



Your ref: 50303/25/JG/ZS/40152330v3

Our Ref: FL/NYM\2025\ENQ\22034

Date: 22 December 2025

Dear Mr Cox

Town and Country Planning (Environmental Impact Assessment) Regulations 2017 – Request for a Formal Scoping Opinion – Woodsmith Mine development

I refer to your email letter and attachments of 18 November 2025, relating to a request for a formal scoping opinion for proposed EIA development connected with the Woodsmith Mine project. The formal response to your request for a scoping opinion is set out below. Please do not hesitate to contact me if there are any matters that you would like to discuss further.

1.0 Introduction and context

1.1 This response is made in relation to a request, on behalf of Anglo American Woodsmith Ltd, for formal scoping of an Environmental Statement to accompany a proposed Environmental Impact Assessment (EIA) application for development at the Woodsmith Mine site, Sneatonthorpe.

1.2 It is noted that the proposed planning application, subject of the scoping request, is to be submitted under Section 73 of the Town and Country Planning Act 1990 for material minor amendments to the currently approved development. It is also noted that the statement proposed to be submitted would be in the form of a further Supplementary Environmental Statement (SES), intended to describe the potential for any additional or different environmental effects that may not have been identified through previous EIA undertaken in support of the Woodsmith Mine development.

1.3 The Authority acknowledges that, subsequent to the initial grant of permission for the development, a number of proposals for non-material minor amendments have been approved under Section 96A of the Town and Country Planning Act 1990 and that these are to be reflected in the baseline position for the proposed SES.

1.4 It is also noted that information has been submitted pursuant to the requirements of a number of planning conditions attached to earlier planning permissions for the development, seeking to discharge or part discharge various matters of detail

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associated mainly with construction stage development matters and that, where these matters have been approved and are relevant to consideration of the changes to be included in the proposed Section 73 application, they will be reported in the SES. This approach is supported.

1.5 In responding to this request the Authority has taken into account the information submitted on 18th November 2025. In accordance with relevant Regulations, account has also been taken of: the specific characteristics of the proposed development; the specific characteristics of development of the type concerned, and; the environmental features likely to be significantly affected by the development.

1.6 Consultation with relevant statutory bodies has taken place to inform this scoping opinion and, where appropriate, views received have informed its content. The full responses received following consultation with external consultees have already been supplied and are not reproduced with this response. The applicant is advised to have regard to these responses during preparation of the SES, and to undertake any necessary further discussions with relevant organisations in order to address any important matters raised. Please note that no response has yet been received from the Local Highways Authority or from North Yorkshire Council's Environmental Health service, although I am aware that the applicant is in contact with both those organisations with regard to the proposal. Any responses received by the Authority will be passed on and may require further discussion before the scope of the proposed SES can be finalised.

1.7 The attention of the applicant is drawn to the specific requirements of Schedule 4 of the 2017 Regulations and the need for the SES to be accompanied by any additional information relevant to the specific characteristics of the proposed development and to the environmental features likely to be significantly affected.

1.8 In accordance with the 2017 Regulations, the Authority also reserves the right, following submission of the proposed planning application and SES, to require further information to be submitted concerning the likely significant effects of the development.

2.0 Specific observations on the scope of the SES

2.1 The rationale for submission of a SES is understood in the context of a proposed submission under Section 73 for material amendments to the development. Notwithstanding this, the Authority is mindful of the particular scale, complexity and sensitivity (in locational and environmental terms) of the development originally permitted, and the need to ensure a rigorous approach to identification, assessment, and where necessary mitigation of any significant effects associated with the proposed amendments. It is therefore essential that the SES is sufficiently comprehensive, and presented with adequate clarity, to allow all potentially significant effects relating to such amendments to be clearly distinguished from those expected to arise as a result of

the development already permitted. Similarly, it will be important that the SES identifies and addresses any implications arising from relevant changes to the environmental baseline or context (for example proximity or status of sensitive receptors) which may have occurred since preparation of earlier environmental statements relating to the project.

2.2 Examples of these include the enhanced status of the Coast to Coast long distance walk, which is now an official National Trail; the designation of the National Park as an International Dark Sky Reserve, and; preparation of an updated Landscape Character Assessment (2021) and National Park Management Plan (2022), with the latter document containing redefined 'special qualities' for the National Park. Clear signposting of any such changes in the SES, and the undertaking of updated assessment where necessary, will be important in demonstrating the range and extent of relevant issues and impacts in light of the current baseline and context, and is also likely to be of assistance to organisations involved in reviewing and responding to the application and SES.

2.3 A further matter which it is considered may not be adequately reflected in the Scoping document is the potential for additional impacts arising from the expected or implied significant increase in the duration of construction of the Mine, compared with that envisaged in previous EIA work for the project. For example, para. 294 of the Scoping document, dealing with Landscape and Visual Impact, states that: *Landscape character effects will primarily be derived from the amendments to the currently Approved Development construction works, including the use of tall plant, cranes and lighting. Predicted landscape effects will be comparable, and no worse than currently Approved Development effects, with beneficial effects derived from the increased retention of existing woodland areas in comparison to the currently Approved Development.* However, it is considered that there is a need for objective assessment in the SES of the impacts of any prolongation of construction stage impacts as a result of the proposals being put forward and current understanding of the likely future timeline for completion of the Mine construction phase. Whilst this is clearly of particular relevance for landscape and visual effects, it may also be relevant to other topics, including noise and vibration and traffic and transport for example.

2.4 With regard to ecology, reference is made in the Scoping document to air quality impacts on the North York Moors SAC and SSSI being scoped in, but the document does not appear to make reference to the need for potential impacts to the SPA supporting habitats to also be considered. It is acknowledged that the section of the Scoping document dealing with the air quality impacts makes it clear that air quality impacts from the Woodsmith site are scoped in, but it does not appear to specify the inclusion or exclusion of any particular receptors. For the avoidance of doubt it is considered important that the potential for impact on SPA supporting habitats is considered within the SES.

3.0 Issues scoped out of the SES

3.1 The scoping request suggests that it is proposed to exclude effects on Soils, Land Quality and Waste; Terrestrial Ecology; Archaeology and Heritage; Climate Change (CCRA); Recreation and Access; Health Impact Assessment and Accident Risk and Cumulative Impacts (other than Traffic and Transport) from the scope of 'standalone' topics in the SES.

3.2 Whilst the principle of this is agreed, it will be important to ensure that sufficient clarity and justification is provided, within the SES, on the rationale for scoping out any particular topics. Such an approach would be consistent with national Planning Practice Guidance, which indicates that an ES should be proportionate and that impacts which have little or no significance for the development will need only very brief treatment, to indicate that their possible relevance has been considered.

3.3 Consideration of main alternatives - The scoping request does not indicate specifically whether it is proposed to address, in the SES, any main alternatives considered as part of development of the Section 73 proposals, for example in terms of design/layout parameters. Whilst it is acknowledged that permission for the development being scoped is to be sought in the form of an application for material amendments to development already permitted, it would be helpful if it is clear, in the application and through the SES, how and why the proposed changes have been derived and, in particular, how the potential for any changed scale or nature of environmental effects has informed the identification of the proposed amendments.

Yours sincerely

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