

From: Hutton, Laura-Beth [mailto:Laura-bethHutton@eversheds.com]
Sent: 13 January 2016 17:40
To: York Potash Harbour; Robert Ranger
Cc: Stella Perrett; Thomson, Morag
Subject: 160113 TR030002 York Potash Ltd - Submissions for Deadline 8

Hi Rob

Please see attached our submissions for today's Deadline.

Please could you confirm receipt. Hard copies to follow.

Please note that although the footer in the comparite with the First Draft DCO refers to August 2015, the content of base version for the comparison is the original DCO submitted with the Application in March 2015 – we had the document re-typed when we joined Eversheds to confirm to the S.I. template.

Kind regards
Laura-Beth

Laura-Beth Hutton | Senior Associate | Planning and Infrastructure Consenting

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***** This e-mail is sent for and on behalf of Eversheds LLP *****

The Examining Authority
 The Planning Inspectorate
 3/01 Kite Wing
 Temple Quay House
 2 The Square
 Temple Quay
 Bristol BS1 6PN

Date: 13 January 2016
Your ref: TR030002
Our ref: HUTTONL\212082-000007
Direct: +44 20 7919 0660
Email: moragthomson@eversheds.com

BY COURIER

Dear Sir

**THE PLANNING ACT 2008 (AS AMENDED) - APPLICATION FOR YORK POTASH LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE YORK POTASH HARBOUR FACILITIES
 DOCUMENTATION RESPONSE TO DEADLINE 8**

Further to the procedural decision set out in the Examining Authority's letter of 6 January 2016, please find enclosed the following documentation in response to Deadline 8:-

1. The Applicant's final Development Consent Order (Document 4.1E (Tracked and Clean));

The tracked version shows the changes made since the version of the DCO submitted for Deadline 6 (16 December 2015). This version contains amendments agreed by the Applicant with TATA Steel UK Limited and BP CATS as explained in Documents 8.10 (Schedule of Changes to the Draft DCO) and 8.12 (Applicant's responses to other parties' submissions for Deadline 6). It will also be noted that requirement 10 has been amended in accordance with the submission made by Historic England for Deadline 6, which the Applicant has accepted. This final version also corrects some minor typographical errors.

As advised in previous letters, agreement has been reached with Northumbrian Water Limited ("NWL") but unfortunately those engrossments are still in circulation for signature. The Applicant understands that the only reason the engrossments have not yet been signed is that the required signatories have not been available to sign and authorise completion of the agreement. In this regard, the Applicant has amended Schedule 9 to the draft DCO to clarify that paragraph 25 of that Schedule shall not apply to the interests held by NWL unless and until that agreement has been completed. NWL is aware of this amendment and it is hoped to complete the agreement imminently.

The Applicant suggests that the above, and the reality that agreement has been reached with NWL (albeit not completed), together with written confirmation by NWL that it expects to complete imminently (please see submission dated 5 November 2015 at 16:10 where NWL confirms that subject to completion of the agreement "...we are satisfied with the proposed southern route for the conveyor" and "...note the intended demolition of the jetty" and enclosure to my letter of 30 December 2015) should be borne in mind should it become necessary to report to the Secretary of State in respect of s127 of the Planning Act 2008.

2. An updated document list reflecting appropriate additions (Document 1.4H). The changes to the document list are shown as track changes.



We also enclose, as requested:-

3. A comparite of the final draft DCO (Document 4.1E) against the original draft DCO submitted with the Application (Document 4.1); and
4. A comparite of the final draft DCO (Document 4.1E) against the draft DCO submitted for Deadline 4 (Document 4.1C).

I thought it would be helpful to set out the Applicant's position in response to the representation submitted by Ms Christie for Deadline 7. As indicated in our submission for Deadline 3 (Document 8.5) and as suggested at the DCO Hearing on 24th September, I confirm that a representative of the Applicant (from Royal HaskoningDHV) met with Ms Christie on 8th October 2015. At that meeting, Ms Christie outlined the points and concerns mentioned in her written representation submitted for Deadline 7 and RHDHV directed Ms Christie to the relevant sections of the Application Documents dealing with those concerns. The Applicant considers that the Application Documents and submissions made throughout the Examination adequately address the points raised.

Finally, I confirm that the Applicant's agreement with Northern PowerGrid has been completed and we note that Northern PowerGrid has withdrawn its objection to the DCO (email to the Planning Inspectorate of 8 January 2016 at 14:48).

Yours sincerely



Morag Thomson
Partner
Planning and Infrastructure Consenting
Eversheds LLP

Encs

THE YORK POTASH HARBOUR FACILITIES ORDER 201X

Document List



Document 1.4H

Eversheds LLP

13 January 2016



**The York Potash Harbour Facilities Order 201X
Document List – Document 1.4H**

Document/Plan	Regulation/Drawing/Plan No.	Document Number	Date Submitted to PINS
1. Application Form Etc.			
Application Form	Reg 5(1)	1.1	27 March 2015
Letter to accompany application	Reg 5(2)(q)	1.2	27 March 2015
Newspaper Notices Report	S48 and Reg 4	1.3	27 March 2015
Document List	Reg 5(2)(q)	1.4	27 March 2015
Document List – 21.08.15	Reg 5(2)(q)	1.4A	21 August 2015
Document List – 07.09.15	Reg 5(2)(q)	1.4B	7 September 2015
Document List – 02.10.15	Reg 5(2)(q)	1.4C	2 October 2015
Document List – 06.11.15	Reg 5(2)(q)	1.4D	6 November 2015
Document List – 20.11.15	Reg 5(2)(q)	1.4E	20 November 2015
Document List – 16.12.15	Reg 5(2)(q)	1.4F	16 December 2015
Document List – 30.12.15	Reg 5(2)(q)	1.4G	30 December 2015
Document List – 13.01.16	Reg 5(2)(q)	1.4H	13 January 2016
Applicant's s.55 Checklist	S55	1.5	27 March 2015
Issues and Document Tracker	Reg 5(2)(q)	1.6	27 March 2015
2. Plans /Drawings/Sections			
Land Plans	Reg 5(2)(i) and 5(2)(n)		
Key Plan	YPL Land Plan Key Plan Rev v4	2.1	6 November 2015
Sheet 1	YPL Land Plan Sheet 1 of 3 Rev v4	2.1A	6 November 2015
Sheet 2	YPL Land Plan Sheet 2 (i) (Northern Route) Rev v4	2.1B(i) (Northern Route)	6 November 2015
Sheet 2	YPL Land Plan Sheet 2 (ii) (Southern Route) Rev v4	2.1B(ii) (Southern Route)	6 November 2015
Sheet 3	YPL Land Plan Sheet 3 of 3 Rev v4	2.1C	6 November 2015

Inset 1	YPL Land Plan Inset 1 of 11 Rev v4	2.1D	6 November 2015
Inset 2	YPL Land Plan Inset 2 of 11 Rev v4	2.1E	6 November 2015
Inset 3	YPL Land Plan Inset 3 of 11 Rev v4	2.1F	6 November 2015
Inset 4	YPL Land Plan Inset 4 of 11 Rev v4	2.1G	6 November 2015
Inset 5	YPL Land Plan Inset 5 of 11 Rev v4	2.1H	6 November 2015
Inset 6	YPL Land Plan Inset 6 of 11 Rev v4	2.1I	6 November 2015
Inset 7	YPL Land Plan Inset 7(i) (Northern Route) Rev v4	2.1J(i) (Northern Route)	6 November 2015
Inset 7	YPL Land Plan Inset 7(i) (Southern Route) Rev v4	2.1J(ii) (Southern Route)	6 November 2015
Inset 8	YPL Land Plan Inset 8 of 11 Rev v4	2.1K	6 November 2015
Inset 9	YPL Land Plan Inset 9 of 11 Rev v4	2.1L	6 November 2015
Inset 10	YPL Land Plan Inset 10 of 11 Rev v4	2.1M	6 November 2015
Inset 11	YPL Land Plan Inset 11(i) (Northern Route)Rev v4	2.1N(i) (Northern Route)	6 November 2015
Inset 11	YPL Land Plan Inset 11(i) (Northern Route)Rev v4	2.1N(ii) (Southern Route)	6 November 2015
Works Plans	Reg 5(2)(j)		
Key Plan	YPL Works Plan Key Plan Rev v1	2.2	27 March 2015
Sheet 1	YPL Works Plan Sheet 1 Rev v1	2.2A	27 March 2015
Sheet 2	YPL Works Plan Sheet 2 Rev v1	2.2B	27 March 2015
Sheet 3	YPL Works Plan Sheet 3 Rev v1	2.2C	27 March 2015
Sheet 4	YPL Works Plan Sheet 4 Rev v1	2.2D	27 March 2015
Sheet 5	YPL Works Plan Sheet 5 Rev v1	2.2E	27 March 2015

Sheet 6	YPL Works Plan Sheet 6 Rev v1	2.2F	27 March 2015
Access and Rights of Way Plans	Reg 5(2)(k)		
Key Plan	YPL Access and RoW Plan Key Plan Rev v1	2.3	27 March 2015
Sheet 1	YPL Access and RoW Plan Sheet 1 Rev v1	2.3A	27 March 2015
Sheet 2	YPL Access and RoW Plan Sheet 2 Rev v1	2.3B	27 March 2015
Sheet 3	YPL Access and RoW Plan Sheet 3 Rev v1	2.3C	27 March 2015
3. Other Plans necessary to describe proposed development			
	Reg 5(2)(o)		
Location Plan	PB1586-SK90 Rev 7	3.1	27 March 2015
Layout Plans (Ground Level) Northern Route KeyPlan	PB1586-SK710 Rev D	3.2A	27 March 2015
Layout Plans (Ground Level) Northern Route Sheet 1	PB1586-SK711 Rev G	3.2B	6 November 2015
Layout Plans (Ground Level) Northern Route Sheet 2	PB1586-SK712 Rev G	3.2C	6 November 2015
Layout Plans (Ground Level) Northern Route Sheet 3	PB1586-SK713 Rev G	3.2D	6 November 2015
Layout Plans (Ground Level) Northern Route Sheet 4	PB1586-SK714 Rev G	3.2E	6 November 2015
Layout Plans (Ground Level) Northern Route Sheet 5	PB1586-SK715 Rev F	3.2F	27 March 2015
Layout Plans (Ground Level) Southern Route KeyPlan	PB1586-SK720 Rev B	3.2G	27 March 2015
Layout Plans (Ground	PB1586-SK721 Rev D	3.2H	6 November 2015

Level) Southern Route Sheet 1			
Layout Plans (Ground Level) Southern Route Sheet 2	PB1586-SK722 Rev D	3.2I	6 November 2015
Layout Plans (Ground Level) Southern Route Sheet 3	PB1586-SK723 Rev D	3.2J	6 November 2015
Layout Plans (Ground Level) Southern Route Sheet 4	PB1586-SK724 Rev D	3.2K	6 November 2015
Layout Plans (Ground Level) Southern Route Sheet 5	PB1586-SK725 Rev C	3.2L	27 March 2015
Conveyor Route Southern Route - Key Plan	PB1586-SK1040 Rev E	3.3A	27 March 2015
Conveyor Route Plans – Southern Route - Sheet 1	PB1586-SK1041 Rev E	3.3B	27 March 2015
Conveyor Route Plans – Southern Route - Sheet 2	PB1586-SK1042 Rev E	3.3C	27 March 2015
Conveyor Route Plans – Southern Route - Sheet 3	PB1586-SK1043 Rev H	3.3D	6 November 2015
Conveyor Route Plans – Southern Route - Sheet 4	PB1586-SK1044 Rev H	3.3E	6 November 2015
Conveyor Route Plans – Southern Route - Sheet 5	PB1586-SK1045 Rev H	3.3F	6 November 2015
Conveyor Route Plans Southern Route - Sheet 6	PB1586-SK1046 Rev H	3.3G	6 November 2015
Conveyor Northern Route - Key Plan	PB1586-SK490 Rev E	3.3H	27 March 2015
Conveyor Route Plans Northern Route - Sheet 1	PB1586-SK491 Rev E	3.3I	27 March 2015
Conveyor Route Plans Northern Route - Sheet 2	PB1586-SK492 Rev E	3.3J	27 March 2015
Conveyor Route Plans Northern Route - Sheet 3	PB1586-SK493 Rev G	3.3K	6 November 2015
Conveyor Route Plans Northern Route - Sheet 4	PB1586-SK494 Rev F	3.3L	6 November 2015
Conveyor Route Plans Northern Route - Sheet 5	PB1586-SK495 Rev E	3.3M	27 March 2015

Conveyor Route Plans Northern Route - Sheet 6	PB1586-SK496 Rev E	3.3N	27 March 2015
Conveyor Route Plans Northern Route - Sheet 7	PB1586-SK497 Rev E	3.3O	27 March 2015
Location of Temporary Compounds (Sheet 1 of 2)	PB1586/SK56 Rev 10	3.4A	27 March 2015
Location of Temporary Compounds (Sheet 2 of 2)	PB1586/SK57 Rev 10	3.4B	27 March 2015
Temporary Compound Site A	PB1586-SK1021 Rev E	3.4C	27 March 2015
Temporary Compound Site B	PB1586-SK1022 Rev E	3.4D	27 March 2015
Temporary Compound Site D	PB1586-SK1023 Rev F	3.4E	6 November 2015
Temporary Compound Site E	PB1586-SK1024 Rev D	3.4F	27 March 2015
Temporary Compound Site F	PB1586-SK1025 Rev F	3.4G	27 March 2015
Permanent Compound Site A	PB1586-SK1026 Rev E	3.5A	21 August 2015
Permanent Compound Site C	PB1586-SK1027 Rev G	3.5B	21 August 2015
Permanent Building Elevations Site C	PB1586-SK1028 Rev C	3.6A	27 March 2015
Substation Elevations Sites A and C	PB1586-SK1029 Rev C	3.6B	27 March 2015
MHF Overall Site Layout Plan	143022-EIA-001 Rev 2	3.7	27 March 2015
Indicative Layout – Solid Quay Construction – Northern Route	PB1586-SK91 Rev 12	3.8A	27 March 2015
Indicative Layout – Solid Quay Construction – Southern Route	PB1586-SK122 Rev 2	3.8B	27 March 2015
Indicative Section Solid Quay Construction	PB1586-SK92 Rev 8	3.8C	27 March 2015
Indicative Elevation Solid Quay Construction	PB1586-SK120 Rev D	3.8D	27 March 2015
Indicative Layout - Open Quay Northern Route	PB1586-SK93 Rev 12	3.9A	27 March 2015

Indicative Layout - Open Quay Construction – Southern Route [“river frontage plan” for the purposes of Schedule 11]	PB1586-SK123 Rev 2	3.9B	27 March 2015
Indicative Section Open Quay Construction	PB1586-SK94 Rev 9	3.9C	27 March 2015
Indicative Elevation Open Quay Construction	PB1586-SK121 Rev D	3.9D	27 March 2015
Conveyor Typologies	PB1586-SK601 Rev 1	3.10	27 March 2015
Southern Option – Conveyor Vertical Limits of Deviation Plans Long Section	PB1586-SK420 Rev 6	3.11A	27 March 2015
Northern Option – Conveyor Vertical Limits of Deviation Plans Long Section	PB1586-SK421 Rev 6	3.11B	27 March 2015
Conveyor Cross Sections Location Plan – Northern Route	PB1586-SK1100 Rev E	3.12A	27 March 2015
Conveyor Cross Sections Northern Route Sheet 1	PB1586-SK1101 Rev E	3.12B	27 March 2015
Conveyor Cross Sections Northern Route Sheet 2	PB1586-SK1102 Rev D	3.12C	27 March 2015
Conveyor Cross Sections Location Plan – Southern Route	PB1586-SK1105 Rev B	3.12D	27 March 2015
Conveyor Cross Sections Southern Route Sheet 1	PB1586-SK1106 Rev C	3.12E	27 March 2015
Conveyor Cross Sections Southern Route Sheet 2	PB1586-SK1107 Rev D	3.12F	27 March 2015
Ease of Reference A3 Plans Bundle	Reg 5(2)(q)	3.13	27 March 2015
Harbour Construction Route Access	9Y0989_HCA_GA-01 Rev 4	3.14	27 March 2015
Pipeline Corridor Plan Key Plan	YPL Pipeline Corridor Plan Key Plan Rev v4	3.15	6 November 2015
Pipeline Corridor Plan Sheet 1	YPL Pipeline Corridor Plan Sheet 1 Rev v4	3.15A	6 November 2015
Pipeline Corridor Plan	YPL Pipeline Corridor Plan	3.15B	6 November 2015

Sheet 2	Sheet 2 Rev v4		
Pipeline Corridor Plan Sheet 3	YPL Pipeline Corridor Plan Sheet 3 Rev v4	3.15C	6 November 2015
Conveyor Route Plan Northern Route – Access Around the RBT Conveyors	PB1586-SK1081 Rev D	3.16	16 December 2015
4. Draft Development Consent Order			
Draft Development Consent Order (including requirements)	Reg 5(2)(b)	4.1	27 March 2015
Draft Development Consent Order (including requirements) (Tracked and Clean)	Reg 5(2)(b)	4.1A	7 September 2015
Draft Development Consent Order (including requirements) (Tracked and Clean)	Reg 5(2)(b)	4.1B	2 October 2015
Draft Development Consent Order (including requirements) (Tracked and Clean)	Reg 5(2)(b)	4.1C	6 November 2015
Draft Development Consent Order (including requirements) (Tracked and Clean)	Reg 5(2)(b)	4.1D	16 December 2015
Draft Development Consent Order (including requirements) (Tracked and Clean)	Reg 5(2)(b)	4.1E	13 January 2016
Explanatory Memorandum	Reg 5(2)(c)	4.2	27 March 2015
Explanatory Memorandum (Tracked and Clean)	Reg 5(2)(c)	4.2A	7 September 2015
Explanatory Memorandum (Tracked and Clean)	Reg 5(2)(c)	4.2B	6 November 2015
5. Compulsory Acquisition Information			
Statement of Reasons	Reg 5(2)(h)	5.1	27 March 2015

Funding Statement	Reg 5(2)(h)	5.2	27 March 2015
Book of Reference	Reg 5(2)(d)	5.3	27 March 2015
Book of Reference (Tracked and Clean)	Reg 5(2)(d)	5.3A	6 November 2015
Book of Reference (Tracked and Clean)	Reg 5(2)(d)	5.3B	16 December 2015
6. Required Statements/Reports			
Consultation Report	Section 37(3)(c) Planning Act 2008	6.1	27 March 2015
Section 79(1) of Environmental Protection Act 1990 Statement (re statutory nuisance)	Reg 5(2)(f)	6.2	27 March 2015
Regulation 48 European Site Statement (Reg 5(2)(g)) Habitats Regulation Assessment Report	Reg5(2)(g)	6.3	27 March 2015
Environmental Statement	Reg 5(2)(a) Including: <ul style="list-style-type: none"> - Archaeological and Historic Environment Assessment Report and Plan (Reg 5(2)(m)) - Ecological Assessment Report and Plan (Reg 5(2)(l)) - Flood Risk Assessment (Reg 5(2)(e)) - Ecology Data (Reg 5(2)(g)) 	6.4	27 March 2015
Appendices to Environmental Statement	Reg 5(2)(a)	6.5	27 March 2015
Cumulative Impact Assessment	Reg 5(2)(a)	6.6	27 March 2015
Non-Technical Summary	Reg 5(2)(a)	6.7	27 March 2015
Governance Tracker	Reg 5(2)(q)	6.8	27 March 2015
Governance Tracker	Reg 5(2)(q)	6.8A	21 August 2015
Governance Tracker	Reg 5(2)(q)	6.8B	6 November 2015
Parameters Table	Reg 5(2)(q)	6.9	27 March 2015

Parameters Table	Reg 5(2)(q)	6.9A	21 August 2015
Outline Construction Environment Management Plan	Reg 5(2)(q)	6.10	21 August 2015
Outline Construction Environment Management Plan	Reg 5(2)(q)	6.10A	16 December 2015
Outline Ecological Management Plan	Reg 5(2)(q)	6.11	21 August 2015
Outline Ecological Management Plan	Reg 5(2)(q)	6.11A	6 November 2015
Outline Ecological Management Plan	Reg 5(2)(q)	6.11B	16 December 2015
Mitigation and Monitoring Strategy	Ref 5(2)(q)	6.12	7 September 2015
Mitigation and Monitoring Strategy	Ref 5(2)(q)	6.12A	6 November 2015
7. Other documents			
Planning Statement	Reg 5(2)(q) Including statement pursuant to Regulation 6(3)	7.1	27 March 2015
Summary of Proposals Document	Reg 5(2)(q)	7.2	27 March 2015
Project Position Statement	Reg 5(2)(q)	7.3	27 March 2015
Draft Development Consent Obligations – Heads of Terms	Reg 5(2)(q)	7.4	27 March 2015
Draft Development Consent Obligation	Reg 5(2)(q)	7.4A	21 August 2015
Development Consent Obligation dated 19 October 2015	Reg 5(2)(q)	7.4B	6 November 2015
Letter from Secretary of State for Business, Innovation and Skills	Reg 5(2)(q)	7.5	27 March 2015
The Crown Estate Consent Letter	Reg 5(2)(q)	7.6	27 March 2015

8. Responses to Examining Authority			
Responses to relevant representations		8.1	21 August 2015
Applicant's Responses to Examining Authority's First Questions		8.2	21 August 2015
Applicant's Responses to Written Representations		8.3	7 September 2015
Applicant's Responses to Other Parties Responses to Examining Authority's First Questions		8.4	7 September 2015
Applicant's Submissions from Hearings on 24 th and 25 th September		8.5	2 October 2015
Applicant's Responses to Examining Authority's Second Questions		8.6	6 November 2015
Applicant's Responses to Other Parties Responses to Examining Authority's Second Questions		8.7	20 November 2015
Applicant's Comments on the Examining Authority's Draft Development Consent Order		8.8	16 December 2015
Applicant's Responses to Questions in the Rule 17 Letter and Comments on the RIES		8.9	16 December 2015
Applicant's Schedule of Changes to the draft Development Consent Order		8.10	16 December 2015
Applicant's Response to BP CATS Objection to the Southern Conveyor Route		8.11	16 December 2015
Applicant's Responses to Other Parties' Submissions for Deadline 6		8.12	30 December 2015

9. Statements of Common Ground			
Highways England	Reg 5(2)(q)	9.1	21 August 2015
Redcar and Cleveland Borough Council (Transport)	Reg 5(2)(q)	9.2	21 August 2015
Natural England	Reg 5(2)(q)	9.3	21 August 2015
Environment Agency	Reg 5(2)(q)	9.4	21 August 2015
Redcar and Cleveland Borough Council (Planning)	Reg 5(2)(q)	9.5	21 August 2105