

**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**

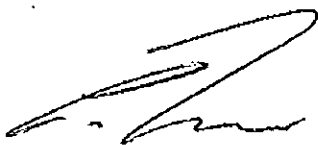
To York Potash
fao: Mr Adam Jackson
7-10 Manor Court
Manor Garth
Scarborough
North Yorkshire
YO11 3TU

The above named Authority being the Planning Authority for the purposes of your application validated 22 January 2013, in respect of proposed development for the purposes of **permission for temporary exploratory potash borehole down line of potential future mine shaft and associated plant, equipment including drilling rig (max height 33 metres) and access arrangements at Doves Nest Farm, Sneatonthorpe** 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.	18 January 2013
Ecological Survey and Assessment	18 January 2013
Flood Risk Assessment	18 January 2013
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 night-time and 45dB LAm _{ax} day time	18 January 2013
Landscape and Visual Impact Assessment Report	18 January 2013
Hydrological Risk Assessment	19 March 2013
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



Mr C M France
Director of Planning

Date **25 MAR 2013**

DecisionApprove

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 full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.
6. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

i) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E3.

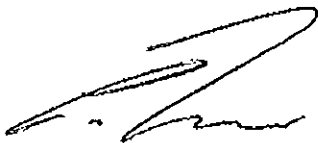
ii) Any gates or barriers shall be erected a minimum distance of 15 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.

iii) That part of the access(es) extending 15 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 40.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

7. 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.

Continued/Conditions



Mr C M France
Director of Planning

Date ... 25 MAR 2013

Town and Country Planning Act 1990

Continuation of Decision No. NYM/2013/0040/FL

Conditions (Continued)

8. 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.
9. No development shall take place on site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

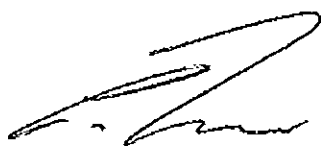
Informative(s)

1. In relation to condition 6 you are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
2. The applicant is advised to note the content of the letter from the Environment Agency received on 22 March 2013.

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.
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 in the interests of highway safety.
6. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
7. 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.
8. In accordance with NYM Development Policy 23 and in the interests of highway safety and the general amenity of the area.

Continued/Reason(s) for Condition(s)



Mr C M France
Director of Planning

Date .. 25 MAR 2013 ..

Reason(s) for Condition(s) (Continued)

9. In order that any remains of archaeological importance can be adequately investigated and recorded before any development takes place on the site and to comply with NYM Core Policy G which seeks to conserve and enhance the historic assets and cultural heritage of the National Park.

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

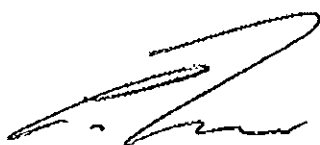
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in 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.



Mr C M France
Director of Planning

Date 25 MAR 2013