

Date: 21 July 2017  
Our ref: 220019  
Your ref: NYM/2017/0399/NM



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Mark Hill  
North York Moors National Park Authority

Customer Services  
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BY EMAIL ONLY



Dear Mark Hill

**Planning consultation:** Application for non-material amendment to planning approval NYM/2014/0676/MEIA to allow replacement sub-surface grouting and cast concrete wall design with diaphragm walls to a depth of 60 metres to provide protection from groundwater ingress.  
**Location:** Woodsmith Mine (Formally Dove's Nest Farm & Haxby Plantation), Sneatonthorpe, Grid Reference 489493 505104

Thank you for your consultation on the above dated 08 June 2016 which was received by Natural England on the same date.

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.

We have commented previously on this application for non-material amendments to planning approval NYM/2014/0676/MEIA in our letter dated 04 July 2017 (our ref 218054). This letter represents our additional advice based on the information in the Hydrological Modelling and Risk Assessment Technical Note dated 05 July 2017 (FWS Consultants ref 1433DevOR257 SMP ref 40-FWS-WS-83-WM-NT-0001) and the meeting on 05 July 2017 between Natural England, Sirius Minerals, The North York Moors National Park Authority and FWS Consultants concerning Hydrological Modelling in relation to this non-material amendment.

Natural England understands that this non-material amendment is for the phase 3 and 4 construction period only and consequently the hydrogeological modelling undertaken only covers this period. While this is not an entirely satisfactory approach to take for those elements of these phases that will be in place for a significantly longer period of time, we are satisfied that any short term impacts on the groundwater environment are unlikely to have a significant effect on the SAC during these phases.

We note that these amendments were included in the scope of the material changes to the project for the forthcoming application for amendments under Section 73 of the Town and Country Planning Act 1990 (as amended) which were detailed in the EIA Scoping consultation dated 30 May 2017 (SMP ref 40-NLP-WS-83-PA-RP-0001) and we understand that long-term hydrological modelling will be provided as part of this forthcoming Section 73 application as well as the Phase 5 and / or 6 condition verification consultations.

As stated in our letter dated 04 July 2017 (our ref 217180) with regards to these non-material amendments, Natural England is concerned regarding the lack of long-term modelling of the hydrogeological impacts of the non-material amendments and the phase 3 - 4 construction and the potential impacts on the North York Moors Special Area of Conservation (SAC), Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI).

Natural England has not been provided with any further evidence to allay these concerns in the short term however we understand that there are safeguards and remedial mechanisms in place at the Section 73 application stage and phases 5 and/or 6 condition verification check stage to avoid or mitigate for any long term impacts on the North York Moors SAC, SPA and SSSI identified in the long-term hydrogeological modelling that will be provided.

Notwithstanding these concerns Natural England has considered the information provided and has no further concerns with regards to the short-term hydrogeological impacts on the North York Moors SPA, SAC and SSSI as modelled nor with regards to the noise impacts or changes to the earthworks associated with this application

Therefore, provided that the National Park Authority is content that there are sufficient safeguards and remedial mechanisms in place to avoid or mitigate any potential long term hydrogeological impacts on the North York Moors SAC, SPA and SSSI identified at the Section 73 application stage and phase 5 and/or 6 condition verification stages, Natural England has no objection to the proposed non-material amendments.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Merlin Ash  
Yorkshire and Northern Lincolnshire Team  
Natural England