

Whitby Naturalists' Club

Founded 1913



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Jane Davies,
Development Planning,
North York Moors National Park Authority,
Old Vicarage,
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Helmsley
YO62 5BP

Your ref.: NYM/2013/0062/MEIA

23 April 2013

Dear Jane,

We are writing on behalf of the Whitby Naturalists' Club concerning the planning proposal from York Potash Ltd. The proposal relates to developments at Dove's Nest Farm and Haxby Plantation, Sneaton for

“the winning and working of Potash (Polyhalite) by underground methods from 25,300 hectares of land together with construction of mine including sinking of 2 no. deep shafts, retention/disposal/removal/landform modification of associated spoil, construction of buildings including welfare/office block and minehead primary processing buildings, access roads and car parking, helicopter emergency landing site, attenuation ponds and landscaping restoration and aftercare”.

The Whitby Naturalists' Club, which celebrates its centenary this year, is the natural history society covering the area most affected by the mine. In its constitution, environmental conservation is listed as one of six main aims and activities. The Club's comments on this proposal are made purely from an environmental conservation viewpoint. They are based on the information currently available to us. We reserve the right to alter them if additional information becomes available.

The Club is aware that this proposed development, if approved, could bring jobs to the area, but might also adversely affect tourism. It is, however, beyond the remit of the Club to comment on these aspects. The Club recognizes that the landscape of Whitby and some parts of its surrounding area has been affected in the past by industry. The Club also recognizes that those proposing the mine have already gone to some trouble to take into account environmental questions.

Like many other bodies which have submitted comments, the Club is concerned that the proposal documents contain serious omissions and errors, and the Club broadly supports the concerns raised by Natural England, the Yorkshire Wildlife Trust, the Royal Society for Protection of Birds, the Campaign for National Parks, the Campaign to Protect Rural England, English Heritage, and the North York Moors Association. We believe that a decision about the proposal can only be made after those omissions and errors have been resolved.

The Club also notes that a decision has been made to treat planning applications relating to this industrial development in two separate phases, one for the site of the proposed mine itself, and the other for the proposed pipeline to carry mine outputs to Teesside. Along with many other bodies, we believe that a decision about the proposed site of the mine cannot validly be made without also taking into account the pipeline proposal. On that basis, the Club is lodging a holding objection.

The Club wishes to raise the following specific points about the proposal for the site of the mine.

- 1 We note that the proposed site is within a Special Protection Area, and a Special Area of Conservation, and is located less than 1 km from a Site of Special Scientific Interest. These designations are defined by the European Union Habitat Directive (92/43/EEC) established to protect the 220 habitats and 1000 species listed in Annex I and II of the directive. Together they constitute NATURA 2000 which is part of the Emerald network of Areas of Special Conservation Interest under the Berne Convention.
- 2 The Club is concerned about the visual impact of the site, which can be seen from long distances away. The quality of the area and surrounding moorland is determined particularly by its low profile, distant views and wildness. We understand that enough spoil will be produced to raise the site by an average of 2 metres, and that there is a plan to sculpt the spoil into bunds and embankments. This will mean that some parts may be raised substantially higher than 2 metres. Not enough information has been supplied to permit an assessment of the full visual impact this will have on the landscape. Furthermore, the Club is not convinced that the proposed buildings will look like those of a farm (as the documents suggest), but will look more like an industrial estate.
- 3 We are concerned that the proposed drilling of mine shafts will disturb the water table and have a significant effect on hydrology of the surrounding moorland, in particular its wetlands and streams. We are also concerned about loss of water quality at the site. This includes possible leaching of water through the bunds which, coming from the mine, will contain salts and other minerals, and possible run-off from the attenuation ponds into the neighbouring Soulsgrave Beck. If this happens, there will be a knock-on effect on the surrounding parts of Fylingdales Moor.
- 4 We are worried about the impact of the development on biodiversity on and around the proposed site. We are concerned that Haxby Wood will be damaged during the construction of surface buildings. Proactive management is needed to protect and enhance this woodland. Fylingdales Moor is a breeding ground for the Large Heath Butterfly, which is endangered at a European level, of high conservation priority within the UK, and explicitly a UK BAP priority species. The proposed site is also close to areas of importance for protected birds. We have noted that bird survey evidence is lacking in the Habitats Regulations Assessment Report seemingly because in one year, 2012, merlin and golden plover were not breeding. The area is a Special Protected Area (SPA) whose status is determined by these two birds. We are also concerned about the impact of the proposed development on birds of prey, including owls, as there are important nesting sites nearby, and on reptiles: the whole area is an important area for adders. In the opinion of the Club, the biodiversity impact assessments which we have seen concentrate on a very small number of iconic species, mostly birds and mammals, with some consideration of flowering plants. There has been little consideration of invertebrates beyond a token list mostly of common insects, and no consideration at all of other important groups such as fungi (including lichen-forming species) and protists.
- 5 We are concerned about light and noise pollution at the proposed site, particularly but not only during the construction phase. The location is currently one of a diminishing number of places in the UK with little artificial light. Lighting of the test bore sites over the last two years was very intrusive, and it should be made clear that similar lighting at the proposed site is unacceptable. Noise and light pollution affects migratory and nesting birds, insects, bats, owls and other animals. A negative impact on bird breeding populations is highly likely. Littlebeck Woods Nature Reserve, less than 1 km to the west, is a good example of a protected area which could be adversely impacted by such development.
- 6 If approved, this proposal will result in increased traffic around the site. The Club is concerned about the impacts of that traffic, particularly on roadside verges. Detailed studies by Club members have shown that they are already threatened. As noted by North Yorkshire Police in their submission, the proposal, if implemented, is likely to result in extensive parking of cars on these verges, with consequent damage. The increased traffic will also cause air pollution, including nitrogen deposition, which is known to impact on biological diversity. Roadside verges are important biological reservoirs, and their visual quality makes them part of the attraction of North Yorkshire to visitors.
- 7 The Club believes that the planning process also needs to take consideration of the environmental impact of the many new jobs in the area which are promised by this proposal. New jobs mean

more people. More people mean more houses, more shops, over-stretched sewage systems, and eventually more infrastructure in the form of wider roads, bigger pylons, and perhaps an increase in services like hospitals. All of these will have an environmental footprint which has so far received little attention.

- 8 There seem to be no plans relating to remediation of the site after the proposed mining has ended, and indeed no exit strategy at all. If approved, the end of the mining could be many years away, but it will undoubtedly carry a cost and will come with a separate set of opportunities, threats and risks. It is not prudent to forge ahead now with no consideration of what they might be. In particular, the Club wishes to voice a concern expressed by many local people that the very existence of the mine would make possible undesirable proposals for its subsequent use which could not otherwise exist, particularly the threat of long-term storage of nuclear waste. The Club believes that, in the event of the proposal receiving planning approval, a condition should be attached explicitly forbidding the use of redundant parts of the mine for waste disposal, nuclear or otherwise.

The Club will comment fully on the pipeline proposal if it reaches the point of consideration, but we believe the two proposals ought to be considered together: there is no sense in approving a mine without the means to disperse its products, or a pipeline without the only installation it can serve. The Club notes that the proposal for the site of the mine is accompanied on your website by a large amount of documentation relating to the separate proposal for the pipeline, and accordingly, it wishes to make the following preliminary comments about the proposed pipeline.

- 1 If approved, the proposed construction of the pipeline will entail a 50 m wide corridor the entire length of the route between the proposed mine and Teesside. Vehicles and other construction machinery will use this corridor. The area affected, in terms of destruction of habitat and churning of soil is thus far greater than the area occupied by the pipeline itself. Some sensitive areas along the proposed route have been identified, mainly wetlands and wooded valleys. Other sensitive areas have undoubtedly been overlooked. Wetlands are vulnerable to draining. The Club is concerned that not enough is known about the effects of directional drilling, and that disturbance from trenching may damage the natural hydrology, and may destroy the structural integrity of peat and other soils. Along the whole of the proposed route, fences, hedges, drystone walls, bushes and trees will be destroyed. The Club is alarmed that much of the proposed 50 km corridor involves destruction of prime national park landscape.
- 2 Proposed construction also involves the establishment of large depots to store pipes prior to installation, for example at Scaling Dam. The Club believes these may be avoidable, and considers that plans relating to them should be re-examined.
- 3 We are concerned that proposals to restore the corridor of destruction are unrealistic and may be impossible to deliver. The damaged hydrology of wetlands is not so easily mended, nor is it easy adequately to replace peat which has lost its original physical integrity. Peat on the North York Moors is now considered an increasingly valuable commodity in carbon offset trading. Ancient woodlands are rich in biodiversity. They have taken centuries to evolve, and cannot be replaced once they have been destroyed. The proposal makes provision for replacements of fences, hedges, drystone walls, bushes and trees, but in many cases true replacement will be simply impossible. The Club is concerned that this will leave a scar on the land which will be visible for years, and will never properly heal. A period of five years is planned for the restoration of the disturbed sites. How will the restoration be monitored? Who will determine whether it is satisfactory and, if it is not, what pressure will they be able to put on the restorers to do the job properly?
- 4 We are also concerned that maintenance of the proposed pipeline will bring its own additional environmental impacts, with permanent access points, each with its own accompanying infrastructure. We understand the pipeline itself will have a defined life-span after which it will need to be replaced. The Club is therefore also alarmed that the proposed disruption of the national park is not even a one-off event. It is, in reality, the first of a series of planned incursions. The planning application being made seems to cover the next 100 years. In that time the sites will need to be re-disturbed perhaps every thirty-five years. We are also alarmed that, wherever the proposed pipeline passes through woodland, that woodland will never have the chance to regenerate, because trees above or even near to the proposed pipeline will be impossible. In short,

although some nature may return after the pipeline is laid, it will most probably be an impoverished version of some different ecosystem. It is highly unlikely to be the same as what went before.

- 5 Blockages and leaks. No pipeline is free from the threat of these disruptions. The slurry which it is proposed to move through these pipes would include large amounts of particulate matter, and blockages as a result of sedimentation could occur, particularly if flow was for any reason slowed. These blockages might be worst a points in the pipeline which are also problematic for other reasons: difficulties often happen in groups. The Club is worried that pollution could occur when dealing with such blockages. We understand there have been incidences of leaks in similar pipelines in Germany. Internal sensors are planned in the pipeline, which should enable rapid detection of such problems, but a time-lag of around 45 minutes is anticipated between detection and isolation. During that time, untold damage could be done to the surrounding environment by the escaping brine. The trench holding the pipeline might itself be a potent distributor of leaked fluid.
- 6 We are concerned that the environmental assessment carried out on behalf of Sirius has overlooked some important rare and endangered species which might be affected by the pipeline. The Esk, for example, is the only river in northeast England with populations of the internationally endangered freshwater pearl mussel, a very long-lived species which is a key indicator of clean water. The route of the proposed pipeline passes through a wetland area upstream of the breeding grounds of this animal. A leak would be catastrophic. The proposed route of the pipeline (no alternatives have been offered) passes close to an SSSI at Tranmire noted for its grassland and wetland areas, and an important area on Waupley Moor where rare plants such as *Apium nodiflorum* are found. As with the proposal for the site of the mine itself, the proposal for the pipeline route has taken only token account of a few arthropods, and fewer molluscs. Most invertebrates, and other major groups such as fungi (including lichen-forming species) and protists have been totally overlooked. The long-term impact of trenching on soil structure and soil biodiversity needs more consideration.
- 7 The Club is anxious that there has been inadequate consideration of possible archaeological sites along the route, and supports English Heritage's comment that further attention to these is necessary.

The Club notes that those making the proposal have established a fund to benefit communities affected by the development. We believe that, in the event of approval of these proposals, separate funding should also be established to support offsets mitigating the ecological damage which will be done.

Yours sincerely

David Minter
Club Chairman

Alan Ritson
Conservation Sub-Committee Chairman