

Date: 10 August 2017
Our ref: 221245
Your ref: NYM/2017/0505/MEIA



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 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

Location: At Woodsmith Mine (Formally Dove's Nest Farm & Haxby Plantation), Sneatonthorpe Grid Reference 489495 505142

Thank you for your consultation dated 20 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. We are responding in relation to:

- THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011
- TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010
- THE CONSERVATION OF HABITATS AND SPECIES (AMENDMENT) REGULATIONS 2012
- SECTION 28 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

1. Protected Landscapes - Objection

Natural England objected to application NYM/2014/0676/MEIA on landscape grounds (including visual, cumulative landscape and cumulative visual impacts) in relation to the construction phase. Based on the additional information provided in the Supplementary Environmental Statement provided in support of NYM/2017/0505/MEIA Natural England does not consider that the minor material amendments proposed significantly alters our earlier advice and the basis for our objection set out in our letters dated 10 December 2014 (our ref 134454) and 12 March 2015 (our ref 145947).

Natural England notes that the number of temporary winding towers has been reduced from three to one but understands that the timescales for the remaining winding tower has not changed from the approved scheme. We concur with the conclusion that this will not change the overall scale or contrast of visible construction activity within available views when compared to the approved scheme.

Natural England are disappointed to note that updates have only been provided for photomontages 6

and 11 and that the new photomontage 6 is inadequate with regards to assessing the impact of the remaining temporary winding tower as it is cut off by the cropping of the image and partially obscured by a telegraph pole. We advise that the National Park Authority ensures that it has sufficient information to assess the material amendments proposed. We do not consider that the update of the remaining photomontage locations or the addition of a variation on photomontage 6 would change our advice in this regard.

We note the conclusions that the amendments result in no material change in the layout and quantities of spoil in the approved screening bunds and that the differences in timing of construction of the eastern bund would not materially alter the screening of construction stage activity or the perceived scale and contrast of construction activity from intervisible areas to the east.

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2. Hydrology and Hydrogeology

As stated previously in our responses to the phase 3 and 4 condition verification consultations and the application for non-material amendment NYM/2017/0399/NM (our refs 217364, 218380, 217180, 218054, 220019 and 219865) 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 safeguards and remedial mechanisms are in place and that further hydrogeological modelling will be provided at the phase 5 verification check stage to avoid or mitigate for any long term impacts on the North York Moors SAC, SPA and SSSI

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 at this time.

Therefore we advise that the National Park Authority satisfies themselves 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 phase 5 verification stage.

3. Protected Species

We have not assessed this application and associated documents for impacts on protected species, however, we are aware that water voles may be using the site.

Natural England has published [Standing Advice](#) on protected species. The Standing Advice includes a decision checklist which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us at with

details at

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



