

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: Adam Jackson
7-10 Manor Court
Manor Garth
Scarborough
North Yorkshire YO11 3TU

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The above named Authority being the Planning Authority for the purposes of your application registered 1 November 2012, in respect of proposed development for the purposes of **variation of condition 2 of planning approval NYM/2012/0601/FL to make reference to a revised Hydrological Risk Assessment (October 2012) and Planning and Design and Access Statement (November 2012) at land at Doves Nest Farm, Sneaton** 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 twelve 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:

Plan Description	Date Received
Planning Support Statement including soil handling and storage arrangements, disposal of any contaminated aggregate arrangements, soil restoration arrangements and hours of working.	01 November 2012
Ecological Survey and Assessment	24 August 2012
Hydrological Risk Assessment including adherence to submitted general drilling method statement and temporary/permanent casing of boreholes at intersection with aquifers, composition of drilling muds, on-site storage of drilling muds, containment of drill hole discharges and borehole plugging.	01 November 2012
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 and 45dB LAmax daytime	24 August 2012
Landscape and Visual Impact Assessment Report	24 August 2012

3. Prior to the commencement of drilling the final drilling program shall be submitted to the Local Planning Authority in writing for approval. The agreed drilling program shall then be implemented in accordance with the approved details.

Continued/Conditions

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Mr C M France
Director of Planning

13 DEC 2012
Date:

DecisionApprove

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2012/0737/FL

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Conditions (Continued)

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. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.
6. 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 temporary warning signs to be erected in the vicinity of the site access have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the approved signs shall be maintained until the completion of construction works on the site.

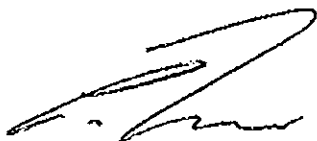
Informative(s)

Your attention is drawn to the content of a letter received from the Environment Agency on 27 November 2012 reference A/2012/123668/01-L01.

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 & 3. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.

Continued/Reasons for Conditions



Mr C M France
Director of Planning

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13 DEC 2012
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Town and Country Planning Act 1990

Continuation of Decision No. NYM/2012/0737/FL

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Reasons for Conditions (Continued)

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 accordance with NYM Development Policy 23 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
6. In accordance with NYM Development Policy 23 and in the interests of highway safety and the general amenity of the area.

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

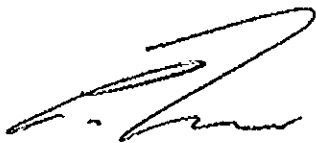
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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, farm land 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.



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Mr C M France
Director of Planning

13 DEC 2012
Date