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Date 21 December 2016
Our ref 50303/04/HS/AK/12986083v2
Your ref NYM/2014/0676/MEIA

Dear Mark

North York Moors: Dove's Nest Farm – Application to Partially Discharge Planning Condition 4, 52, 60, 64, 76, 79, 95 of Planning Permission NYM/2014/0676/MEIA

On behalf of our client, Sirius Minerals plc (Sirius Minerals), Nathaniel Lichfield & Partners (NLP) is pleased to submit this application for limited and partial approval of Condition 4, 52, 60, 64, 76, 79, 95 of Planning Permission NYM/2014/0676/MEIA.

The North Yorkshire Polyhalite Project (The Project) will be delivered in a series of Phases. This application relates solely to Phase 2 works for Dove's Nest Farm.

Background

On 19 October 2015, the NYMNPAA 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.



Proposals

As noted above, Sirius Minerals is seeking limited and partial approval of conditions 4, 52, 60, 64, 76, 79, 95, via the submission of the information listed in Table 1 below.

Table 1: Application Submission for Phase 2 Works

Condition No	Information Required	Document Name/ Number	Supporting Plans
Condition 4	Phasing Plan	Condition 4 -Phasing Plan- Phase 2 Platform & Earthworks (0000 APP ENV PLN 004 Rev 0)	YP-P10-DNF-CX-004 – Doves Nest Farm Phase 2 Masterplan YP-P10-DNF-CD-001 – Doves Nest Farm Phase 2 Surface Water Drainage General Arrangement YP-P10-DNF-CX-010 – Doves Nest Farm Phase 2 Earthworks Strategy YP-P10-DNF-CX-009 – Doves Nest Farm Phase 2 Vegetation Clearance
Condition 52	Protected Species Management Plan (PSMP)	NYMNPA 52 - Protected Species Management Plans (RHDHV002_Reptiles PSMP_Phase 2 REV 2) NYMNPA 52 - Protected Species Management Plans (RHDHV005_Bats PSMP_Phase_2 REV 2 (final)) NYMNPA 52 - Protected Species Management Plans (RHDHV003_Badger PSMP_Phase 2 REV 2) NYMNPA 52 - Protected Species Management Plans (RHDHV004_Birds PSMP_Phase 2 REV 2)	YP-P10-DNF-CX-004 – Doves Nest Farm Phase 2 Masterplan YP-P10-DNF-CD-001 – Doves Nest Farm Phase 2 Surface Water Drainage General Arrangement YP-P10-DNF-CX-010 – Doves Nest Farm Phase 2 Earthworks Strategy YP-P10-DNF-CX-009 – Doves Nest Farm Phase 2 Vegetation Clearance
Condition 60	Surface Water Management Plan	NYMNPA 60 & 79 - Surface Water Drainage Scheme (REP-P10-DNF-CD-001 SWD DoC 60 and 79 161221 Rev 1)	N/A
Condition 64	Details of Proposed Boundary Treatment	Discharge of Planning Condition NYMNPA 64 -Temporary Boundary Treatment (REP-P10-DNF-PLN-00 Rev 0/ 19 Dec 2016)	YP-P10-DNF-CX-004 – Doves Nest Farm Phase 2 Masterplan



			YP-P10-DNF-CD-001 – Doves Nest Farm Phase 2 Surface Water Drainage General Arrangement YP-P10-DNF-CX-010 – Doves Nest Farm Phase 2 Earthworks Strategy YP-P10-DNF-CX-009 – Doves Nest Farm Phase 2 Vegetation Clearance
Condition 76	Soil Management Plan	Soil Management Plan (1433 Dev0R 162 Rev5/ December 2016)	YP-P10-DNF-CX-004 – Doves Nest Farm Phase 2 Masterplan YP-P10-DNF-CD-001 – Doves Nest Farm Phase 2 Surface Water Drainage General Arrangement YP-P10-DNF-CX-010 – Doves Nest Farm Phase 2 Earthworks Strategy YP-P10-DNF-CX-009 – Doves Nest Farm Phase 2 Vegetation Clearance
Condition 79	Surface Water Drainage Scheme	NYMNPAs 60 & 79 - Surface Water Drainage Scheme (REP-P10-DNF-CD-001 SWD DoC 60 and 79 161221 Rev 1)	N/A
Condition 95	Written Scheme of Archaeological Investigation (WSI)	Minehead at Land at Dove's Nest Farm, Written Scheme of Investigation for a Programme of Archaeological Works (660829/D)	N/A

Note: Supporting plans referred to in Table 1 and in the bullet point list below have been uploaded to the Planning Portal individually. These should be referred to for each condition.

Phase 2 covers the initial preparation of the minehead site at Dove's Nest Farm, specifically:

- General site clearance including tree clearance for the welfare road and scrub clearance, as shown on Arup drawing YP-P10-DNF-CX-009;
- Construction of an acoustic fence/environmental barrier and installation of fencing, gates and security, as shown on Arup drawing YP-P10-DNF-CX-004;
- Excavation and construction of the two tiered working platform with a western upper level at around 204m Above Ordnance Data (AOD) and an eastern lower level at around 200m AOD, as shown in Arup drawing YP-P10-DNF-CX-004;
- Excavation and construction of the site entrance road and welfare access road, as shown on Arup drawing YP-P10-DNF-CX-004;



- Construction of temporary and permanent soil mounds, including the environmental screening bund (Bund A) along the western boundary, as shown on Arup drawing YP-P10-DNF-CX-010;
- Construction of surface water drainage, silt removal facility and an attenuation pond with outfalls to an existing drain, as shown on Arup drawing YP-P10-DNF-CD-001; and
- Construction of a site compound to the east of the welfare access road.

Sirius Minerals acknowledges that the Phase 2 Works, as described, would constitute 'Commencement of Development', as defined in planning permission NYM/2014/0676/MEIA, and 'Commencement of Construction, as defined in the relevant Section 106 Agreement.

Sirius Minerals acknowledges that limited an partial approval of Condition 4, 52, 60, 64, 76, 79, 95 of Planning Permission NYM/2014/0676/MEIA when given, does not constitute permission to undertake works other than those described, and that such works remain subject to the approval of other conditions that are required to be satisfied 'prior to the commencement of development'.

This approach has been discussed and agreed with your Planning Team and is consistent with the approach taken to date.

Application Submission

This application was submitted online via the planning portal on 21 December 2016 under reference PP-05701912. This application comprises the following documents:

- This covering letter;
- Completed application form; and
- The documents listed in Table 1 above.

The requisite planning application fee of £97 was paid online by credit card.

We trust that you have all necessary information to partially discharge the abovementioned planning conditions. However, should you have any queries or wish to discuss the matter further, please do not hesitate to contact me on the telephone number above.

Yours sincerely

Aisling Kelly
Senior Planner

Copy Simon Carter, Sirius Minerals
William Woods, Sirius Minerals
Robert Staniland, Sirius Minerals

Encl All information listed in Table 1 above