Highways Act 1980, this control lies with the Local Highway Authority and sits outside the Planning Regulations.*

YPL response: YPL will submit an updated Phasing Plan prior to the start of each project phase. Each subsequent phase will present details for the next phase cumulatively with the previous phase, thereby ensuring that the final Phasing Plan represents the progressive and complete development at Dove's Nest Farm. There will be no work beyond the highway phase until the next phasing plan is submitted by YPL and agreed by NYMNPA.

The timing of individual highways improvements and dates when elements of each works will take place will be included in the documentation required to discharge Condition 39 of the Planning Permission. Condition 39 will be signed off by NYCC as a Statutory Consultee to the NYMNPA.

The Phasing Plan comprises 3 documents, as described below:

- **TN-P9-XXX-PLN-001 Rev 1:** A Technical Note providing a description of each of the highways improvement works.
- **YP-P9-XXX-PLN-001 Rev 1:** A Location Plan of each of the highways improvement works.
- **0000-APP-EXE-PLN-003-PC4 Rev 0:** A Plan that presents the current breakdown of the project into distinct phases of work, along with a timeline, in the context of the phasing vocabulary used in both the Planning Permission and Section 106 agreement.

For clarity, in addition to those conditions identified in 0000-APP-EXE-PLN-003 Rev 0 as requiring a phased approach to discharge, the following conditions have or will be discharged via submission of documentation to the NYMNPA, prior to the preparatory phase:

- Condition 37 – Traffic Regulation Orders;
- Condition 39 – Programme for Delivery of Offsite Highways Works; and
- Condition 56 – Protection of Roadside Verges.

The information provided in this submission assumes that funding will be available for the project to meet its current programme.

Please do not hesitate to contact me if you require any clarifications or further information.

Yours sincerely

Laura Marchant
Senior Planner

Enc TN-P9-XXX-PLN-001 Highway Phase 160726 Rev 2
 YP-P9-XXX-PLN-001 Highway Phase Location Plan 160721 Rev 1
 0000-APP-EXE-PLN-003-PC4 – Phasing Plan - Rev 0
 Planning Application Form V3.

cc William Woods, Development Manager, YPL
 James Barrie, Area Manager YPL
 Robert Staniland, Environment Manager YPL
 Justin Gartland, Chairman NLP

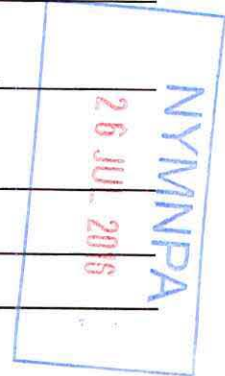


Technical Note

Admiral House Rose Wharf
78 East Street
Leeds LS9 8EE
United Kingdom

ARUP

Project title	York Potash Project	Job number	234376-00
cc		File reference	TN-P9-XXX-PLN-001 Rev 2
Prepared by	Laura Marchant	Date	26 July 2016
Subject	Highway Works Phase		

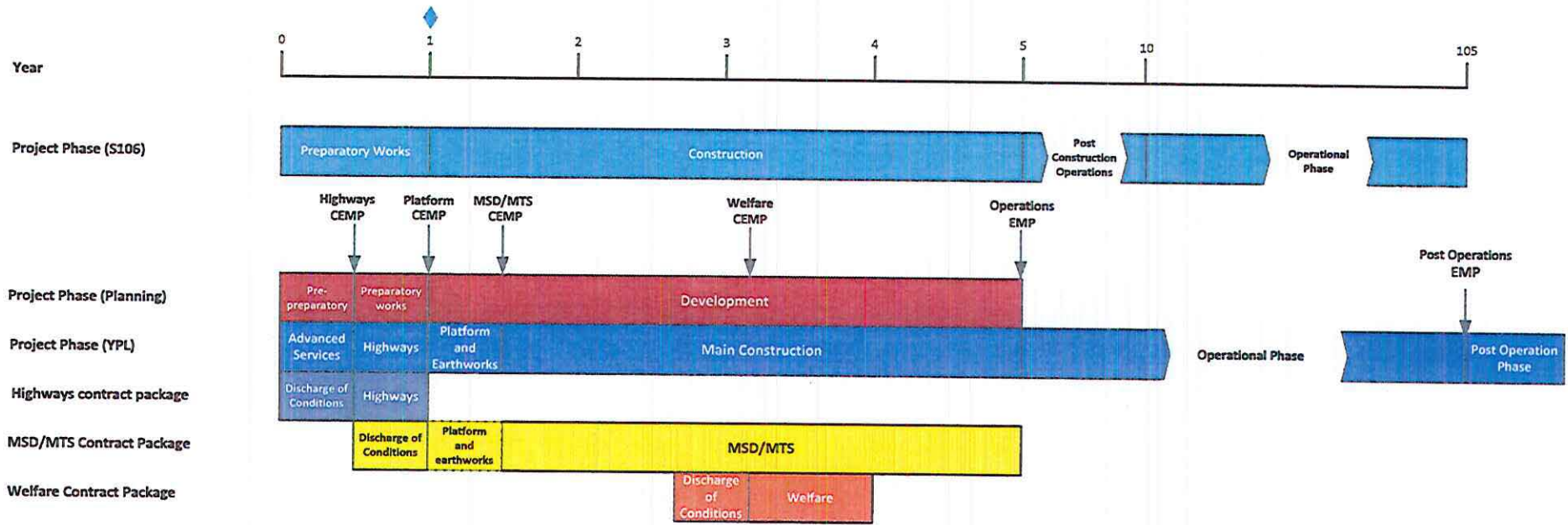


Highway Works Phase

The following highway improvements will be delivered as part of highway works phase:

Reference Number		Description
1	Doves Nest Farm Shaft Access B1416.	Right turn lane, construction of a ghost island and widening of the carriageway from the B1416 into the site.
3	A171/B1416 Junction Improvements, A171.	Construction of ghost island junction from the A171 into the B1416
10	Provision of dropped kerbs on side roads along A171, Whitby.	Provision of dropped kerbs and tactile paving at side roads along the A171 on the following side roads in Whitby: Holmstead Avenue, Pembroke Way, Mayfield Place, Abbots Road, East Whitby School, Eskdale Road, Fairfield Way and Enterprise Way.
11	Upgrade of existing crossing near Helredale Road, Whitby.	Upgrade of an existing crossing point on Helredale Road, Whitby.
12	Provision of lay-bys on A171.	Provision of dedicated laybys on A171 in Whitby A171, north east side only, between Abbott's Road and St Peters Road.
14	Mayfield Junction Improvement, Whitby.	A highway improvement scheme, which aims to improve provision for pedestrians and provide junction capacity at the intersection.
15	Normanby Bends Improvements.	A scheme to carry out selective widening of Normanby Bends within the adopted highway boundary.

NYMNP A NYM/2014/0676/MEIA
Condition 4 – Phasing Plan
Highways Phase



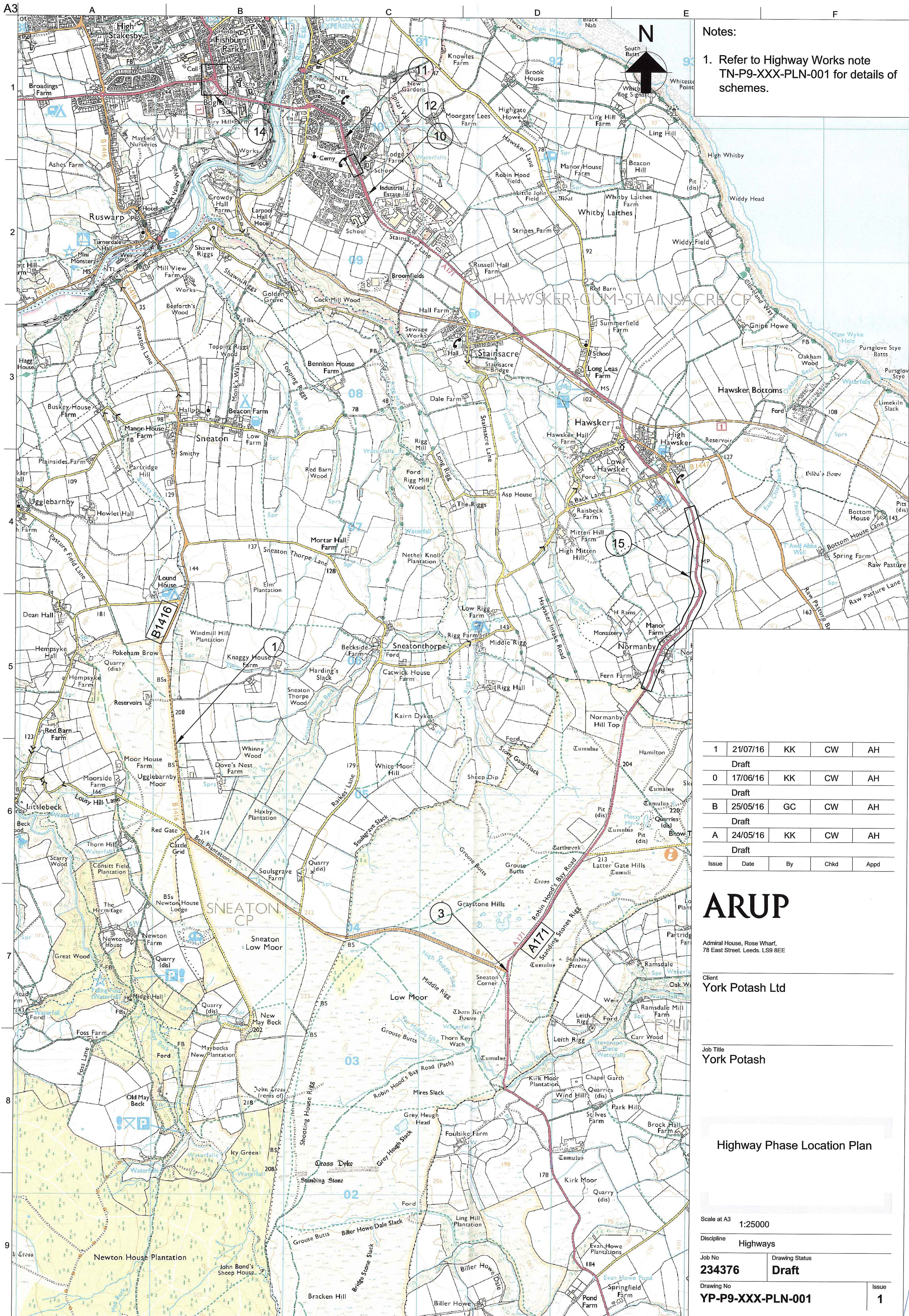
Conditions requiring a phased approach

NYMNP A 4: Phasing Plan	◆	◆	◆	◆
NYMNP A 18: Noise & Vibration Management Plan	◆	◆	◆	◆
NYMNP A 34: Construction Traffic Management Plan	◆	◆	◆	◆
NYMNP A 46: Ground Water & Surface Water Monitoring Scheme		◆	◆	◆
NYMNP A 52: Protected Species Management Plan	◆	◆	◆	◆
NYMNP A 57: Landscape & Ecological Management Plan		◆	◆	◆
NYMNP A 60: Surface Water Management System		◆	◆	◆
NYMNP A 64: Temporary Boundary Treatment	◆	◆	◆	◆
NYMNP A 70: Protection and Management of Trees & Vegetation	◆	◆	◆	◆
NYMNP A 76: Soil Management Plan	◆	◆	◆	◆
NYMNP A 79: Surface Water Drainage Scheme		◆	◆	◆
NYMNP A 92: Construction Vehicle Management Plan		◆	◆	◆
NYMNP A 93: CEMP	◆	◆	◆	◆
NYMNP A 94: Construction Method Statement	◆	◆	◆	◆
NYMNP A 95: Written Scheme of Investigation	◆	◆	◆	◆

NYMNP A-North York Moors National Park Authority
 MSD-Mine Site Development (shafts)
 MTS-Minerals Transport System (tunnel)
 CEMP-Construction Environmental Management Plan

- ◆ Commencement of Construction
- ◆ Highways Contract
- ◆ MSD/MTS Contract
- ◆ Welfare Contract Package
- ◆ Detail provided in Highways CEMP

NYMNP A
 26 JUL 2016



Notes:
 1. Refer to Highway Works note TN-P9-XXX-PLN-001 for details of schemes.

1	21/07/16	KK	CW	AH
Draft				
0	17/06/16	KK	CW	AH
Draft				
B	25/05/16	GC	CW	AH
Draft				
A	24/05/16	KK	CW	AH
Draft				
Issue	Date	By	Chkd	Appd

ARUP
 Admiral House, Rose Wharf,
 78 East Street, Leeds, LS9 8EE

Client
York Potash Ltd

Job Title
York Potash

Highway Phase Location Plan

Scale at A3	1:25000
Discipline	Highways
Job No	Drawing Status
234376	Draft
Drawing No	Issue
YP-P9-XXX-PLN-001	1

Globalneuropell Leeds Jobs 230000234376-000 Arup00-31 CAD/DG_Drawings/Dove Nest YP-P9-DNF/YP-P9-XXX-PLN-001.dgn

NYM/NPA
26 JUL 2016