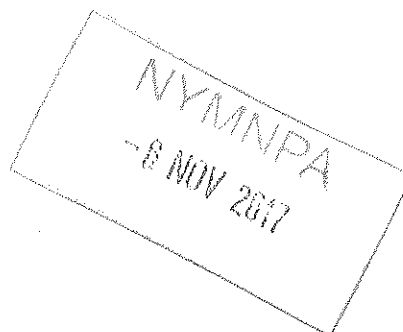


Date: 06 November 2017  
Our ref: 228828  
Your ref: NYM/2017/0505/MEIA



Mr Rob Smith  
North York Moors National Park Authority  
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**BY EMAIL ONLY**

Dear Mr Rob Smith

**Planning consultation:** Application for 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:** Land at Woodsmith Mine (formerly Doves Nest Farm & Haxby Plantation), Sneatonthorpe (minehead); underneath 252 km<sup>2</sup> of the NYMNP (winning & working of minerals); a corridor extending underground from the edge of the NP boundary to Wilton Complex (mineral transport system); Ladycross Plantation near Egton, Lockwood Beck Farm near Moorsholm, Tocketts Lythe, near Guisborough (intermediate shaft sites); site within the eastern limits of the Wilton Complex, Teeside (tunnel portal) NYM/2014/0676/MEIA. Grid Reference 489495 505142

Thank you for your consultation dated 12 October 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.

Natural England has commented previously on application NYM/2017/0505/MEIA in our letter dated 10 August 2017 (our ref 221245) which we attach with this letter for your ease of reference. This letter represents our further comments in the context of the additional information provided in relation to this further consultation dated 12 October 2017.

**Objection/Further information required**

The modelling provided as part of this additional consultation has highlighted that there could be a significant impact on the hydrology of the spring flush from the revised development, due to its impact on groundwater recharge. The HRA suggests that the impact will be mitigated by a recharge trench. However, it has not yet been shown whether such a trench will work in practice, as, to our knowledge, no trials, such as infiltration tests at the proposed location of the trench, have yet been carried out. It is Natural England's view that it is inappropriate to conclude 'no effect' in an HRA assessment which relies upon an untested mitigation approach.

Natural England therefore **objects to the HRA conclusion of 'no effect'** based on the current information provided.

Should the North York Moors National Park Planning Authority determine that the proposal should proceed despite this objection, Natural England would recommend the following conditions to safeguard the interest features of the North York Moors SSSI, SAC:

- 1) Evidence of appropriate tests which demonstrate the effectiveness of the proposed recharge trench as mitigation
- 2) Monitoring & maintenance plans have been submitted and agreed which ensure the have been on-going function of the recharge trench throughout the life of the development
- 3) The modelling indicates that it may take six years from completion of the development for the full impact of the development on the hydrological system to fully take effect (section 7.3 of the Hydro Risk Assessment). Therefore any further modelling and monitoring should consider six years as a minimum assessment period.

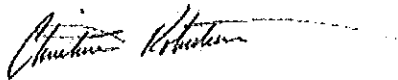
Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard for Natural England's advice.

It is the advice of Natural England that **it is not possible** to ascertain that the proposal will not result in adverse effects on site integrity. Natural England advises that the assessment currently does not provide enough information and/or certainty to justify the assessment conclusion and that your authority should not grant planning permission at this stage.

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.

For any queries relating to the specific advice in this letter please contact Merlin Ash at [merlin.ash@naturalengland.org.uk](mailto:merlin.ash@naturalengland.org.uk) or on 02080 266382. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely



Christine Robertson  
Team Leader, North York Moors  
Yorkshire and Northern Lincolnshire  
Natural England

