

North York Moors National Park Authority

District/Borough: Scarborough Borough Council (North) Parish: Irton	Application No. NYM/2017/0399/NM
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Proposal: 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

Decision Date: 27 June 2017

Consultations

Parish –

Environment Agency – No objections, consider the s73 application should deal with all elements of change in the hydrogeological assessment.

Natural England – Provided that the Authority is content that there are sufficient safeguards and remedial mechanisms in place with the s73 Application and phases 5 & 6 condition applications to address our long term hydrological monitoring, no objections.

Environmental Health Officer – No Objections.

Site Notice/Advertisement Expiry Date –

Others -

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	PLAN03	The development hereby approved shall only be carried out in accordance with the amended plans which comprise the replacement of the grouting and cast wall subterranean structures below the mine production buildings with diaphragm wall structures as shown on the submitted plans received on 26 th May 2017. Otherwise the development shall be carried out completely in accordance with the approved plans and imposed conditions of planning approval NYM/2014/00845/MEIA. These changes shall be taken into account for future submissions to meet other phase 5 onwards conditional requirements including conditions relating to noise and hydrogeology.
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Signature: 	Date: 24/08/2017
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Background

Planning permission was granted in July 2015, at a one-off special planning committee for the construction of a new potash (Polyhalite) mine and underground ore transport tunnel to Teesside subject to 95 planning conditions and a headline £175m S106 Planning Agreement to provide substantial environmental & social & economic mitigation and off-site compensation.

Since planning permission was granted, the applicants undertook a Definitive Feasibility Survey (DFS) to derive more accurate costings and appraise operational changes to the scheme which could reduce the environmental impact further whilst reducing costs. A number of non-material scheme modifications have already been approved. A further scheme revision has been sought in respect of replacing the cast concrete grout curtain with a reduced surface area deeper diaphragm wall arrangement. This more localised form of preventing water penetration to the sub surface structures would result in less ground form modification and excavation and potentially reduce the scope for and ground water recharge mitigation.

Main Issues

Core Policy C seeks to ensure that the quality and diversity of the natural environment is conserved and enhanced by providing an appropriate level of protection to legally protected sites and species. Development Policy 1 seeks to conserve and enhance the special qualities of the North York Moors National park by, amongst things, ensuring development will not have an adverse impact on groundwater or generate unacceptable levels of noise pollution.

The principal of the development of this site has already been accepted. The proposed change of subterranean structures below the mining buildings from grout curtain concrete walling to diaphragm walling would have a differing hydrogeological impact on groundwater and construction noise levels.

Whilst the Environment Agency have raised no objection to the proposal on the basis it would have less impact than that approved the hydrogeologist of English Nature have some concerns that the hydrogeological effects are monitored from an earlier point in the construction phase than the applicants are currently proposing so as to ensure appropriate mitigation. The applicants have tailored their construction program in phases, the current phase is phase 3 (construction months 3 to 6) with phase four (construction months 3 to 12) just about to commence. The hydrological monitoring being requested by Natural England is a feature of a current s73 amending application to the mining buildings and associated and the future phase 5 conditions clearing. As such it is considered that Natural England's concern to ensure that hydrogeological monitoring takes place to ensure the spring flushes within the adjacent Special Protection Area (SPA) and Special Area of Conservation (SAC) are not adversely affected can be dealt with most appropriately at the S73 application and phase 5 stage of construction.

Signature:



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The Borough Environmental Health Officer has looked at the submitted information (including noise monitoring results to date) and sought assurances regarding future commitments to meeting the proscribed maximum levels set out in conditions and feels there are no objections to issuing this non-material minor amendment.

In view of the above, approval is recommended.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.

Signature:



Date:

24/08/2017

