

Redcar and Cleveland Borough Council

Comments on Applicant's Response to the Examining Authority's First Round of Questions and Issues Raised following the Submission of the Revised Governance Tracker

The York Potash Project – Harbour Facilities Order

Development Consent Order

PINs Application Reference Number TRO30002

LPA Application Reference Number R/2015/0218/DCO

The proposed development is the construction and operation of Harbour facilities at Bran Sands, Teesside for the export of polyhalite bulk fertilizer, which will be linked by conveyor to a materials handling facility located within the Wilton International Complex, Redcar.

Revised Governance Tracker

Section 20 – 73: The Natural Heritage Manager concurs with the comments with regard to planting/screening and that the resulting height needs to be considered due to power lines and comments that appropriate native species are used at all times for wildlife conservation reasons as this does not appear to be clear. Note the issue of the A1085 crossing continues to be the subject of negotiation/discussion.

Section 21 – 77: The Natural Heritage Manager advises that the Teesdale Way is especially well used as a priority regional trail and suggest that it might be prudent/useful to provide some interpretation along the route (at most relevant points) to inform walkers at source. He further advises that brief consultation with the Borough Local Access Forum may also prove useful.

Question CA 1.8:

Redcar and Cleveland Asset Management Team – “*The draft response to CA 1.8 appears in order*”

Question DCO 1.7: No further comment

Question DCO 1.8: No further comment

Question DCO 1.12: No further comment

Question DCO 1.14:

The Environmental Protection Team agrees with the applicants comments that the Environmental Statement does not need to be amended should Phase 2 of the development occur in the future. The Environmental Statement has assessed noise based on a worst case scenario for construction and operational phases; therefore the applicant has applied the same noise limits to the operational phase which could be in the future. If the Environmental Statement is amended at a later date to include an amended baseline noise assessment after Phase 1, the baseline will include any operational noise from Phase 1 and therefore has the potential to increase the baseline. It is therefore more advantageous to keep the same baseline noise assessment for all phases of the development as it offers more protection to residential properties.

Question ES 1.4: No further comment

Question HWF 1.3: No further comments from Redcar and Cleveland Borough Council Environmental Protection Team

Question PAR 1.2:

Following the production of the first technical report prepared by the applicant, Fairhurst on behalf of RCBC undertook a review of this report and prepared an

Engineering Support Services - Technical Paper. In response to this first Technical Paper, the applicant then produced an Options Study Supplementary Report which Fairhurst also then reviewed. This review was followed by the production of a second Technical Paper prepared by Fairhurst.

RCBC's current position is that we are still in disagreement with the applicant's response to question PAR 1.2. However, discussions are currently underway between the applicant and RCBC in an attempt to demonstrate that the tunnelling option is not technically and/or operationally viable. Should the tunnel option be ruled out the applicant's have submitted a draft protocol with regard to a potential design competition.

Note all references to the A1058 should be A1085

Question PAR 1.3:

RCBC maintain their position as set out on page 15 of the previous response by RCBC to Examining Authority's First Round of Questions (sent 21.08.2015). See response to question PAR 1.2 above with regard to current position.

Question PAR 1.4:

RCBC maintain their position as set out on page 8 of the previous response by RCBC to Examining Authority's First Round of Questions (sent 21.08.2015). See response to question PAR 1.2 above with regard to current position.

Question TT 1.1: No further comments from Redcar and Cleveland Borough Council as Local Highway Authority

Question TT 1.2: No further comments from Redcar and Cleveland Borough Council as Local Highway Authority

Question TT 1.3: No further comments from Redcar and Cleveland Borough Council as Local Highway Authority

Question TT 1.4: No further comments from Redcar and Cleveland Borough Council as Local Highway Authority

Question NV 1.3:

Redcar and Cleveland Environmental Protection Team: *"I would re-iterate the comments made by Mick Gent. I would request that clarification is sought from the applicant regarding Point 54 of the CEMP mitigation table with reference to complaint investigation. The CEMP states that 'If the predicted noise levels are exceeded as a result of construction works or a complaint is received from a local resident, an investigation would be instigated by the Site Manager within an agreed time period to identify the cause of the non-compliance/complaint.'* The

Environmental Protection Team would require further information outlining what noise monitoring is to be undertaken to monitor noise levels.

Question LVA 1.5: No further comment

Question LVA 1.6: No further comment

Question HRA 1.6: No further comment