

RS

**Kelsey Williamson**

---

**From:** Rob Smith  
**Sent:** 28 September 2017 08:47  
**To:** Planning  
**Subject:** FW: Response from the Campaign for National Parks to Section 73 application ref: NYM/2017/0505/MEIA  
**Attachments:** 170926 CNP response to Sirius Minerals S73 planning application.pdf

NYMNPA  
27 SEP 2017  
hw

---

**From:** Ruth Bradshaw  
**Sent:** 27 September 2017 14:55  
**To:** Rob Smith  
**Subject:** Response from the Campaign for National Parks to Section 73 application ref: NYM/2017/0505/MEIA

Dear Rob

I attach the Campaign for National Parks' response on this planning application. I would be grateful if you could confirm receipt and also advise me when this application is likely to be considered at committee.

Best wishes  
Ruth

Ruth Bradshaw  
Policy and Research Manager  
Campaign for National Parks  
5-11 Lavington Street  
London  
SE1 0NZ





The Campaign for National Parks  
5-11 Lavington Street, London SE1 0NZ



Rob Smith  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York  
YO62 5BP  
By email to: [rob.smith@northyorkmoors.org.uk](mailto:rob.smith@northyorkmoors.org.uk)



27 September 2017

Dear Rob

**Response from the Campaign for National Parks to Section 73 application ref: NYM/2017/0505/MEIA**

**Application in respect of variation of condition 5 of planning permission NYM/2014/0676/MEIA to allow minor material amendments relating to that part of the development at the Woodsmith Mine site (formerly known as Doves Nest Farm and Haxby Plantation), including; re-design of foreshafts and shaft construction methodology, changes to building layout and shaft access arrangements, revisions to construction and operational shaft platform levels, revisions to location and layout of surface water attenuation ponds, revisions to groundwater management arrangements and amendments to internal access road arrangements at Woodsmith Mine (formerly known as Doves Nest Farm and Haxby Plantation), Sneatonthorpe, Grid Reference 489495 505142.**

Campaign for National Parks is the independent national voice for the 13 National Parks in England and Wales. Our mission is to inspire everyone to enjoy and look after National Parks – the nation's green treasures.

We have followed Sirius Minerals' plans for the Woodsmith Mine closely for a number of years and were one of the principal objectors when the mine was granted planning permission in 2015 (planning application ref: NYM/2014/0676/MEIA). We have long maintained that this project is completely incompatible with National Park purposes and that the promised economic benefits will never justify the huge damage that it will do to the area's landscape and wildlife and to the local tourism economy. We remain extremely concerned about the impacts of such a significant development on the National Park.

As we set out in our response to NYM/2014/0676/MEIA, there were strong grounds for refusing planning permission for the mine in 2015, particularly given the impacts on the National Park during the lengthy construction phase. At that time we also acknowledged that the applicant had given serious consideration to mitigating the impacts of the mine during its operational phase. Unfortunately, many of the changes included in the current Section 73 application will have the effect of increasing the landscape and visual impacts of the buildings at the mine head thus undermining the previous efforts to reduce the impacts on the National Park. It appears that these



and the other changes proposed are driven by the applicant's need to cut costs and that in the process insufficient consideration has been given to the additional planning protections that exist when proposing development in a National Park.

We also question whether the scale of the changes proposed are appropriate for consideration in a Section 73 planning application as they amount to more than minor changes. Altering the site layout, buildings, shaft arrangements and methods of shaft construction will significantly increase the impacts of the project during both construction and operation. For example:

- The re-orientation and significant increase in size of the Minerals Shaft Winder Building (B08) and the changes in shape and re-orientation of the Men and Materials Shaft Winder Building (B07) will result in a more obvious building mass in the landscape. In combination with the increased size of the Shaft Building for the Mineral Transport System (MTS), this will result in a significant collection of large industrial buildings in the National Park.
- The replacement of the temporary winding towers by mobile D-wall rigs and cranes will significantly increase the impacts of the shaft construction. As the rigs and cranes are large, moving objects they will be more visually intrusive than static winding towers and there will be increased levels of noise.

In addition, we are concerned about the lack of clarity that there appears to be about the amount of spoil which will be generated during construction. This is particularly important as it has implications for the size of the bunds to be created on the mine head site which in turn has implications for the landscaping of the site and the visual and landscape impacts of the mine during operation. Documents provided with the Section 73 application (SES Vol 2 Technical Assessments and Appendices) indicate that the quantity of spoil will vary significantly depending on the size of shaft diameter chosen and it is worrying that even at this stage in the construction, a final decision on this has still not been made.

Another issue which affects the amount of spoil is the separate changes that Sirius Minerals have announced to the MTS but which are not included in the Section 73 application. The abandonment of the Lady Cross Plantation MTS Access Shaft site means that an additional amount of spoil will need to be deposited at the mine head site. Furthermore, this material will be Redcar Mudstone which will need to be deposited in an engineered containment at the mine head site to avoid acidic run-off. However, none of the information included in the Section 73 application provides any details of how this significant increase in spoil will be accommodated on the site, nor is there any detail of the engineering containment for the Redcar Mudstone. These are significant omissions given the potential impacts.

We are also aware of other proposed changes to the construction of the MTS which could have significant implications but about which there is currently insufficient detail. We understand that Sirius Minerals now intend to line the MTS tunnel with precast concrete liners for the whole of its 36.7km length. These concrete liners will need to be delivered to the site and stored there. However, there does not appear to have been any consideration of the implications that this will have for the number of HGV movements or the necessary storage arrangements. Such information should be available before the current application is determined.

**Campaign for National Parks objects to this application on the following grounds:**

**1. Failure to take proper account of the statutory purposes of National Parks.**

The proposed changes are contrary to both of the statutory purposes. They will increase the adverse impact of the development on the landscape and special qualities of the National Park.

**2. The proposal is contrary to the National Park Authorities' planning policies.**

We believe that the proposed changes would have an unacceptable level of harm on the landscape, quiet enjoyment, peace and tranquillity of the National Park, as set out above. This application is, therefore, not in conformity with Core Policy A in the National Park Local Development Framework.

In addition, we believe that the proposed changes are not in conformity with a number of the development policies, including:

*Development Policy 1: Environmental Protection.* The proposed changes will increase the adverse environmental impacts of the project, particularly as a result of the increased noise resulting from the changes to the shaft construction. There is also an increased potential risk of pollution to local water courses by contamination from excavated materials as a result of the lack of clarity about the treatment of the additional Redcar Mudstone. The likelihood of increased HGV movements as a result of the changes to the MTS construction will also have adverse environmental impacts.

*Development Policy 3 – Design.* The changes to the 'temporary' infrastructure used during construction, and the likely increase in the size of the artificially created landscaping mounds will not enhance views out of or into the National Park and will therefore not contribute to the character and quality of the environment within the National Park. The increased size of the buildings and the increased visibility of the infrastructure during the construction phase make the project even more incompatible with the surrounding area and will increase its adverse effect on the adjacent landscape.

*Development Policy 14: Tourism and Recreation.* The proposed changes will increase the adverse impacts of the project on tourism and recreational facilities in the area. In particular, there will be an increased impact on visitors in the area and users of the Wainwright Coast to Coast walk and other public rights of way as a result of the increased visibility and noise resulting from the changes to the shaft construction.

**3. The impacts of the proposals on the landscape and visual amenity in the National Park during both construction and operational phases.**

The applicants have not demonstrated that the additional adverse effects on the landscape, visual amenity and biodiversity of the National Park as a result of the proposed changes will be satisfactorily mitigated. By doing so, they have failed to take account of paragraph 115 of the National Planning Policy Framework which states that National Parks have the highest status of protection in relation to landscape and scenic beauty.

The increased impacts on landscape and visual amenity during the construction and operational phases will directly impact upon the National Park's special qualities. For example, the increased noise and the likelihood of increased levels of traffic will adversely affect the area's tranquillity.

**4. The impacts of the proposed changes on both residents and visitors to the National Park during both construction and operational phases.**

This proposed changes will increase the adverse impacts of the project on both residents and visitors to the National Park during both phases of development. In particular, the increased visibility of the construction of the mine and the potential for an increased number of HGVs movements, will impact upon the enjoyment of the National Park and the qualities for which it was designated.

**5. The proposed changes are not appropriate for consideration as a Section 73 application.**

As set out above, the proposed changes include a number of measures which will result in major increases to the size and layout of some of the buildings at the mine head site as well as significant changes to the proposed construction methods. We do not believe that changes on this scale are appropriate for consideration as part of a Section 73 application which is intended to cover only minor modifications. Consideration should also be given to the other changes to the project which are not covered by this application but which are also likely to have significant impacts on the National Park, including the increased levels of spoil and anticipated increase in HGV movements as a result of changes to the MTS.

For the reasons set out above, Campaign for National Parks asks that this application be refused. We also ask that determination of the application is deferred until such time as the full impacts of the changes to the MTS can also be taken into consideration.

Yours sincerely

Ruth Bradshaw  
Policy and Research Manager

