

## **mwjointplan**

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**From:** @naturalengland.org.uk>  
**Sent:** 09 May 2017 10:48  
**To:** mwjointplan  
**Cc:** (NE)  
**Subject:** RE: MJP14 Ripon Quarry Key Sensitivities & Development Requirements

Dear ,

Thank you for sending these updates including the revised HRA. You may need to revise the Sustainability Appraisal in light of these changes.

I can confirm that the revised text addresses Natural England's concerns and we are in agreement on the phrasing and assessment.

Kind Regards

Lead Adviser  
Sustainable Development Team  
Natural England  
Lateral  
8 City Walk  
Leeds, LS11 9AT

Tel –  
Mob -

<https://www.gov.uk/government/organisations/natural-england>

**We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.**

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**From:** mwjointplan [<mailto:mwjointplan@northyorks.gov.uk>]  
**Sent:** 28 April 2017 11:57  
**To:** (NE)  
**Cc:** (NE)  
**Subject:** RE: MJP14 Ripon Quarry Key Sensitivities & Development Requirements

Dear ,

Further to our discussions in March 2017 regarding the Minerals and Waste Joint Plan site at Ripon Quarry (MJP14), please find attached for comment an update to the text regarding the key sensitivities and development requirements for the site. I am also attaching for comment an update to the text within the HRA for the site.

What we would like to aim for, if possible, is that you are content that Natural England's concerns have been addressed and that we are in agreement on the phrasing and assessment such that we can then advise the Inspector of the agreement at the EiP.

It would be helpful to have any comments by 15 May if possible, but in the meantime if you have any queries please do not hesitate to contact us.

Yours sincerely

Senior Planning Policy Officer

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**From:** (NE)  
**Sent:** 28 March 2017 11:10  
**To:** mwjointplan  
**Cc:** (NE)  
**Subject:** RE: MJP14 Ripon Quarry Key Sensitivities & Development Requirements

Dear ,

Thank you for meeting with us to provide an update regarding the plan and to discuss changes to the wording. We welcome the copy of the alterations and the notes from the meeting, we agree that they are an accurate reflection of what was discussed.

As you are aware, Natural England provides standing advice for protected species:  
<https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>

Within this there is a link to standing advice for freshwater fish:  
<https://www.gov.uk/guidance/fish-advice-for-making-planning-decisions>

This advice makes a specific reference to lamprey:

*Several fish species are protected by being present in Special Areas of Conservation or Sites of Special Scientific Interest (SSSIs) (areas with special protection for the species found there), including:*

- Atlantic salmon
- bullhead
- lamprey (brook, river and sea)
- spined loach

Natural England recognises that this issue wasn't identified through the original site assessment/consultation process, however, we base our advice on the best and most up-to-date evidence. Certain rivers (including the River Ure) have now been identified as functionally linked to the population of sea lamprey which is a notified feature of the Humber Estuary SAC. Impacts within the river Ure could lead to an adverse effect upon the lamprey population and as such Natural England has updated its Impact Risk Zones. Although the area in question is not within the Humber Estuary SAC, the concept of functionally linked areas are now well established (e.g. RSPB v SSCLG (Lydd Airport) [2014] EWHC 1523 – see paragraph 27) and as such Natural England recommends that river and sea lamprey are included as a sensitivity.

Kind Regards

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Sustainable Development Team  
Natural England

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**From:** mwjointplan [<mailto:mwjointplan@northyorks.gov.uk>]  
**Sent:** 16 March 2017 15:14  
**To:** (NE); (NE)  
**Subject:** MJP14 Ripon Quarry Key Sensitivities & Development Requirements

Dear ,

Thank you for the meeting on Tuesday which we hope you found useful and please find attached for comment our draft amendments to the MJP14 Ripon Quarry Key Sensitivities & Development Requirements as promised. We also attach our note of the meeting and would be grateful if you could confirm whether you consider them to be a reasonable reflection of the discussions that took place.

You will note that there is one element which we have not included in the table, being reference to the issue regarding the lampreys. This is because on reflection we consider that, given the distance that the MJP14 site is from the Humber SAC and the fact that the lamprey is not a protected species and there appears to be no standing advice regarding applying protection to non-protected species relating to a SAC to outside of the designated area, it is difficult to justify including the requested reference to the lamprey in any proposed amendments to the text within the Minerals and Waste Joint Plan, given that it has not been identified previously through the site assessment process or in consultation. We appreciate however that you might have a different view on this and we would of course be willing to consider this issue further if necessary.

It would be helpful if we could have your comments by 31 March 2017 if possible.

In the meantime if you have any comments, please do not hesitate to contact us.

Yours sincerely

Senior Planning Policy Officer

This email has been sent on behalf of North Yorkshire County Council (NYCC), City of York Council (CYC) and North York Moors National Park Authority (NYMNP).

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North Yorkshire County Council

City of York Council

North York Moors National Park Authority

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