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Emissions to Atmosphere (Continued)

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| 92. | <p>Prior to the Commencement of Development at either Doves Nest Farm or Lady Cross Plantation, a Construction Vehicle and Plant Management Plan (CVPM) shall be submitted to and approved in writing by the MPA. The CVPM to shall include details of monitoring locations and baseline particulate emissions; predicted traffic movements into/out of the sites including levels at the A171/Mayfield junction; predicted particulate emissions from plant and HGVs during the construction period; proposed particulate control levels; proposed avoidance or mitigation measures to comply with control levels, and arrangements for monitoring over the construction period. Development shall only occur in strict accordance with the measures set out in the CVMP, unless otherwise agreed in writing with the MPA.</p> <p>Reason: In the interest of public amenity, to minimise the impact of air pollution and to accord with the provisions of the Habitat Regulations Assessment and Development Plan Policy 1.</p> |
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Management of Construction

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| 93. | <p>A Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the MPA prior to site Preparatory Works. Prior to the commencement of each phase of the development in accordance with the approved Phasing Plan at either Doves Nest Farm or Lady Cross Plantation, an updated CEMP shall be based on the approved Construction Method Statement (CMS) and shall be submitted to and approved in writing by the MPA in consultation with the Environment Agency in respect of the area concerned. The CEMP shall include details of:</p> <ul style="list-style-type: none"> • the size, location and design of any site compounds, including how any potentially polluting materials will be stored to minimise the risk of pollution; • an Incident Response Plan to deal with any pollution that may occur during the course of construction; • a protocol to deal with contaminated ground, should this be encountered, to ensure protection of water resources; • details of how surface water run off shall be passed through a settlement facility or settlement facilities prior to being discharged into any watercourse or soakaway; |
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Continued/Management of Construction (Condition 93)

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Director of Planning

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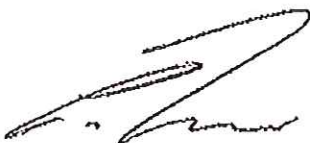
19 OCT 2015
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Condition 93 (Continued)

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| | <ul style="list-style-type: none">• plant and wheel washing including that it shall only be carried out in a designated area of hard standing at least 10 metres from any watercourse or surface water drain and that washings shall be collected in a sump, with settled solids removed regularly and water recycled and reused where possible;• a scheme for the recycling/disposing of waste resulting from demolition and construction works;• Storage of waste not covered by the Mine Waste Directive;• measures to control the glare from on-site lighting;• measures to manage deliveries by HGV including routing and timing for deliveries and details of the penalty system for breaches of the agreed controls;• temporary traffic management;• The provision of a Dust Management Plan relating to phase 1 of the construction period (earthworks and bund formation) and Polyhalite handling and stockpiling to include dust generation modelling so as to identify sensitive receptors; likely dust generation and its disposition during the construction phases and operation over time and under different weather conditions; the avoidance and mitigation measures required to ensure dust deposition levels at the sensitive receptors are maintained at the residual levels identified in the approved EIA, and monitoring arrangements. The Dust Management Plan must comply with the criteria set out in the 'Dust and Air Emission Mitigation Measures' best practice guidance for control of dust on construction sites from the Institute of Air Quality Management 2012. The monitoring arrangements will include dust deposition or dust flux or real-time PM₁₀ continuous monitoring locations; baseline dust monitoring at least three months before construction commences; daily on-site and off-site inspections at monitoring locations with results recorded in a log to be made available to the MPA on request, and more frequent monitoring during periods of high dust generation; |
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Continued/Management of Construction (Condition 93)



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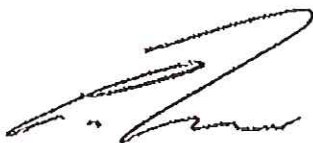
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Condition 93 (Continued)

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| | <ul style="list-style-type: none">• In the event that there is insufficient clay within the Lady Cross Plantation site to form the 1m deep basal layer beneath the spoil storage area, a contingency plan to address the importation of clay, including the source, quantity and quality of such material, and how adverse effects on the water environment would be avoided;• how the requirements of the approved CEMP will be disseminated to all relevant staff/contractors throughout the construction period;• the location of the site notice board;• a scheme for parking, loading, unloading during construction;• a scheme for security and lighting during construction;• a protocol for the replenishment of tanks and containers including that all refuelling of vehicles, generators, plant and equipment shall be supervised and shall take place within a suitable bunded, impervious hardstanding;• contingency proposals for if fuel cannot be delivered for the generators, e.g. due to adverse weather; and• how those artificial or historically straightened ephemeral surface water channels referenced in sections 15.7.22-15.7.24 of chapter 15 of part 2 of the ES are to be retained wherever possible, and enhanced to increase their capacity (e.g. through the introduction of meanders) and to increase their ability to capture sediment (e.g. through suitable planting).• Proposals / contingency plans for waste not managed as part of the Mine Waste Permit comprising the storage and management of temporary mining waste stored on-site for less than three years (e.g. Pyritic Mudstone); non-inert and non-hazardous materials stored for less than one year, and unexpected hazardous waste stored for less than six months, including measures to prevent the dispersal of dust, leachate and surface water runoff. |
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Continued/Management of Construction (Condition 93)



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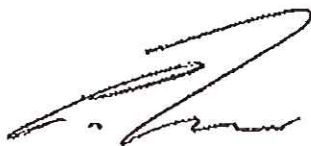
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Condition 93 (Continued)

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| | <ul style="list-style-type: none"> • A Precautionary Method of Working for Site Clearance (PMWSP) which shall be submitted to and agreed in writing by the MPA prior to commencement of Preparatory Works and shall be adhered to thereafter. The PMSWP shall set out proposals for tree clearance and the demolition of structures and shall include that between March and September each year surveys of areas to be cleared should occur no less than 48 hours before clearance occurs so that occupied wild bird nests can be identified and prevented from being destroyed. • Alarms fitted to mobile plant and vehicles for the purposes of warning pedestrians of their movements. <p>Development shall only proceed in strict accordance with the measures set out in the CEMP, unless otherwise agreed in writing with the MPA. The site construction teams at DNF and LCP should each include a named individual who will be responsible for ensuring compliance with the CEMP and planning conditions.</p> <p>Reason: In the interest of public amenity, highway safety, to reduce the risk of pollution to ground and surface water, to protect the environment of the North York Moors SAC/SPA, and to accord with the provisions of NYM Development Policies 1 and 23.</p> |
| 94. | <p>Prior to the commencement of each phase of the development at Doves Nest Farm or Lady Cross Plantation in accordance with the approved Phasing Plan, a Construction Method Statement shall be submitted for that phase, and approved in writing by the MPA, in consultation with the appropriate Highway Authority. Each approved Statement shall be adhered to throughout the construction period. The Statements shall provide for:</p> <ul style="list-style-type: none"> (i) the parking of vehicles of site operatives and visitors clear of the highway; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) erection and maintenance of security fencing; (v) wheel washing facilities; (vi) An outline construction method for sub-surface works including adherence to the 'rack and pillar' method of mining described in the SEI (14th February 2015) and the SRK Subsidence Memorandum (15th May 2013); (vii) Buildings and structures associated with the mine and tunnel shafts; (viii) Welfare/office building and security gatehouse; |

Continued/Management of Construction (Condition 94)



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