

18. Prior to the commencement of the development at Dove's Nest Farm or Lady Cross Plantation, a Noise and Vibration Management Plan (NVMP) for the control, mitigation and monitoring of noise and vibration for both construction and operational phases at the two sites shall be submitted to and approved in writing by the MPA in consultation with the SBC EHO. The scheme shall set out the following:
- Noise-sensitive receptors for which predictions shall be made and at which the noise and vibration limits shall apply and which shall include recreational receptors.
 - Predicted noise levels at the noise-sensitive receptors from noise and vibration generated at the DNF and LCP sites for the key construction phases during the forthcoming year including any periods in which the higher daytime limit of 70 dB L_{Aeq} shall apply (permitted 56 days for temporary works to create noise-reducing bunds and/or barriers as per Conditions 20 and 22).
 - The best practicable means which will be used to control noise and vibration levels on site including such measures proposed in the York Potash Environmental Statement (September 2014 as updated by the Supplementary Environmental Statement dated February 2015). Such measures shall include, but are not limited to: the use of the quietest available plant, equipment and techniques; the regular maintenance and inspection of such plant and equipment; the use of cladding, attenuators and barriers to reduce noise levels from noisy plant and operations; the specification of appropriate reversing alarms to minimise annoyance; and, measures to reduce vibration and air overpressure during blasting.
 - Details of the noise and vibration monitoring system to be installed around the DNF and LCP sites to continuously log noise levels during construction and operation. The NVMP shall recommend the number and location of noise monitors installed around the boundaries of the Dove's Nest Farm and Lady Cross Plantation sites during different phases of construction and operation and shall include at least four monitors at key residential receptors near the Dove's Nest site and at least three monitors at key residential receptors near the Lady Cross Plantation site. The precise number and location of noise monitors shall be set out in the NVMP. The developer shall use reasonable endeavours to obtain access to the residential receptor properties for the installation of noise monitors and only if access cannot be obtained the number or location of noise monitors may be reduced. The MPA and the SBC EHO and/or their advisers shall be granted access to inspect the noise and vibration data whenever required, records of the data should be kept for a reasonable period and these records should be accessible by the public.
 - Details of the procedure to be followed in the event that the noise predictions detailed in the NVMP or the noise limits detailed in conditions 20 to 23 are exceeded. Such procedures shall require the investigation of the reasons for the breach of the limits and the cessation of the activity causing the breach until such a time as additional mitigation can be provided.
 - Details of how the residents will be informed and consulted about the site operations and progress, particularly in regard to blasting and especially noisy operations including details of complaints logging and management procedures and a 24-hour telephone incident hotline. Details of the procedure for investigating complaints and informing complainants of the results of such investigations and of any actions resulting from them.

	<ul style="list-style-type: none"> • The NVMP shall be adhered to at all times unless agreed previously in writing by the MPA. • The NVMP shall be updated and agreed whenever appropriate to reflect changes in the programme during construction and operation and at intervals not less than 6 months after the initial start on site and thereafter annually. <p>Reason:</p> <ul style="list-style-type: none"> • In the interests of amenity and to accord with the provisions of NYM Development • Policy 1.
34.	<p>Prior to the commencement of Preparatory Works a Construction Traffic Management Plan (CTMP), based upon the submitted Framework Construction Traffic Management Plan dated February 2015 shall be submitted to, and approved in writing by the MPA in consultation with the appropriate Highway Authority. The approved Construction Traffic Management Plan shall be adhered to throughout the construction period unless otherwise agreed in writing with the MPA. The CTMP shall provide for:</p> <ul style="list-style-type: none"> • The appointment of a CTMP co-ordinator; • Measures to control the number of employees travelling individually to the sites and their mode of travel; • The Traffic Management Liaison Group agreed level of HGV trips to the site; • Measures to identify HGVs associated with the development travelling to the construction sites; • The links to the Traffic Management Liaison Group; • Signing for HGV routes including prohibitive signing; • Accident record monitoring; • Driver training; • A communications plan; • A complaints mechanism ; • An Incident reporting mechanism including near misses; and • A penalty system for breaches of the agreed CTMP. <p>Reason:</p> <ul style="list-style-type: none"> • To minimise the impact of HGV and employee trips and in the interests of highway safety and to accord with the provisions of NYM Development Policy 23.
46.	<p>Prior to the Commencement of Development at the Doves Nest Farm site a Revised Hydro-geological Risk Assessment based on the most up to date monitoring data shall be undertaken in accordance with the details in the document "York Potash Project: Habitats Regulations Assessment" prepared by Amec Foster Wheeler dated June 2015, with document reference 35190CGos064R and submitted for approval in writing by the MPA in consultation with Natural England and the Environment Agency.</p>

Following the approval in writing by the MPA of the Revised Hydro-geological Risk Assessment, but prior to the commencement of shaft sinking or chamber formation beneath ground at the Doves Nest Farm site, a Construction and Operation Phase Ground and Surface Water Monitoring Scheme shall be submitted to and approved in writing by the MPA in consultation with the Environment Agency and Natural England. The scheme shall include, but is not limited to:

- Details of the number, type and location of monitoring points;
 - A protocol for the removal and replacement of any existing boreholes;
 - Details of the frequency of monitoring during construction and operation;
 - A list of the ground and surface water determinants to be tested for;
 - Monitoring of groundwater levels and spring flows;
 - Monitoring of surface water quality including sediment, BOD, ammonia, pH;
 - Geomorphology in Sneaton Thorpe Beck;
 - A list of the SAC/SSSI habitat measures to be tested for;
 - Groundwater quality and level triggers;
 - Surface water quality triggers;
 - Surface water geomorphology triggers;
 - SAC/SSSI habitat triggers;
 - Monitoring of groundwater quality against ground water triggers;
 - A scheme for periodic review and refinement of the monitoring regime to take account of any approved changes to site layout/design, construction methods and monitoring data;
 - A protocol for notifying the MPA of any breach of the trigger levels, including the timing of any such notification; and
 - Details of the method and frequency with which monitoring results will be shared with the MPA, Natural England and the Environment Agency.
- The approved Construction and Operation Phase Ground and Surface Water Monitoring Scheme for the mine shall thereafter be implemented in full, with monitoring continuing in accordance with the approved scheme until such time that it is agreed in writing by the MPA in consultation with Natural England and the Environment Agency that monitoring may cease.
 - Prior to the Commencement of Development at Doves Nest Farm a Remedial Action Plan, setting out the remedial actions to be taken in the event that any monitoring triggers of the approved Construction and Operation Phase Ground and Surface Water Monitoring Scheme are exceeded, shall be submitted to and approved in writing by the MPA in consultation with the Environment Agency.
 - Should any monitoring results exceed those triggers set out in the approved Construction and Operation Phase Ground and Surface Water Monitoring Scheme, the MPA, the Environment Agency and Natural England shall be informed as soon as possible, and the approved Remedial Action Plan shall thereafter be implemented as soon as possible and within one month of the relevant monitoring trigger having been exceeded. Following remedial action,

	<p>monitoring in accordance with the Construction and Operation Phase Ground and Surface Water Monitoring Scheme will be undertaken in accordance with a timescale to be submitted to and approved by the MPA in consultation with the Environment Agency, the results of which shall be reported to the MPA within four weeks of the monitoring date.</p> <p>Reason:</p> <ul style="list-style-type: none"> To ensure that any monitoring, undertaken since the submission of the planning application, fully informs the production of the Construction and Operation Phase Ground and Surface Water Monitoring Scheme and to accord with the provisions of Development Plan Policy 1; residual impacts on groundwater, surface water or SAC/SSSI habitats are detected; and, to protect groundwater base-flow, nearby springs and flushes, any watercourses they feed, local abstractions and water-dependent natural habitats. To ensure that any above-trigger adverse impacts on groundwater, surface water or SAC/SSSI habitats are detected, remedied and monitored so as to protect groundwater base-flow, nearby springs and flushes any watercourses they feed, local abstractions and water-dependant natural habitats. <p>To enable the early detection of actual or likely effects in order to avoid adverse effects on habitats protected under European legislation and species that use them in accordance with NYM Core Policy C and the first statutory purpose of the National Park</p>
47.	<p>Following the approval of the Revised Hydro-Geological Risk Assessment but prior to the commencement of the mine construction at Doves Nest Farm, a Groundwater Management Scheme (covering construction, operation and post-operation phases), shall be submitted to and approved in writing by the MPA in consultation with the Environment Agency. The Scheme shall include technical drawings detailing the conceptualised hydrogeology with the final detailed designs of the proposed mitigation measures outlined in the York Potash Environmental Statement (September 2014 as updated by the Supplementary Environmental Statement dated February 2015) and in accordance with the details in the document York Potash Project: Habitats Regulations Assessment prepared by Amec Foster Wheeler dated June 2015 with document reference 35190CGos064R, and the final design details of the lining systems for the proposed shafts. Development shall thereafter proceed only in strict accordance with the approved Scheme and a timetable to be included within it.</p> <p>Reason:</p> <p>To ensure that any monitoring, undertaken since the submission of the planning application, fully informs the production of the Groundwater Management Scheme and to accord with the provisions of Development Plan Policy 1; to protect the resource and quality of groundwater base-flow, nearby springs, flushes, any watercourses they feed, local abstractions and any groundwater-dependant/supported SAC/SSSI habitats; and, to ensure that any necessary groundwater management measures remain operational even after the mine has ceased operating and surface infrastructure has been removed.</p> <p>To ensure that adverse effects on the groundwater levels within North York Moors SAC/SPA, and in particular Ugglebarnby Moor, are avoided so as to protect the hydrological conditions and related moorland habitats; to minimise the seismic risk of fault reactivation within the aquifer; and to accord with the provisions of the</p>

	Habitat Regulations Assessment and Development Plan Policy 1
--	--

57.	<p>Prior to the Commencement of Development at either Doves Nest Farm or Lady Cross Plantation Landscape and Ecological Management Plans for each site should be submitted to the MPA and approved in writing by the MPA and works should subsequently be undertaken in accordance with them. These plans should relate to land within the two development sites. The plans should set out the means by which the sites will be managed for landscape, ecology and biodiversity throughout the construction and operational phases of the mine. Construction and operational phases shall be dealt with in separate parts of the plans.</p> <p>The plans should cover the matters referred to in the York Potash Environmental Statement (September 2014 as updated by the Supplementary Environmental Statement dated February 2015) and the Design and Access Statements including their Appendices and indicate how the designs and mitigation set out in those documents shall be achieved. At the Doves Nest Farm site objectives should include establishment of heathland communities on restored spoil mounds. The details at both sites shall include Arboricultural Method Statements and Tree Protection Plans. The Landscape and Ecological Management Plans shall include provision for reporting to the MPA and set out the process by which remedial measures that the MPA may require should the plans not be fulfilling their objectives are undertaken. The operational phases of the Landscape and Ecological Management Plans shall include long term management proposals throughout the operational life of the mine which will be reviewed on a regular basis, at least every two years.</p> <p>Reason: To ensure management of ecology and biodiversity at the DNF and LCP sites through the construction and operation phases in accordance with NYM Core Policy C and the first statutory purpose of the National Park.</p>
-----	--

68.	<p>Final details of all temporary structures, including samples of materials proposed including colour shall be submitted to and approved by the MPA prior to construction. The temporary structures as approved shall be implemented in complete accordance with the details agreed.</p> <p>For the avoidance of doubt this also include colours of the generator stacks.</p> <p>Reason: In the interests of visual amenity and in accordance with DYM Development Policy 3.</p>
-----	--

70.	<p>Prior to site Preparatory Works commencing at DNF or Lady Cross a scheme shall be submitted to and approved by the MPA showing any existing trees, hedges and other vegetation to be retained, together with any measures for the protection and management/ reinforcement of these areas and also indicating trees, hedges and other vegetation to be removed. This shall include Arboricultural method statement and tree protection plans. These measures shall be implemented before site Preparatory Works occur and retained during construction period.</p> <p>Reason: To control the effects on habitats and vegetation and in accordance with NYM Development Policy 1.</p>
-----	--

73.	<p>Prior to Commencement of Development at DNF a scheme to maintain and manage the Haxby and Belt Plantations with the exception of areas agreed for removal as part of the approved works as shown on plan 2309.MH02 rev 02 shall be submitted to and approved by the MPA.</p> <p>The details shall include the phased felling and replanting for long term management of the Plantations.</p> <p>The scheme shall be implemented in accordance with the approved details and thereafter maintained for the life of the development.</p> <p>Reason: To control the effects on habitats and vegetation and in accordance with NYM Development Policy 1.</p>
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 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>
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;
- 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;

- 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.

- 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.

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.

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.

94.	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:
-----	---

- (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;
- (ix) Screening bunds;
- (x) Hardstandings;
- (xi) Shuttle Bus terminal;
- (xii) Park-and-Ride layby;
- (xiii) Emergency helipad;
- (xiv) Lighting columns;
- (xv) Internal access and haul roads;
- (xvi) Domestic wastewater (foul sewage) treatment plant;
- (xvii) Non-domestic wastewater treatment plant and settlement tanks;
- (xviii) Surface water attenuation ponds, settlement ponds, swales and wetland areas;
- (xix) Temporary spoil and Polyhalite storage areas; ;
- (xx) Removal of any temporary structures; and
- (xxi) Formation of spoil mounds and the establishment of vegetation on them.

The CMS shall contain a construction timetable and order of works noting any construction dependencies; refer to any inherent mitigation to address adverse impacts identified in the EIA, and cross refer to the CEMP in relation to any additional avoidance or mitigation measures.

Reason:

In accordance with NYM Development Policy 1 and 23 and to provide for appropriate on-site facilities during construction, in the interests of highway safety and the general amenity of the area.