

**FAO** Rob Smith  
North York Moors National Park Authority  
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YO62 5BP

**Date:** 25 May 2018

**Our ref:** 50303/04/HS/AK/15711794v2

**Your ref:** NYM/2017/0505/MEIA

Dear Rob

**North York Moors: Woodsmith Mine - Application to Partially Discharge Conditions 4, 18, 34, 45, 46, 47, 52, 57, 59, 60, 68, 70, 71, 73, 76, 79, 81, 87, 91, 92, 93, 94, 95 & 97 of Planning Permission NYM/2017/0505/MEIA**

On behalf of our client, Sirius Minerals plc ("Sirius Minerals"), we are pleased to submit this application for limited and partial approval of Planning Conditions 4, 18, 34, 45, 46, 47, 52, 57, 59, 60, 68, 70, 71, 73, 76, 79, 81, 87, 91, 92, 93, 94, 95 & 97 of Planning Permission NYM/2017/0505/MEIA.

The Project will be delivered in a series of Phases. This application relates solely to the Phase 5 works at the Woodsmith Mine.

**Background**

On 19 October 2015, the NYMNPA granted planning permission for the *"Winning and working of polyhalite by underground methods including the construction of a minehead at Dove's 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, and the construction of a tunnel portal at Wilton comprising buildings, landforming of spoil and associated works"* (Council Reference NYM/2014/0676/MEIA).

NYM/2014/0676/MEIA was approved subject to 95 planning conditions and a Section 106 Agreement.

On 6 February 2017, the NYMNPA granted planning permission for the *"Variation of Condition 5 of planning permission NYM/2014/0676/MEIA to allow minor material amendments relating to that part of the development at the Woodsmith Mine site (formerly known as Doves Nest Farm and Haxby Plantation), including; re-design of foreshafts and shaft construction methodology, changes to building layout and shaft access arrangements, revisions to construction and operational shaft platform levels, revisions to location and layout of surface water attenuation ponds, revisions to groundwater management*

*arrangements and amendments to internal access arrangements”* (Council Reference NYM/2017/0505/MEIA).

The amended scheme (NYM/2017/0505/MEIA) was approved subject to 98 planning conditions and a deed of variation to the originally approved Section 106 Agreement.

### **Phase 5 Works**

Phase 5 covers off the following proposed works at the Woodsmith Mine:

- Construction of Service Shaft foreshaft chamber to a depth of 168.7 metres AOD as shown in drawing 40-ARI-WS-71-CI-DR-1204;
- Construction of Service Shaft permanent winder foundations to a depth of 197.17m AOD as shown in drawing 40-ARI-WS-71-CI-DR-1204;
- Construction of Service Shaft permanent winder basement to a depth of 194.17m AOD as shown in drawing 40-ARI-WS-71-CI-DR-1204;
- Construction of Service Shaft permanent building foundations to 202.2m AOD as shown in drawing as shown in drawing 40-ARI-WS-71-CI-DR-1200;
- Dewatering of Service Shaft foreshaft and platform to facilitate excavations;
- Excavation and construction of a working platform area on the western edge of the Production Shaft platform, with an AOD of 203.7 as shown in drawing 40-ARI-WS-71-CI-DR-1200; and
- Stockpiling of extractive material for re-use.

### **Proposals**

As noted above, Sirius Minerals is seeking limited and partial approval of Planning Conditions 4, 18, 34, 45, 46, 47, 52, 57, 59, 60, 68, 70, 71, 73, 76, 79, 81, 87, 91, 92, 93, 94, 95 & 97 of Planning Permission NYM/2017/0505/MEIA via submission of the information listed in **Appendix 1**.

### **Planning Conditions 52, 57, 70, 73 and 95**

Sirius Minerals is committed to implementing the mitigation, monitoring and reporting measures developed for the Phase 3, 4 and 4a Works, throughout Phase 5 for the following conditions:

NYM-52 Protected Species Management Plans;

NYM-57 Landscape and Ecological Management Plan;

NYM-70 Arboricultural Method Statement;

NYM-73 Woodland Management Plan; and

NYM-95 Archaeological Written Scheme of Investigation;

Whilst Sirius Minerals is not intending to re-submit the documentation for the above conditions (as they have already been approved and implemented in full for the duration of Phases 3, 4 and 4a and will continue to be implemented as part of Phase 5), the CEMP that has been submitted in relation to Condition 93 provides the latest position with regard to these matters.

### **Planning Condition 64**

No additional temporary boundary treatment is necessary as a result of the Phase 5 Works.

**Partial Discharge**

Sirius Minerals acknowledges that limited and partial approval of the above-listed condition when given, does not constitute permission to undertake works other than those described, including any works at Lady Cross Plantation, and that such works remain subject to the approval of other conditions.

This approach has been discussed and agreed with your Planning Team and is consistent with the approach taken on Phases 1, 2, 3, 4 & 4a of the Project.

**Application Submission**

The application was submitted via the planning portal on 25 May 2018 (reference PP-06891273) and comprises the following documentation:

- Completed application form;
- Application drawings – Please see Appendix 1;
- Supporting Documents – Please see Appendix 1.

The requisite planning application fee of £116 has been paid online by credit card.

**Conclusion**

We trust that this application provides you with the necessary information to be able to partially discharge the above conditions to cover Phase 5 works at Woodsmith Mine. However, should you require any further information, please do not hesitate to contact me.

Yours sincerely

**James Cox**  
Senior Planner



**Appendix 1 : Supporting Documents**

**Table 1: List of Supporting Documents**

<b>Condition No</b>	<b>Description</b>	<b>Document Name / Number</b>	<b>To be read in conjunction with</b>
N/A	N/A	Listed Plans	<p>40-ARI-WS-71-CI-DR-1200 - Woodsmith Mine Construction Phase 5 Masterplan</p> <p>40-ARI-WS-71-CI-DR-1205 - Woodsmith Mine Construction Phase 5 Drainage General Arrangement</p> <p>40-ARI-WS-71-CI-DR-1202 - Woodsmith Mine Construction Phase 5 Planning Phases Comparison General Arrangement</p> <p>40-ARI-WS-71-CI-DR-1204- Service Shaft Basement and Foreshaft Excavation</p>
4	Phasing Plan	40-ARI-WS-71-CI-DR-1202 - Woodsmith Mine Construction Phase 5 Planning Phases Comparison General Arrangement	40-ARI-WS-71-CI-DR-1200 - Woodsmith Mine Construction Phase 5 Masterplan
18	Noise & Vibration	Phase 5 Woodsmith Mine Noise and Vibration Management Plan – 40-RHD-WS-70-EN-PL-0027	<p>Construction Environmental Management Plan – Woodsmith Mine Phase 5 (reference 40-CAR-WS-8300-PA-MS-00001)</p> <p>Phase 5 Construction Method Statement (reference 40-CAR-WS-1000-PA-MS-00001)</p> <p>Phase 4a Woodsmith Mine Noise and Vibration Management Plan (reference 40-RHD-WS-70-EN-PL-0025)</p> <p>Phase 4 Woodsmith Mine Noise and Vibration Management Plan - (reference 40-RHD-WS-70-EN-PL-0017)</p>
34	Construction Traffic Management Plan	Phase 5 - Woodsmith Mine Construction Traffic Management Plan 40-RHD-WS-70-CI-PL-0008	<p>Phase 4a - Woodsmith Mine Construction Traffic Management Plan (reference 40-RHD-WS-70-CI-PL-0006)</p> <p>Phase 4 Woodsmith Mine Construction Traffic Management Plan (reference 40-RHD-WS-70-CI-PL-0004)</p>
45	Programme for Implementation of Recharge	Woodsmith Mine – Phase 5 Works – NYMNPA 45 and 87	Phase 5 Works at Woodsmith Mine, North Yorkshire Hydrogeological Risk Assessment (reference 40-FWS-WS-70-

	Trench and Provision of Groundwater Drainage Areas	Deep Reinjection Borehole, Recharge Trench and Groundwater Programmes – 40-ARI-WS-71-PA-RP-1060	WM-RA-0006)
46	GW / SW Monitoring Scheme	Phase 5 Works at Woodsmith Mine, North Yorkshire Hydrogeological Risk Assessment – 40-FWS-WS-70-WM-RA-0006	Phase 4a Works at Woodsmith Mine, North Yorkshire Construction and Operation Phase Ground and Surface Water Monitoring Scheme (reference 40-FWS-WS-70-CI-PL-0005)  Phase 4 Works at Woodsmith Mine, North Yorkshire Construction and Operation Phase Ground and Surface Water Monitoring Scheme (reference 40-FWS-WS-70-WM-PL-0008)
46	Hydrogeological Risk Assessment	Phase 5 Works at Woodsmith Mine, North Yorkshire Hydrogeological Risk Assessment – 40-FWS-WS-70-WM-RA-0006	Phase 4a Works at Woodsmith Mine, North Yorkshire Hydrogeological Risk Assessment (reference 40-FWS-WS-70-WM-RA-0005)  Phase 4 Works at Woodsmith Mine, North Yorkshire Hydrogeological Risk Assessment (reference 40-FWS-WS-70-WM-RA-0004)  Phase 5 Construction Method Statement (reference 40-CAR-WS-1000-PA-MS-00001)
46	Remedial Action Plan	Phase 5 Works at Woodsmith Mine, North Yorkshire Hydrogeological Risk Assessment – 40-FWS-WS-70-WM-RA-0006	Phase 4a Works at Woodsmith Mine, North Yorkshire Remedial Action Plan (reference 40-FWS-WS-70-PL-0013)  Phase 4 Remedial Action Plan (reference 40-FWS-70-PL-009)
47	Groundwater Management Scheme	Phase 5 Groundwater Management Scheme - 40-FWS-WS-70-WM-PL-0015	Phase 5 Works at Woodsmith Mine, North Yorkshire Hydrogeological Risk Assessment (reference 40-FWS-WS-70-WM-RA-0006)  Phase 4a Works at Woodsmith Mine, North Yorkshire Groundwater Management Scheme (reference 40-FWS-WS-70-WM-

			<p>PL-0012)</p> <p>Phase 4 Works at Woodsmith Mine, North Yorkshire Groundwater Management Scheme (reference 40-FWS-WS-70-PL-0010)</p> <p>Phases 2 and 3 Construction Validation of the Groundwater Management Scheme, Woodsmith Mine, North Yorkshire (reference 40-FWS-WS-70-WM-RP-0002)</p> <p>Addendum to Groundwater Management Scheme, Phase 2 Development Works at Woodsmith Mine, North Yorkshire (reference 40-FWS-70-WM-PL-0011)</p>
<b>52</b>	Protected Species Management Plan	Refer to CEMP (Condition 93)	N/A
<b>57</b>	Landscape & Ecological Management Plan	Refer to CEMP (Condition 93)	N/A
<b>60</b>	Surface Water Drainage	Woodsmith Mine – Phase 5 Works – NYMNPA 60, 79 and 81 Surface Wastewater Drainage Schemes 40-ARI-WS-71-PA-RP-1055	<p>40-ARI-WS-71-CI-DR-1205 – Woodsmith Mine Construction Phase 5 Drainage General Arrangement</p> <p>Woodsmith Mine – Phase 3 Works - NYMNPA 60 and 79 Surface Water Drainage Scheme (reference 40-ARI-WS-71-PA-RP-1050)</p>
<b>68</b>	Temporary Structures	Refer to Construction Method Statement (Condition 94)	N/A
<b>70</b>	Arboricultural Method Statement	Refer to CEMP (Condition 93)	N/A
<b>71</b>	Hard & Soft Landscaping	40-ARI-WS-71-CI-DR-1206 – Woodsmith Mine Construction Phase 5 Hard and Soft Landscaping Plan	N/A
<b>73</b>	Woodland Management Plan	Refer to CEMP (Condition 93)	N/A

<b>76</b>	Soil Management Plan	Refer to CEMP (Condition 93)	N/A
<b>79</b>	Surface Water Drainage	Woodsmith Mine – Phase 5 Works – NYMNPA 60, 79 and 81 Surface Wastewater Drainage Schemes - 40-ARI-WS-71-PA-RP-1055	40-ARI-WS-71-CI-DR-1205 – Woodsmith Mine Construction Phase 5 Drainage General Arrangement  Woodsmith Mine – Phase 3 Works - NYMNPA 60 and 79 Surface Water Drainage Scheme (reference 40-ARI-WS-71-PA-RP-1050)
<b>81</b>	Wastewater Management Scheme	Woodsmith Mine – Phase 5 Works – NYMNPA 60, 79 and 81 Surface Wastewater Drainage Schemes - 40-ARI-WS-71-PA-RP-1055	N/A
<b>87</b>	Programme for the Deep Reinjection Borehole	Woodsmith Mine – Phase 5 Works – NYMNPA 45 and 87 Deep Reinjection Borehole, Recharge Trench and Groundwater Programmes – 40-ARI-WS-71-PA-RP-1060	N/A
<b>91</b>	Emissions	Phase 5– Woodsmith Mine Emissions to Atmosphere – NYMNPA - 91: 40-RHD-WS-70-EN-RP-0004	Phase 4a Emissions to Atmosphere Assessment (reference 40-RHD-WS-70-EN-RP-0003)
<b>92</b>	CVPMP	Phase 5-Woodsmith Mine : Construction Vehicle and Plant Management Plan - 40-RHD-WS-70-CI-PL-0009	Phase 4a-Woodsmith Mine : Construction Vehicle and Plant Management Plan (reference 40-RHD-WS-70-CI-PL-0007)  Phase 4 CVPMP (reference 40-RHD-WS-70-CI-PL-0005)
<b>93</b>	CEMP	Construction Environmental Management Plan – Woodsmith Mine Phase 5 – 40-CAR-WS-8300-	Phase 5 Construction Method Statement (reference 40-CAR-WS-1000-PA-MS-00001)  Phase 5 - Woodsmith Mine Construction Traffic Management Plan



		PA-MS-00001	<p>(reference 40-RHD-WS-70-CI-PL-0008)</p> <p>Phase 5 Woodsmith Mine Noise and Vibration Management Plan (reference 40-RHD-WS-70-EN-PL-0027)</p> <p>Protected Species Management Plans:</p> <p>40-RHD-WS-70-EN-PL-0010 Ph3 PSMP for Reptiles;  40-RHD-WS-70-EN-PL-0011 Ph3 PSMP for Badgers;  40-RHD-WS-70-EN-PL-0012 Ph3 PSMP for Birds; and  40-RHD-WS-70-EN-PL-0013 Ph3 PSMP for Bats.</p> <p>Phase 3 Archaeological Written Scheme of Investigation (reference 40-COT-WS-70-EN-PL-003).</p> <p>Listed Plans</p>
94	Phase 5 Construction Method Statement	Phase 5 Construction Method Statement (reference 40-CAR-WS-1000-PA-MS-00001)	<p>Phase 5 Construction Environmental Management Plan (reference 40-CAR-WS-8300-PA-MS-00001)</p> <p>Phase 5 Construction Traffic Management Plan (reference 40-RHD-WS-70-CI-PL-0008)</p> <p>Phase 4 Soil Management Plan (reference 40-FWS-WS-70-CI-PL-0003)</p> <p>Phase 3 Soil Management Plan (reference 40-FWS-WS-70-CI-PL-0002)</p>
95	Written Scheme of Investigation	Refer to CEMP (Condition 93)	N/A
97	Details of Final Expected Internal Diameters	Refer to CEMP (Condition 93)	N/A

**\* As agreed, Phase 3, 4 & 4A documents (where they remain unchanged in relation to the Phase 5) have not been resubmitted with this application**