

Town and Country Planning Act 1990  
North York Moors National Park Authority

Notice of Decision of Planning Authority on Application for  
Permission to Carry out Development

To York Potash Ltd  
fao: Mr Richard Hunt  
2 Langley House  
Wykeham Business Park  
Wykeham  
Nr Scarborough  
North Yorkshire  
YO13 9QP

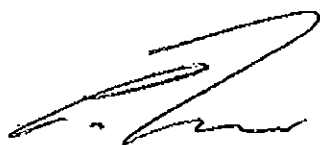
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The above named Authority being the Planning Authority for the purposes of your application registered 8 November 2011, in respect of proposed development for the purposes of **permission for temporary exploratory potash borehole and associated plant, equipment including drilling rig (max height 33 metres) and access arrangements at Langdale Rigg End, Langdale Forest, Near Harwood Dale** has considered your said application and has **granted** permission for the proposed development subject to the following condition(s):

1. The permission hereby granted is valid only for nine months from the date of this permission and the development shall be removed from the site before this consent expires and the site restored to its former condition before that date.
2. The development hereby permitted shall not be carried out other than in accordance with the application details as set out in the following reports and drawings:

<b>Plan Description</b>	<b>Date Received</b>
Planning Support Statement including soil handling and storage arrangements, disposal of any contaminated aggregate arrangements, soil restoration arrangements and hours of working.	8 Nov 2011
Ecological Impact Assessment including pre-commencement walk over by a suitably qualified Ecologist set out in.	8 Nov 2011
Heritage Desk Based Assessment including presence of a suitably qualified Archaeologist on day(s) when any soil stripping is to take place and any archaeological remains are suitably excavated and recorded in accordance with normal research practice.	8 Nov 2011
Hydrological Risk Assessment including adherence to submitted general drilling method statement and temporary/permanent casing of boreholes at interseeking with aquifers, composition of drilling muds, on-site storage of drilling muds, containment of drill hole discharges and borehole plugging	8 Nov 2011

Continued/Condition 2



Mr C M France  
Director of Planning

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03 JAN 2012  
Date: .....

DecisionApprove

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2011/0757/FL

Condition 2 (Continued)

CODV

Noise Assessment including acoustic enclosures of main prime movers, micro siting of plant and other structures of the site and earth bunds to meet a noise threshold within the nearest receptor dwelling of 30dB LAeq,T nighttime & 45dB LAmax daytime.

8 Nov 2011

Landscape and Visual Impact Assessment Report.

8 Nov 2011

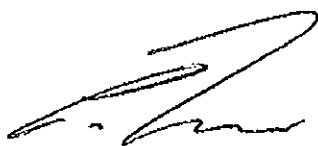
3. No actual drilling associated with the development hereby permitted shall take place until a detailed Drilling Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include details of drilling muds, implementation, supervision, monitoring, timing and phasing of the approved drilling. It shall also include details to monitor the nearby private water supply at Langdale Rigg End.
4. Any facilities, above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. Such facilities shall be constructed and completed in accordance with plans approved by the Local Planning Authority.
5. The mitigation measures set out in the archaeological strategy shall be carried out with a toothless bucket machine stripper.
6. Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing highway has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.
7. Unless otherwise approved in writing by the Local Planning Authority, there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until details of the routes to be used by HCV construction traffic have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. Thereafter the approved routes shall be used by all vehicles connected with construction on the site.

**Informative(s)**

The applicant's attention is drawn to the advice contained in the Environment Agency's letter dated 6 December 2011. (copy attached)

Continued/Reasons for Conditions

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Mr C M France  
Director of Planning

Date: ..... 03 JAN 2012

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2011/0757/FL

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**Reason(s) for Condition(s)**

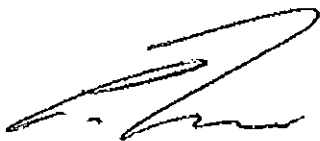
1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and Development Plan Policy 3.
- 3 & 4. To avoid pollution of watercourses and to comply with the provisions of NYM Development Policy 1 which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
5. In order that any remains of archaeological importance can be adequately investigated and recorded before any development takes place on the site and to accord with the provisions of NYM Development Policy 7.
- 6 & 7. In accordance with NYM Development Policy 23 and in the interests of highway safety and the general amenity of the area.

**Development Plan Policies Relevant to the Decision**

Local Development Framework      CPA – Delivering National Park Purposes and Sustainable Development  
CPE – Minerals

**Reason for Approval**

The proposed exploratory borehole, by reason of its temporary nature, forest location and sensitive mitigation measures set out in the application would be unlikely to have an adverse impact on the character and appearance of the National Park landscape nor an unacceptable impact on the amenities of occupiers in the vicinity and would help establish the nature and extent of potash reserves beneath the National Park. As such the proposal complies with Core Policies A and E of the NYM Local Development Framework.



Mr C M France  
Director of Planning

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Date .. 03 JAN 2012 ..