

MA

16/0893

Dawn Paton

From: Walsh, James (NE)
Sent: 03 March 2017 16:34
To: Planning
Subject: RE: NYM/2016/0893/CVC York Potash verification of conditions
Attachments: 207482 York Potash - verification check of conditions 18 34 46 47 57 68 70 73 92 93 94.pdf

Please find attached Natural England's response to the above.

Kind regards

James Walsh
Lead Adviser
Yorkshire & Northern Lincolnshire Team
Natural England
Lateral
8 City Walk
Leeds
LS11 9AT



We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Natural England is accredited to the Cabinet Office Customer Service Excellence Standard

From: Robertson, Christine (NE)
Sent: 20 February 2017 16:09
To: 'planning@northyorkmoors.org.uk'
Cc: Mark Hill
Subject: NYM/2016/0893/CVC Extension request

Hello –

Natural England requests an extension to the response deadline for NYM/2016/0893/CVC until 3rd March 2016.

<< File: 205666 York Potash - verification check of conditions 1834464757687073929394 extension request.pdf >>

Kind Regards,

Christine

Christine E. Robertson

Team Leader, North York Moors
Natural England
4th Floor, Foss House
King's Pool
1-2 Peasholme Green
York YO1 7PX

www.gov.uk/natural-england

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.

NYMNPA
- 3 MAR 2017

Date: 03 March 2017
Our ref: 207482
Your ref: NYM/2016/0893/CVC



Mark Hill
North York Moors National Park

planning@northyorkmoors.org.uk

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

Dear Mark

Planning consultation: Application for verification check of conditions 18,34,46,47,57,68,70,73,92,93 and 94 of planning approval NYM/2014/0676/MEIA

Location: Dove's Nest Farm & Haxby Plantation, Sneatonthorpe (proposed minehead); underneath 252 sq km of the NYMNPA (winning & working of minerals); a corridor extending underground from the edge of the NP boundary to Wilton International Complex (mineral transport system); Lady Cross Plantation near Egton, Lockwood Beck Farm near Moorholm, Tocketts Lythe, near Guisborough (intermediate shaft sites); site within the eastern limits of the Wilton International Complex, Teesside (tunnel portal).

Grid Reference 489495 505142

Thank you for your consultation on the above dated **31 January 2017**.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Discharge of Conditions

We understand that the conditions to be verified are as follows:

- 18 Noise and Vibration Management Plan (NVMP)
- 34 Construction Traffic management Plan (CTMP)
- 46 Ground and Surface Monitoring Scheme
- 47 Groundwater Management Scheme
- 57 Landscape and Ecological Management Plans
- 68 Temporary Structures
- 70 Arboricultural Method Statement
- 73 Management of Haxby and Bell Plantations.
- 92 Construction Vehicle and Plant Management Plan (CVPM)
- 93 Construction Environmental Management Plan (CEMP)
- 94 Construction Method Statement



As agreed in past meetings, we understand that other bodies such as North Yorkshire County Council (NYCC) and the Environment Agency (EA) are leading on Conditions 92 so we have not considered this area in much detail.

Condition 18

The Noise and Vibration Management Plan (NVMP) is understandably very focussed on local residents and disturbance. However, given the new 2016 bird data on nightjar and curlew there may be a need for more noise monitoring locations / levels particularly during the bird-breeding season 1 May – 31st

August (earlier verification of Conditions 53, 54 and 55). Modelled noise levels predict levels lower than 50dBA (c. 42 dB during the night and 45dBA for daytime) for nightjar areas. We advise that some sample times are checked to verify whether the modelling is indeed accurate.

Conditions 46 and 47

Section 3.3.3 of 1433DEVO.pdf (ground & surface water monitoring scheme) – there is discussion about ‘natural groundwater drawdown at the platform’. We are concerned if this drawdown is due to a blockage at the platform.

Spring Flow Conditions - we accept the proposed weekly monitoring data collation but are concerned that post-phase 2 work monitoring is only proposed to be carried out for a maximum of a month. Longer post-phase 2 monitoring would provide greater information about the new steady state. At least a further month of data would be very helpful in informing Phase 3. It should be clearly stated what action will be taken following the monitoring.

Given the changes in the original proposals at Doves Nest Farm, where there was to be more infrastructure at the site to process the mineral (now overtaken by the MTS, etc) and less significant underground structures, the scale of works needed now are much reduced. The initial modelling data indicates that drawdown from dewatering, with no grout, would not be significant, would be temporary, and that remedial action, if needed, would be possible. However, we note that the modelling currently does not include the concrete base needed for the construction infrastructure – batching plant, welfare facilities, parking etc. This is already proposed for the area south of the platforms in phase 2, and appears to cover a larger area. We feel that this will consequently add significantly to the impact on groundwater recharge.

Dewatering in Phase 3 will be at variable rates and depths according to what the is being worked on at the time, and actual groundwater levels (ie - seasonal variation). It would be useful to see updated modelling results first so we can better understand the impacts, given significant further reduction in recharge from the platform to the south.

Section 3.3.5 refers to ‘trigger values’, ‘control trigger values’ and ‘compliance trigger values’. However, this terminology is not then translated to the following tables, where the terms ‘control values’ and ‘compliance values’ are used instead. The trigger, control trigger and compliance trigger values need to be clearly defined along with the action which will follow if these trigger values are met or exceeded.

Section 5 - regular summary reports are proposed and production of these might be kept under review to ensure that they are useful and necessary.

Conditions 70 and 73: The Arboricultural Method Statement – although there is some coverage of ‘root protection zones’ in the ‘Introduction’ there is not a lot of emphasis on this matter in the main document. For trees or woodland blocks, where long-term protection as screening is required, it is important that the trees are protected both above and below ground from physical damage and root and soil compaction by both vehicles and people, by sufficient distance being left under either BS5837-2012 or Planning Law.

We are satisfied that the remaining planning conditions 34, 57, 68, 92, 93 and 94 have now been verified as far as Natural England’s remit is concerned.

We would be happy to comment further should the need arise but if in the meantime you have any queries, please contact Christine Robertson on [redacted] For any new consultations or issues, please contact [redacted]

Yours sincerely

James Walsh
Yorkshire & Northern Lincolnshire Team

NYMNPA
- 3 MAR 2017