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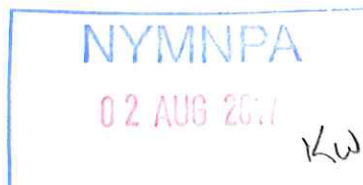
Date: 01 August 2017
Our ref: 219865
Your ref: NYM/2017/0400/CVC



Mr Rob Smith
North York Moors National Park Authority

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

BY EMAIL ONLY



Dear Mr Rob Smith

Planning consultation: Application for verification check of conditions 4, 18, 34, 46, 47, 52, 57, 60, 68, 70, 73, 76, 79, 91, 92, 93, 94, 95 of planning approval NYM/2014/0676/MEIA
Location: At Woodsmith Mine (Formally Dove's Nest Farm & Haxby Plantation), Sneatonthorpe Grid Reference 489495 505142

Thank you for your consultation dated 03 July 2017, which we received 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.

Discharge planning conditions NYMNPA - 46, 47, 60 and 79 with regards to hydrology, hydrogeology and water quality for Phase 4 works at Woodsmith Mine

As commented previously Natural England is concerned regarding the lack of long-term modelling of the hydrogeological impacts of the phase 3 - 4 construction periods 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.

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 discharge of these conditions.

Discharge of planning conditions NYMNPA-52 Protected Species and NYMNPA-57 Landscape & Ecological Management Plan for Phase 4 works at Woodsmith Mine

Natural England notes that these Management Plans have not been updated from the Phase 3 conditions and has no further comments to make.

Discharge of planning conditions NYMNPAs 73 and 76 regarding arboriculture and woodland management for Phase 4 works at Woodsmith Mine

We note that there is reference on your consultation website to some e-mail correspondence by your woodland officer to the need for further longer-term woodland management considerations. We agree that these need to be considered beyond the current Arboricultural Statement since the woodland screening is a key part of the acceptability of the project in terms of landscape/ noise/ dust buffering. Considerations of the changes in ground water tables and longer-term tree survival ought to also be addressed in this document.

Discharge planning condition NYMNPAs 76 soil management for Phase 4 works at Woodsmith Mine

Natural England notes that while para 4.6 of the Phase 4 Works at Woodsmith Mine, North Yorkshire Soil Management Plan (40-FWS-WS-70-CI-PL-0003) states that Topsoil stockpiles will not exceed 3 m high and subsoil stockpiles will not exceed 7 m high and that Side slopes will be no steeper than 1 in 2 in line with AP7 Defra Guidance for Successful Restoration of Mineral and Waste Sites. Drawing reference (40-ARI-WS-71-CI-DR-1082) Woodsmith Mine Site Construction Phase 4 Earthworks Strategy indicates that "Inert temporary storage mound" reference 21 will be 10m high and have a storage volume of 100,000m³. We would be concerned if stripped soils were to be stored in such a manner. Otherwise we are satisfied with the Soil Management Plan for phase 4 works.

Discharge planning conditions NYMNPAs 92 and 34 with regards to traffic and air quality management for Phase 4 works at Woodsmith Mine

Natural England notes document reference 40-RHD-WS-70-CI-PL-0005 Phase 4 - Woodsmith Mine Construction Vehicle and Plant Management Plan which considers particulate emissions and document reference 40-RHD-WS-70-CI-PL-0004 Phase 4 - Woodsmith Mine Construction Traffic Management Plan which considers traffic management impacts from Phase 4 construction traffic. We have no comments to make on these documents but note that no updated information has been made available regarding nitrogen concentrations and deposition concerning condition 91.

Discharge of planning condition NYMNPAs 93 Construction Environment Management Plan for Phase 4 works at Woodsmith Mine

Notwithstanding the above specific comments Natural England has considered document ref 40-RHD-WS-70-EN-PL-0014 Woodsmith Mine - Construction Environmental Management Plan and is satisfied that it addresses our concerns for air quality, dust, hydrology, nature conservation and soils with regards to Phase 4 works.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

Yours sincerely



Christine Robertson, Team Leader, North York Moors
Yorkshire and Northern Lincolnshire
Natural England