

14  
**Christopher Knowles**

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**From:** Dawn Paton  
**Sent:** 19 August 2014 16:06  
**To:** Christopher Knowles  
**Subject:** FW: Consultee letter for PlanningApplication Application: NYM/2014/0587/EIA

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**From:** Colin Monson  
**Sent:** 19 August 2014 11:04  
**To:** Dawn Paton  
**Subject:** RE: Consultee letter for PlanningApplication Application: NYM/2014/0587/EIA

No documents have been filed for this application, and we therefore object to the proposals on the grounds that insufficient information has been provided.

Colin Monson

Footpath Secretary, Ramblers Association

-----Original Message-----

**From:** Dawn Paton [mailto:d.paton@northyorkmoors.org.uk]  
**Sent:** 19 August 2014 09:43

**Subject:** Consultee letter for PlanningApplication Application: NYM/2014/0587/EIA

Please find attached Consultee letter for PlanningApplication application NYM/2014/0587/EIA

Please see Consultee letter on NYM/2014/0587/EIA

If this is a consultation/re-consultation please click the link

<http://planning.northyorkmoors.org.uk/Northgate/LocalConsultations/PLAuth/Login.aspx?LAYOUT=UE&ReturnUrl=%2fNorthgate%2fLocalConsultations%2fPLAuth%2fOutstandingConsultationsSearch.aspx> to access the Local Consultations website. We have experienced some problems when using Chrome, so please use Internet Explorer to access the website, our support are currently investigating this problem.

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NYMADA  
19 AUG 2011

## Christopher Knowles

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**From:** Colin Monson  
**Sent:** 19 August 2014 17:36  
**To:** Christopher Knowles  
**Cc:**

**Subject:** RE: NYMNPA NYM/2014/0587/EIA Consultation Response

Thank you for this information. I have previously requested that consultees should be contacted only after all the necessary information is available on the web, and I am sorry that my request has fallen on deaf ears. I try to deal with consultation requests as soon as I receive them: this both expedites the consultation process and makes it easier for me to ensure that consultations do not slip under the radar.

I can see no reason why, when the NPA sends out a consultation e-mail, staff cannot arrange for the e-mail to be delayed for 24 hours, if this is the time it takes for the statutory information to be made available to the public. I will deal with the NYM/2014/0587/EIA consultation when time allows but, for the moment, I must ask you to log my e-mail this morning as the Ramblers' Association formal response.

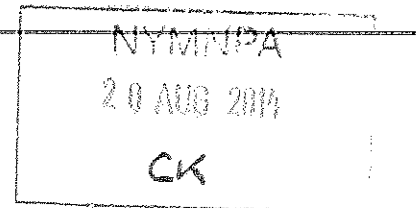
I would add that I use Firefox to access the web, and do not intend to use Internet Explorer. Moreover your online consultation system, as it currently stands, does not enable my fellow Ramblers Committee Members to see my response, which is why I am responding by e-mail.

Colin Monson

---

**From:** Christopher Knowles [mailto:c.knowles@northyorkmoors.org.uk]  
**Sent:** 19 August 2014 17:18

**Subject:** NYMNPA NYM/2014/0587/EIA Consultation Response



Dear Mr Monson

Thank you for your earlier email and your response to application number NYM/2014/0587/EIA.

As you will be aware, we are attempting to modernise our systems to make them easier to use for all consultees and ourselves. One of these processes is to send consult letters by email. In some cases it is not possible to upload all information relating to an application before issuing consult letters via email which is why we ask that 'if you are being consulted by email please allow 24 hours for these plans to be made available'. Your eagerness to comment is appreciated however 21 days are allowed for comments to be submitted on an application.

Please may I also draw your attention to our 'Online Consultations' response page. This is another process we have implemented to make the consultation process simpler for all those involved. We are aware that users have experienced some problems when using Google Chrome, so please use Internet Explorer to access the website. These issues are currently being investigated but we would be extremely grateful if you could submit comments through this method as it enables them to be booked in quickly and more efficiently. By emailing your response to any of the Planning Administration team, your comments may not get processed immediately if the recipient is on leave and may therefore get missed from an Officer's report.

With reference to your earlier email, the documentation has now been uploaded to the Planning Explorer. I hope there is sufficient information now available for you to make informed comments on the application.

Yours sincerely

Christopher Knowles  
Planning Administration Technician

## Christopher Knowles

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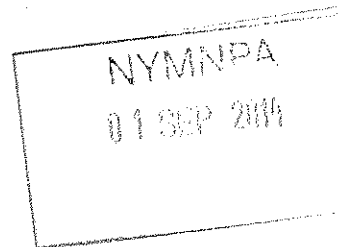
**From:** Colin Monson <monson@freeuk.com>  
**Sent:** 31 August 2014 10:47  
**To:** Dawn Paton

**Subject:** RE: Consultee letter for PlanningApplication Application: NYM/2014/0587/EIA

Thank you for the opportunity to comment on these proposals on behalf of the Ramblers' Association. The Ramblers' Association objects to the proposals on the grounds that (1) insufficient information is provided regarding the impact on the Public Right of Way along Givendale Rigg and (2) insufficient information is provided regarding the proposed steps for securing the safety of walkers using those PROWs that will be affected during the proposed development work.

As you are aware, the site plan accompanying the application should show all PROWs that could be affected and the accompanying documents should show what intends to be done to mitigate the effects. In our view the proposal does not comply with the statutory requirements in this regard, and therefore has not been adequately validated by NPA officers.

Colin Monson  
Faathpath Secretary, Ramblers Association



-----Original Message-----

**From:** Dawn Paton [mailto:d.paton@northyorkmoors.org.uk]  
**Sent:** 19 August 2014 09:43

**Subject:** Consultee letter for PlanningApplication Application: NYM/2014/0587/EIA

Please find attached Consultee letter for PlanningApplication application NYM/2014/0587/EIA

Please see Consultee letter on NYM/2014/0587/EIA

If this is a consultation/re-consultation please click the link

<http://planning.northyorkmoors.org.uk/Northgate/LocalConsultations/PLAuth/Login.aspx?LAYOUT=UE&ReturnUrl=%2fNorthgate%2fLocalConsultations%2fPLAuth%2fOutstandingConsultationsSearch.aspx> to access the Local Consultations website. We have experienced some problems when using Chrome, so please use Internet Explorer to access the website, our support are currently investigating this problem.

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## Christopher Knowles

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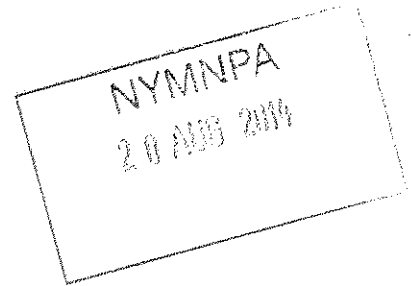
**From:** Caroline Bell  
**Sent:** 19 September 2014 14:02  
**To:** Christopher Knowles  
**Subject:** FW: HSL Ref 1477 Re: NYM Consultation

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**From:** Dawn Paton  
**Sent:** 19 September 2014 12:42  
**To:** Caroline Bell  
**Subject:** FW: HSL Ref 1477 Re: NYM Consultation

Jerald Boddy  
ICT Officer

North York Moors National Park Authority



**Sent:** 20 August 2014 09:49  
**To:** Dawn Paton  
**Subject:** HSL Ref 1477 Re: NYM Consultation

Dear Dawn

Thank you for sending us planning application NYM/2014/0587/EIA  
From our point of view there are two aspects to this.

It is a proposed development which falls in the CD of an existing Hazardous installation or Major Accident Hazard Pipeline and  
The Environmental Impact Assessment.

HSE is a statutory consultee on relevant developments within the consultation distance of a major hazard site or a major accident hazard pipeline. Planning authorities should use PADHI+, HSE's on-line software decision support tool, to consult HSE on such applications and produce a letter confirming HSE's advice.

PADHI+ should be used to consult HSE on any developments which meet any of the following criteria, and which lie within the consultation distance (CD) of a major hazard site or major hazard pipeline.

- residential accommodation;
- more than 250m<sup>2</sup> of retail floor space;
- more than 500m<sup>2</sup> of office floor space;
- more than 750m<sup>2</sup> of floor space to be used for an industrial process;
- or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area.

HM Explosives Inspectorate should be consulted on any developments which meet the above criteria and which lie within the safeguarding zone of a licensed explosives site.

The Office for Nuclear Regulation should be consulted on developments within the vicinity of a licensed nuclear installation which meet any of the criteria listed at <http://www.hse.gov.uk/nuclear/land-use-planning.htm>

HSE's FOD Quarries Team should also be consulted if a development is proposed at a quarry, or within 1 kilometre of the agreed planning permission boundary of a quarry.

To help planning authorities to use PADHI+, a User Guide has been produced, which is available at <http://www.hse.gov.uk/landuseplanning/padhi/index.htm>. It provides information and advice on HSE's role in land use planning and how to use PADHI+, along with several video examples of planning applications being put through PADHI+, showing how it should be used to obtain HSE's advice in each case. If you need any assistance with using the PADHI+ please feel free to contact us on or telephone 01298218159.

Environmental Impact Assessments are concerned with projects which are likely to have significant effects on the environment. HSE's principal concerns are the health and safety of people at work and those affected by work activities. Therefore HSE cannot usefully comment on what information should be included in the environmental statement of the proposed development. However, the environmental statements should not include measures which would conflict with the requirements of the Health and Safety at Work etc Act 1974 and its relevant statutory provisions.

There is also further information on HSE's land use planning and when to consult PADHI+ can be found here: [www.hse.gov.uk/landuseplanning/padhi.pdf](http://www.hse.gov.uk/landuseplanning/padhi.pdf)

Regards

John Cuthbert

PADHI + Support Team  
Health and Safety Laboratory  
Harbour Hill, Buxton



Please note that our email address has changed to

Telephone : 01298218159

-----Dawn Paton <[d.paton@northyorkmoors.org.uk](mailto:d.paton@northyorkmoors.org.uk)> wrote: -----

From: Dawn Paton <[d.paton@northyorkmoors.org.uk](mailto:d.paton@northyorkmoors.org.uk)>  
Date: 19/08/2014 10:24AM  
Subject: NYM Consultation

Health and Safety Executive

Your ref:

Our ref: NYM/2014/0587/EIA

Date: 19 August 2014

This matter is being dealt with by: Mr M Hill & Mr Chris France

Dear Sir/Madam

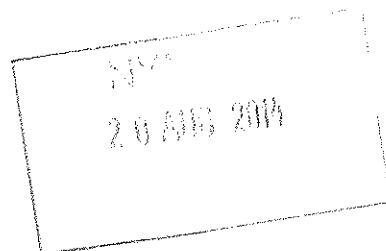
**Application in respect of Natural gas production and water re-injection at the existing borehole at Ebberston Moor South Well Site, the drilling of a second borehole for water production and re-injection, the construction of a 13.9 km long 12" diameter underground pipeline from the Ebberston Moor South Well to the Knapton Generating Station (KGS) at East Knapton, Malton and construction of ancillary works at the Generating Station at Ebberston Moor South Well Site, Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton**

**Grid Reference 490330 487130**

I have received a planning application for the above development. A copy of the application and plans can be inspected at this office from 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.30pm Friday. The details including forms, supporting information and plans for the application are also available on the Authority's website using the following link:  
<http://planning.northyorkmoors.org.uk/Northgate/PlanningExplorer/ApplicationSearch.aspx>  
and by following the instructions given. If you are being consulted by email please allow 24 hours for these plans to be made available.

I would be grateful for any comments you may have on this application within 21 days of the date of this letter. **If you wish to extend the period in which to submit your comments or have any queries on this application please contact the Planning Officer named above who is dealing with the matter.** You may reply by letter, fax, email ([planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)) or by using the Authority's online consultation response form.

If this application is to be determined by the Planning Committee (rather than by the Director of Planning under the powers delegated by the National Park Authority), any comments received after the above consultation period will only be reported if they are received before 12 noon on the day before the Committee Meeting. If you consider you will have difficulty commenting within the prescribed consultation period then please do not hesitate to contact the Planning Officer shown above so that we can discuss how best to ensure your views can be taken into account before the matter is considered by this Authority.



**Please Note:** The statutory date for determination of this application is 03 December 2014. You will not be formally notified by letter of the decision; however a copy of the decision notice will be made available under the application reference number on the Planning Explorer section of the Authority's website once a decision has been made on the application.

Yours faithfully

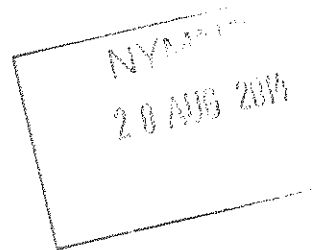
*Mark Hill*

Mr M Hill

Head of Development Management

Dawn Paton

Planning Technician



The Old Vicarage

Bondgate

Helmsley

York

YO62 5BP

Tel: 01439 772700

email: [d.paton@northyorkmoors.org.uk](mailto:d.paton@northyorkmoors.org.uk)

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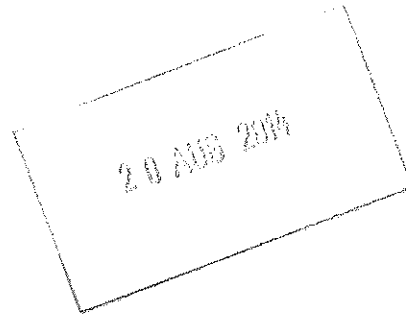


North York Moors National Park  
The Old Vicarage  
Bondgate  
Helmsley  
York  
YO62 5BP

Tel: 01439 772700

Email: [c.knowles@northyorkmoors.org.uk](mailto:c.knowles@northyorkmoors.org.uk)

Website: [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk)



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**Christopher Knowles**

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**From:** planning@northyorkmoors.org.uk  
**Sent:** 22 August 2014 12:42  
**To:** Planning  
**Subject:** Comments on NYM/2014/0587/EIA - Case Officer Mr M Hill - Received from Karl Gerhardsen at The Old Vicarage, Bondgate , Helmsley, York YO62 5BP

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I have no objections to the application as the existing EMS well site has virtually no impact on the unmetalled unclassified road to the south (Not public footpath as referred to in para 3.6 of the Site and Development Description) along which runs the National Park Authority's popular Moor to Sea Cycle Network between Dalby Forest and Cockmoor Hall car park. I expect NYCC rights of way to insist on directly affected public footpaths in the vicinity of Givendale Rigg remaining open for public use during the pipeline construction phase.

Comments made by Karl Gerhardsen of The Old Vicarage Bondgate Helmsley York YO62 5BP

Preferred Method of Contact is: Email

Comment Type is Comment  
Letter ID: 427778

Comments are confidential.

NYM/2014/0587/EIA  
22 AUG 2014  
CK

## Caroline Bell

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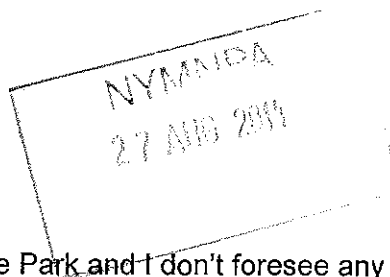
**From:** Mark Hill  
**Sent:** 27 August 2014 13:49  
**To:** Planning  
**Subject:** FW: Ebberston-Knapton pipeline

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Pls book in.

---

**From:** Edward Freedman  
**Sent:** 27 August 2014 12:50  
**To:** Mark Hill  
**Cc:** Graham Lee  
**Subject:** RE: Ebberston-Knapton pipeline



Hi Mark

Sorry for delay. I have examined the route of the pipeline within the Park and I don't foresee any potential impacts on designated or undesignated historic structures.

Thanks  
Ed

Edward Freedman  
Building Conservation Officer

---

**From:** Graham Lee  
**Sent:** 12 August 2014 09:43  
**To:** Edward Freedman  
**Subject:** FW: Ebberston-Knapton pipeline

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**From:** Conservation  
**Sent:** 29 July 2014 16:57  
**To:** Graham Lee  
**Subject:** FW: Ebberston-Knapton pipeline

**Rachel Smith**  
Conservation Administrator  
North York Moors National Park Authority

---

**From:** Gary Taylor  
**Sent:** 29 July 2014 10:47  
**To:** Conservation  
**Subject:** Ebberston-Knapton pipeline

Dear Sirs

Please find attached draft ES chapter, maps and tables in respect of a proposed course of a pipeline through part of North Yorkshire. As you will see, the plans show the proposed route, our search area (for a desk-based survey), and various statutory, designated sites, and other, non-designated, sites within, and stretching a little beyond, our search area.

The proposed pipeline would have a 30m wide easement and the pipeline trench itself would be typically 2m wide.

I therefore write to enquire what requirements you would have in terms of the various heritage assets, and any restrictions that may be imposed. I have also sent this to the English Heritage Inspector with particular reference to the designated assets, and North Yorkshire County Council Historic Environment Service.

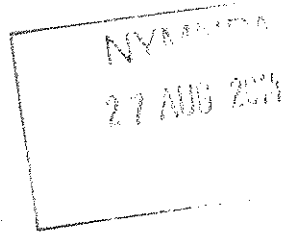
I trust the attached and the above provides enough information for you to comment on but please do not hesitate to contact me if you require further details.

I look forward to hearing from you.

Yours faithfully

---

Gary Taylor BA(Hons) MA MSc  
Projects Manager  
Archaeological Project Services  
The Old School  
Cameron Street  
Heckington  
Steaford  
Lincolnshire  
NG34 9RW



DID YOU KNOW? You can now make a donation by text in support of the work of the Heritage Trust of Lincolnshire. Text HTOL14 and the amount you wish to donate (e.g. £10) to 70070. All donations will be gratefully received via the Just Giving text donation service.

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## Christopher Knowles

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**From:** Ashley Legg  
**Sent:** 28 August 2014 10:24  
**To:** Planning  
**Subject:** 2808201410071809  
**Attachments:** 2808201410071809.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Sir/Madam

Please find attached a copy of the response to the recent Statutory Planning Consultation related to Third Energy Well site, Ebberston Moor South, (including underground pipeline to Knapton Generating Station at East Knapton, Malton).

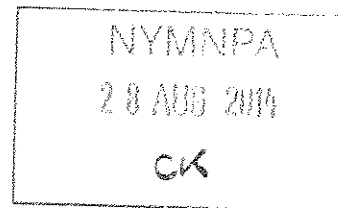
Kind regards

Ashley Legg  
Fire Safety Officer



**NORTH YORKSHIRE  
FIRE & RESCUE SERVICE**

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# NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

Premises: 00363139  
Job: 1080894

Scarborough Fire Station  
North Marine Road  
Scarborough  
North Yorkshire  
YO12 7EY

When telephoning please ask for: A A Legg

28 August 2014

Dear Sir or Madam

## FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY

Receipt is acknowledged of your planning communication:

Dated: 19<sup>th</sup> August 2014  
Plans No: NYM/2014/0587/EIA

Third Energy Wellsite, Ebberston Moor South, (including underground pipeline to Knapton Generating Station at East Knapton, Malton).

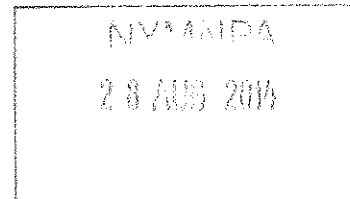
Your communication has been dealt with as follows:

At this stage in the planning approval process the fire authority have no objection/observation to the proposed development. The fire authority will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the fire authority.

Should you require further information please contact the officer who's name appears at the head of the letter.

Yours faithfully

**A A Legg**



North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
YORK  
YO62 5BP

Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives

## Christopher Knowles

---

**From:** Stephen Boyne  
**Sent:** 28 August 2014 15:16  
**To:** Mark Hill; Planning  
**Cc:** Area4 KirbyMisperton  
**Subject:** Re. NYM/2014/0587/EIA - Ebberston Moor South Wellsite etc

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

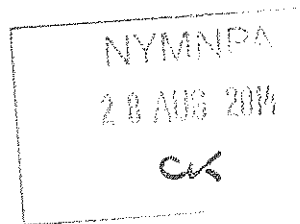
Hello Mark,

Re. the above consultation, is there any chance of sending me a CD with all the big documents and drawings on, like the last application for here?

+ I presume there will be an allied submission made to NYCC in respect of the scheme outside the National Park boundary?

Kind regards,

**Stephen Boyne**  
Development Engineer  
North Yorkshire County Council  
Highways and Transportation  
Area 4 – Pickering Office  
Beansheaf Industrial Park  
Kirby Misperton  
YO17 6BG



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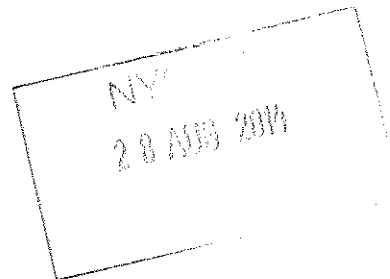
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North Yorkshire County Council.

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**NORTH YORKSHIRE COUNTY COUNCIL**  
**BUSINESS and ENVIRONMENTAL SERVICES**  
**HIGHWAY AUTHORITY RECOMMENDATION**



Application No:	<b>NYM/2014/0587/EIA</b>		
Proposed Development:	Application in respect of Natural gas production and water re-injection at the existing borehole at Ebberston Moor South Well Site, the drilling of a second borehole for water and re-injection, the construction of a 13.9km long 12" diameter underground pipeline from the Ebberston Moor South Well to the Knapton Generating Station (KGS) at East Knapton, Malton and construction of ancillary works at the Generating Station.		
Location:	Ebberston Moor South Well Site, Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton.		
Applicant:	Third Energy Ltd & Moorland Energy Ltd.		
CH Ref:	N/A	Case Officer:	Stephen Boyne
Area Ref:	3/34/161B	Tel:	0845 872 7374
County Road No:	Private (possibly RT) off U/C	E-mail:	

Please note the foregoing comments relate to that part of the application which lies within the North Yorkshire Moors National Park boundary. The remaining part of the application is being dealt with by North Yorkshire County Council as mineral planning authority, and highway comments have been made by the Development and Transport Team based at County Hall.

No Highway Authority objections are raised to the proposed development, and the following conditions are recommended :-

Continued

NYMNPA  
 05 JAN 2015  
 CK

Date:	24 December 2014	Approved
To:	Dev. Con. – NYMNPA	Signed:   For Corporate Director for Business and Environmental Services
FAO:	Mr M Hill	
Copies to:	Peter Wilson James Kennedy – Co. Hall	
Issued by:	Stephen Boyne Traffic Management & Development Engineer Highways and Transportation Area 4 Pickering Office	

For office use only	Application Category	Agreements	Off site drainage	Structures	Cycle Parking

# HIGHWAY AUTHORITY RECOMMENDATION

Continuation sheet: 2

Application No:



## 1. HC-21 Highway Condition Survey

Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing highways (Ebberston / Ebberston Common Lane – unclassified road, whole length, and A170 for 20 metres east and west of the junction with Ebberston Lane) has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority. Within one month of the commencement of gas production from the existing wellsite, or any time prior to that date which shall have been agreed in writing by the Local Planning Authority in consultation with the Highway Authority, the applicant shall carry out a second survey recording the condition of the same highways. The survey shall be submitted to the Local Planning Authority for approval and thereafter any works reasonably required in order to rectify any damage to the public highway resulting from traffic arising from the construction, installation and erection of any infrastructure required for the commencement of gas production from the existing wellsite including pipeline installation shall be completed to the satisfaction of the Local Planning Authority in consultation with the Highway Authority. A further survey shall be undertaken by the applicant within one month of the completion of decommissioning and restoration works to the site (if applicable) in the manner as described above.

### Reason

In accordance with policy number and in the interests of highway safety and the general amenity of the area.

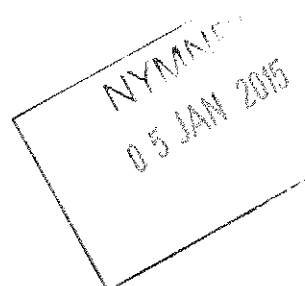
## 2. Construction Environmental Management Plan

Before the commencement of development a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the measures and procedures that will be implemented to manage vehicle access to and from the site including the proposed routing to be used by HCV traffic. The routes to be used by HCV construction traffic shall be as described in the appropriate sections of the submitted Environmental Statement but with the amendment that all HCV traffic shall be limited to 25 miles per hour along the whole length of Ebberston Common Lane. Unless otherwise agreed in writing by the Local Planning Authority, once approved the Construction Environmental Management Plan shall be adhered to at all times and until the Local Planning Authority in consultation with the Highway Authority agree in writing that its operation can be withdrawn.

### Reason

In accordance with policy number and to avoid interference with the free flow of traffic and to secure safe and appropriate access and egress to the site in the interests of safety and convenience of highway users and the amenity of the area.

Continued



# HIGHWAY AUTHORITY RECOMMENDATION

Continuation sheet: 3

Application No:



3. Unless otherwise approved in writing by the Local Planning Authority, the quantity of HCV traffic movements as required for the construction, operation and decommissioning of the proposed development as far as this relates to access via Ebberston / Ebberston Common Lane shall not exceed the figures provided in the appropriate sections of the submitted Environmental Statement and the applicant shall submit to the Local Planning Authority on a monthly basis such information as deemed appropriate that monitor HCV traffic to and from the development site and should such levels be exceeded the Local Planning Authority may, in consultation with the Highway Authority, require the applicant to carry out additional and/or modified improvement works including environmental improvement works to the extent of public highways described in condition (1) above in accordance with details, specification and programme of completion that shall have been first submitted to and agreed in writing with the local Planning Authority, in consultation with the Highway Authority.

## Reason

In accordance with policy number and in the interests of the safety and convenience of highway users.

NYMNP/PA

05 JAN 2015

## Christopher Knowles

---

**From:** Pedder, Nick H  
**Sent:** 29 August 2014 14:38  
**To:** Planning  
**Subject:** FW: NYM/2014/0587/EIA Ebberston Moor South Well Site

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Mark,

Can we please have a two week extension on the above?

The groundwater contact who will be looking at the site is currently away, so will not have time to consider it in time for our current deadline of the 8<sup>th</sup>.

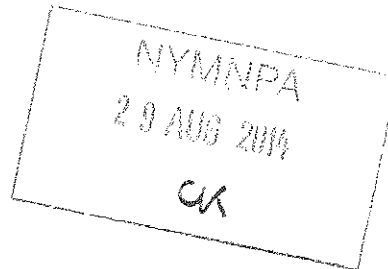
Thanks,

Nick

**Nick Pedder**

Planning Adviser - Sustainable Places

Environment Agency, Lateral House, 8 City Walk, LS11 9AT



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## Christopher Knowles

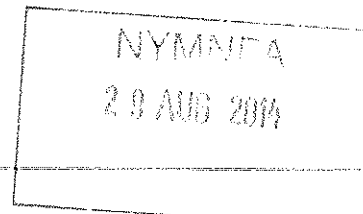
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**From:** Pedder, Nick H  
**Sent:** 29 August 2014 14:47  
**To:** Planning  
**Subject:** RE: NYM/2014/0587/EIA Ebberston Moor South Well Site

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Thanks Caroline.

Nick



---

**From:** Planning [<mailto:planning@northyorkmoors.org.uk>]  
**Sent:** 29 August 2014 14:47  
**To:** Pedder, Nick H  
**Subject:** RE: NYM/2014/0587/EIA Ebberston Moor South Well Site

Dear Nick

Thank you for your email. I can confirm an extension for submitting comments on the application is acceptable in this assistance and look forward to receiving your comments in due course.

Thank you  
Caroline

---

**From:** Pedder, Nick H  
**Sent:** 29 August 2014 14:38  
**To:** Planning  
**Subject:** FW: NYM/2014/0587/EIA Ebberston Moor South Well Site

Hi Mark,

Can we please have a two week extension on the above?

The groundwater contact who will be looking at the site is currently away, so will not have time to consider it in time for our current deadline of the 8<sup>th</sup>.

Thanks,

Nick

**Nick Pedder**

Planning Adviser - Sustainable Places

Environment Agency, Lateral House, 8 City Walk, LS11 9AT

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NYMAN  
29 AUG 2005

MH

Mr M Hill  
North York Moors National Park  
Development Control  
The Old Vicarage Bondgate  
Helmsley  
York  
YO62 5BP

Our ref: RA/2014/129543/01-L01  
Your ref: NYM/2014/0587/EIA  
Date: 22 September 2014

NYMNPA  
- 1 OCT 2014  
CK

Dear Mr Hill

**Application in respect of natural gas production and water re-injection at the existing borehole at Ebberston Moor south well site, the drilling of a second borehole for water production and re-injection, the construction of a 13.9 km long 12" diameter underground pipeline from the Ebberston Moor south well to the Knapton Generating Station (KGS), East Knapton, Malton and construction of ancillary works at the generating station at Ebberston Moor south well site: Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton**

Thank you for consulting us on the above application. We have commented on both the groundwater and flood risk aspects of this development. From a groundwater perspective, we have recommended conditions and informatives, and have advised on regulatory requirements. We have also recommended a number of flood risk related conditions.

**Groundwater**

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Our groundwater and contaminated land team have reviewed the applicant's design and access statement (dated August 2014) and have made the following comments on the understanding that the application is for the exploitation of conventional hydrocarbon resources only:

**Geology**

The British Geological Survey maps show that the proposed pipeline intersects Corallian Limestone in the northern half and superficial deposits of sand and gravel overlying Amphill Clay and Kimmeridge Clay in the southern half. Corallian Limestone is also located beneath the clay in the south.

Corallian Limestone is classed as a principal aquifer which is capable of supporting large water supplies and baseflow to rivers. It is found at or near the surface in the northern half of the proposed route and is highly vulnerable to any polluting activity. The extreme northern portion of the proposed pipeline route (underlain by the Corallian Limestone principal aquifer) falls inside Source Protection Zone 2 (SPZ2) of Scarborough's drinking water supply boreholes. Source protection zones are used to identify those areas close to drinking water sources where the risk of harm from contamination of groundwater is greatest. SPZ2 is defined as the area around an abstraction source within which contaminants can reach the abstraction point within 400 days. Especial care will therefore need to be taken in this location.

Environment Agency  
Lateral 8 City Walk, LEEDS, LS11 9AT.  
Customer services line:

Cont/d..



The sand and gravels (classified as a secondary A aquifer) are capable of supporting water supplies at a local level, and also providing baseflow to local watercourses. We hold records of licensed abstractions in the vicinity of the pipeline route for catchpits into these sands and gravels. The catchpits are typically used for general agricultural purposes.

The Ampthill Clay Formation and the Kimmeridge Clay Formation which underlie the sand and gravels are both classed as unproductive aquifers. These rocks are generally unable to provide usable water supplies and are unlikely to have surface water and wetland ecosystems dependent upon them.

### Clarifications

We note that figure 11.1 (Aquifer Solid Deposits) does not adhere to the standard aquifer classifications as described above. In particular:

- Corallian Limestone is not a 'moderate' or 'low productivity aquifer' (this may be due to the colour contrast between the greens being somewhat indistinct on figure 11.1). It should be classified as a 'principal aquifer'
- The southern end of the proposed pipeline crosses the Ampthill Clay Formation and the Kimmeridge Clay Formation. These should be classed as 'unproductive aquifers' rather than 'non-aquifers'.

In recognition of the above, the design and access statement should be revised accordingly.

### Recommended planning conditions

Whereas the pipeline route specified by the former planning application (NYM/2013/0593/EIA, our ref RA/2013/126285/02) did not pass through Scarborough's Source Protection Zone 2 (SPZ2) for its drinking water supply, the proposed pipeline now passes through this zone.

Page 65 of our 'Groundwater Protection: Principles and Practice (GP3)' guidance states that we will only permit pipelines or fluid filled cables to pass through SPZ1, SPZ2, or below the water table in principal or secondary aquifers, if applicants can demonstrate that their siting within these areas is unavoidable.

As such, before progressing with this application, the applicant will need to provide a justification as to why this pipeline has to pass through SPZ2. Only once they have done so, should the conditions below be applied.

Please note that, where an 'unavoidable need' is identified in such locations, operators must adopt BAT and operate in accordance with the sector guidance (Energy Networks Association and Environment Agency 2007).

### Condition 1

The development hereby permitted shall not be commenced until such time as a suitable scheme for the lining of the pipeline trench throughout SPZ2 has been submitted to, and approved in writing by, the local planning authority.

**Reason:** protection of the water environment is a material planning consideration and new development should not harm the water environment. This proposal poses a threat to water quality because it crosses through Source Protection Zone 2 of Scarborough's drinking water supply.

Cont/d..

## Condition 2

Notwithstanding the details submitted for the proposed development of the site, there shall be no:

1. emplacement of pipes below the water table in any principal or secondary aquifers
2. de-watering of the site
3. interruptions to ground or surface water flows

without the express written consent of the local planning authority.

## Reasons

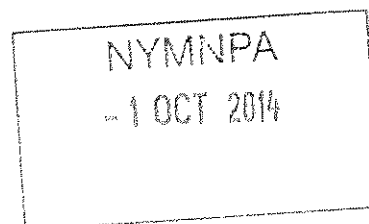
This condition is required in order to:

1. Manage the risk to groundwater quality in the SPZ2 and principal and secondary aquifer which is posed by hazardous substances contained within pipelines or fluid filled cables.
2. (and 3) Manage the risk of obstruction to groundwater flow. Impermeable construction below the groundwater table such as sheet-piles, cut-off walls and basements can impede groundwater flow and cause the water table to rise, affecting local water resources including springs, rivers or wetlands dependent on groundwater flow.

## Condition 3

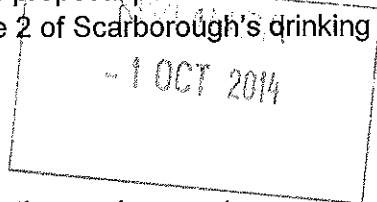
Prior to each phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority) no development shall take place until a scheme that includes the following components shall each be submitted to and approved, in writing, by the local planning authority:

1. Conduct a water features survey along the route of the pipeline and to an appropriate distance beyond to determine any water features, including springs, boreholes and water courses, that may be impacted by the earth works and pipeline.
2. Treatment and removal of suspended solids from surface water run-off during construction
3. Disposal of foul drainage and surface water
4. Seal roof drainage at ground level
5. Storage of materials
6. Storage of chemicals
7. Storage of oil
8. Storage of hazardous materials
9. Pressure testing of the pipeline
10. Method of working
11. Phasing of development
12. Maintenance and after-care of the site
13. Provision of road and wheel cleaning facilities
14. Proposed scheme for monitoring



Any such scheme shall be supported, where necessary, by detailed calculations; include a maintenance programme; and establish current and future ownership of the facilities to be provided. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the local planning authority.

**Reason:** protection of the water environment is a material planning consideration and new development should not harm the water environment. This proposal poses a threat to water quality because it crosses through Source Protection Zone 2 of Scarborough's drinking water supply and through a principal and secondary aquifer.



#### **Condition 4**

Prior to the commencement of any development a construction environment management plan shall be submitted to and approved in writing by the local planning authority. This plan shall detail the following:

1. An assessment of the risks posed to groundwater quality during the construction phase.
2. The implementation of mitigation measures designed to protect groundwater
3. Details of the size, location and design of any site compounds, including how any potentially polluting materials will be stored to minimise the risk of pollution
4. No amount of fuel/oil greater than a 10 litres shall be stored in a portable container
5. All other fuel/oil to be stored in proprietary tanks with integral bunding with a capacity equal to not less than 110% of the capacity of the tank. Such tanks shall be not more than 2 years old at the time of installation on site and shall be located on a bunded, impervious hardstanding with a capacity of not less than 110% of the largest tank or largest combined volume of connected tanks.
6. All replenishment of tanks and containers and all refuelling of vehicles, plant and equipment shall take place within that bunded, impervious hardstanding.
7. Outside the normal hours of operation of the site on which they are deployed, all vehicles and plant operating shall be parked or stored on bunded, impervious hardstandings with a capacity not less than 110% of the fuel/oil that can be stored in the storage facilities, vehicles, plant or machinery that they are intended to accommodate.
8. Details of a protocol to deal with any pollution that may occur during the course of construction.
9. Details of how the requirements of the approved plan will be disseminated to all relevant staff/contractors throughout the construction period.

**Reason:** protection of the water environment is a material planning consideration and new development should not harm the water environment. This proposal poses a threat to water quality because it crosses through Source Protection Zone 2 of Scarborough's drinking water supply and through a principal and secondary aquifer.

#### **Condition five**

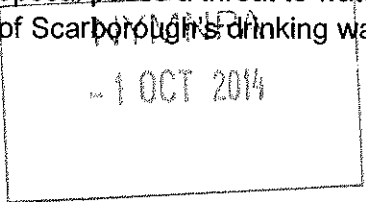
Prior to each phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority), no development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

Cont/d..

1. A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:** protection of the water environment is a material planning consideration and new development should not harm the water environment. This proposal poses a threat to water quality because it crosses through Source Protection Zone 2 of Scarborough's drinking water supply and through a principal and secondary aquifer.



**Condition 6**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**Reason:** protection of the water environment is a material planning consideration and new development should not harm the water environment. This proposal poses a threat to water quality because it crosses through Source Protection Zone 2 of Scarborough's drinking water supply and through a principal and secondary aquifer.

**Informatives**

Given the sensitivity of the water environment along the pipeline's route and in the vicinity of the proposed gas production, it is important to be aware of the following informatives (which will be addressed in detail at the permitting stage):

- a) no oil-based drilling methods should be used in strata shallower than, and including, the Corallian Group aquifer.
- b) no oil-based drilling methods should be used in strata deeper than the Corallian Group aquifer unless all shallower strata are cased off and pressure tested to ensure no loss of drilling fluid into the shallower strata.
- c) details of the drilling muds must be agreed with the Environment Agency on submission of a drilling method statement and WR – 11 form, and mining waste permit.

d) no potentially contaminating substances should be allowed to enter groundwater in strata shallower than, and including, the Corallian Group aquifer.

e) any boreholes should be constructed in such a way so as to cause no contamination between, and including, any overlying drift deposits and Corallian Group aquifer.

f) any boreholes should be constructed in such a way so as to cause no contamination between, and including, the Corallian Group aquifer and any underlying deposits.

g) boreholes should be decommissioned according to Environment Agency guidelines in 'Decommissioning Redundant Boreholes and Wells' and best available technique.

h) under Section 198 of the Water Resources Act 1991, British Geological Survey (Macleay Building, Crowmarsh Gifford, Wallingford, OX10 9BB) shall be informed of the intention to sink a well or borehole, and be sent a copy of all details of drilling logs

i) under 'The Borehole Sites and Operations Regulations 1995' the HSE must be notified when drilling boreholes more than 30 metres deep into used or disused mining areas. The regulations define "mining area" as land within one kilometre in a horizontal or other direction of workings in a mine, or where a licence to mine for minerals has been granted.

#### Regulatory advice to the applicant

Drilling a minerals borehole now requires a **mining waste permit** issued under Environmental Permitting (England & Wales) Regulations 2012 (EPR). Operations will require a mining waste permit for the management of extractive wastes which may include drill cuttings, spent drilling muds and drill fluids, flowback fluids, waste gases and any wastes left underground.

If the operation involves any kind of 'well stimulation' that produces oil or gas, then it is highly likely that a radioactive substances **EPR permit for the management of Naturally Occurring Radioactive Materials (NORM)** wastes (such as produced water, sediments and scales) will also be required. This will include the re-injection or transfer of produced water which is found to be 'in scope'.

Depending on the proposed activities and the local hydrogeology, operators may also need to consider applying for an **EPR groundwater permit**. The Environmental Permitting Regulations 2010 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an environmental permit which we will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater.

If you are planning to flare large quantities of gas, you may also be required to have an **Industrial Emissions Directive (IED) permit**.

You will also need to notify us of your intention to construct or extend a boring for the purpose of searching for or extracting minerals using **Form WR - 11** under the Water Resources Act 1991 (Section 199(1)). A drilling method statement should be submitted alongside the Form WR - 11 and any drilling should be carried out to this approved statement.

A reinjection borehole is proposed as part of this application. Third Energy already holds a permit for the injection borehole at Ebberston Moor A (**Permit Number EPR/AB3593DU**) As this permit applies to this specific location, if the location were to change, Third Energy would need to apply for a new permit.

A groundwater abstraction borehole is also proposed and this will require a **groundwater investigation consent** followed by a **water abstraction licence** if you plan to abstract more than 20 m<sup>3</sup>/day for your own use rather than purchasing water from a public water supply utility company,

A **water discharge activity permit** may be required if surface water run-off becomes polluted. We strongly recommend that you contact us for pre-application advice before submitting any permit applications.

### **Flood risk**

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Provided the proposed development is carried out in accordance with the submitted chapter on Flood Risk, Hydrology & Drainage, we have no objections from a flood risk perspective. The following conditions should, however, be applied:

#### **Condition 1**

There must be no raising of ground levels in the flood plain and all excess spoil is to be removed from the flood plain.

**Reason:** to ensure that there is no loss of flood storage, and existing flood flow routes are not altered, thereby ensuring that flood risk to others is not increased.

#### **Condition 2**

Any spoil stockpiles which are to be stored within the flood plain should be done so in broken heaps, positioned parallel to the flood flow.

**Reason:** to allow for the free passage of any possible future flood flows.

#### **Rivers consent - advice to applicant/LPA**

Formal consent under the Water Resources Act 1991 will be required from for any main river watercourse crossings. Both permanent and temporary works will be required. It is noted that the applicant intends to use an appropriate directional drilling method.

All watercourse crossings of no main rivers will likely require consent under the Land Drainage Act 1991 from either NYCC in their role as Lead Local Flood Authority or the relevant Internal Drainage Board.

All works must be completed in accordance with PPAGE5.

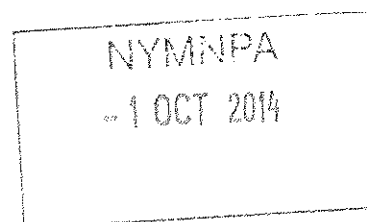
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If you have any further questions, please do not hesitate to contact me.

Yours sincerely

**Nick Pedder**

Planning Adviser - Sustainable Places



End

## Alan Goforth

---

**From:** Pedder, Nick H  
**Sent:** 01 April 2015 13:39  
**To:** Planning Control  
**Subject:** RE: NY/2014/0275/ENV- EMS- Knapton pipeline

Hi Alan,

As you point out, the issues raised veer towards permitting requirements rather than planning matters. As such, our response is unlikely to change in any way.

However, I've forwarded the document to our internal groundwater specialist to ascertain whether they've got any further comments.

Unfortunately this person is not back until the 14 of April, so I will be unable to confirm the situation before then.

Thanks,

Nick

**From:** Alan Goforth  
**Sent:** 27 March 2015 16:12  
**To:** Pedder, Nick H  
**Subject:** RE: NY/2014/0275/ENV- EMS- Knapton pipeline  
**Importance:** High

**On Behalf Of** Planning Control

Dear Nick,

Thank you for your response. We are due to report the application (the part within the NYCC administrative area- the pipeline) to Planning Committee on Tuesday.

You may have already been made aware by the North York Moors National Park Authority (who are processing the duplicate planning application) but Frack Free Ryedale and Frack Free North Yorkshire have commissioned a further hydrogeological assessment of their own in response to the AMEC Technical Note. I have attached a copy. Would the Environment Agency have any comments on the document at this stage or would the previous planning response remain unchanged?

The technical hydrogeological information does seem to be straying beyond land-use planning issues towards permitting requirements which have been previously highlighted in the E.A.'s response to formal consultation dated 14 November 2014.

Thank you for your assistance on the matter.

Kind Regards

Alan Goforth BA (Hons) MA MRTPI  
Development Control Team Leader

Planning Services  
County Hall  
Northallerton  
DL7 8AH

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**From:** Pedder, Nick H  
**Sent:** 27 March 2015 14:40  
**To:** Alan Goforth  
**Subject:** RE: NY/2014/0275/ENV- EMS- Knapton pipeline

Dear Alan,

Thank you for sending this document through.

I have forwarded it to our groundwater contaminated land specialist and can confirm that we have no further comments to make. Our previous planning response remains unchanged.

Regards,

Nick

**From:** Alan Goforth  
**Sent:** 11 March 2015 17:39  
**To:** Cllr . Janet Sanderson; Sustainable Places, Yorkshire;

Denis Gregson; MWDF; Emergency; Archaeology;  
paths;

Ruth Benson; Development Control; ecology;

'HARDIE, CHRIS'; James Kennedy

Pedder, Nick H;

**Subject:** NY/2014/0275/ENV- EMS- Knapton pipeline

NY/2014/0275/ENV- Planning Application accompanied by an Environmental Statement for natural gas production and water re-injection at the existing borehole at the Ebberston Moor South well site; the construction and drilling of a second borehole for water production and re-injection; the construction of a 13.9km long 12' diameter steel underground pipeline from Ebberston Moor South well site to transfer natural gas to the Knapton Generating Station and installation of a new gas reception module at the Generating Station at Ebberston Moor South wellsite, Ebberston Common Lane, Snainton -interconnecting pipeline- to Knapton Generating Station, East Knapton, Malton

Dear Sir/Madam,

With reference to the above planning application I wish to notify you that the County Planning Authority has received the following document from the North York Moors National Park Authority:-

*150226\_NYMNPA- AMEC Technical Note Application Review- Groundwater pollution and land stability*

The document can be viewed on the County Council's Online Planning Register via the below web link  
<https://onlineplanningregister.northyorks.gov.uk/register/PlanAppSrch.aspx>  
(Search Application Ref: NY/2014/0275/ENV)

If you wish to make comments on the document please email [planning.control@northyorks.gov.uk](mailto:planning.control@northyorks.gov.uk)



Kind Regards

Alan Goforth BA (Hons) MA MRTPI  
Development Control Team Leader

Planning Services  
County Hall  
Northallerton  
DL7 8AH

All e-mails in connection with planning applications **MUST** be sent to [planning.control@northyorks.gov.uk](mailto:planning.control@northyorks.gov.uk) with the NY ref. no within the subject line of the e-mail and the Case Officer to whom the e-mail is sent rather than the personal e-mail addresses of individual members of staff.

Access your county council services online 24 hours a day, 7 days a week at [www.northyorks.gov.uk](http://www.northyorks.gov.uk).

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Although we have endeavoured to ensure that this e-mail and any attachments are free from any virus we would advise you to take any necessary steps to ensure that they are actually virus free.

If you receive an automatic response stating that the recipient is away from the office and you wish to request information under either the Freedom of Information Act, the Data Protection Act or the Environmental Information Regulations please forward your request by e-mail to the Data Management Team ([datamanagement.officer@northyorks.gov.uk](mailto:datamanagement.officer@northyorks.gov.uk)) who will process your request.

**Christopher Knowles**

---

**From:** Green, Chris  
**Sent:** 01 September 2014 10:27  
**To:** Planning  
**Subject:** 0345 - 2014 Ebberston Moor South Well Site. [NOT PROTECTIVELY MARKED]

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Classification: NOT PROTECTIVELY MARKED

FAO: Mr M. Hill.

Ref: NYM/2014/0587/EIA.

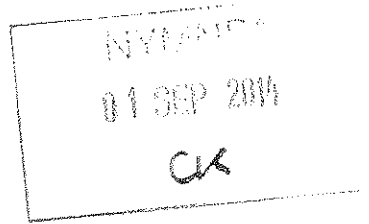
Location: Ebberston Moor South Well Site.

Dear Mark,  
I am satisfied with the security arrangements for this application.

Kind regards

Chris

Mr Chris.J. Green  
Architectural Liaison Officer  
Harrogate Police Station  
Beckwith Head Road,  
Harrogate  
HG3 1FR



Committed to the Code of Ethics.

NOT PROTECTIVELY MARKED

\*\*\*\*\*

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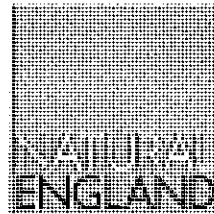
Thank you for your co-operation.

\*\*\*\*\*

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NYMIPA  
01 SEP 2019

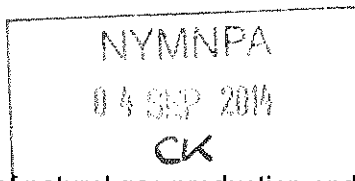
Date: 04 September 2014  
Our ref: 129899  
Your ref: NYM/2014/0587/EIA



Mr M. Hill  
Head of Development Management  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York, YO62 5BP

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

**BY EMAIL ONLY**



Dear Mr Hill

**Planning consultation:** Application in respect of natural gas production and water re-injection at the existing borehole at Ebberston Moor South Well Site, the drilling of a second borehole for water production and re-injection, the construction of a 13.9km long 12" diameter underground pipeline from the Ebberston Moor South Well to Knapton Generating Station (KGS) at East Knapton, Malton and construction of ancillary works at the Generating Station at Ebberston Moor South Well site.

**Location:** Ebberston Moor South Well Site, Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton. Grid Reference: 490330, 487130.

Thank you for your consultation on the above dated 19 August 2014 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (AS AMENDED)  
SECTION 28I OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)**

**Internationally and nationally designated sites**

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the North York Moors Special Protection Area (SPA) and Special Area of Conservation (SAC), the Eilers Wood and Sand Dale SAC and the River Derwent SAC which are European sites. The sites are also notified at a national level as the North York Moors, Eilers Wood and Sand Dale and River Derwent Sites of Special Scientific Interest (SSSIs). The proposal is also close to the Troutsdale and Rosekirk Dale Fens SSSI. Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have<sup>1</sup>. The Conservation objectives for each European site

<sup>1</sup> Requirements are set out within Regulations 61 and 62 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 61 and 62 are commonly referred to as the 'Habitats Regulations Assessment' process.

The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>



explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

### **Internationally Designated Sites - No objection**

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:

- the proposal is not necessary for the management of the European site
- that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment

When recording your HRA we recommend you refer to the following information to justify your conclusions regarding the likelihood of significant effects:

- The proposal site and pipeline route are sufficiently distant from the designated sites for there to be no direct impacts on the sites, and therefore no likelihood of significant effects occurring as a result of the proposal.
- Directional drilling of the pipeline under the River Derwent will ensure that there is no sediment disturbed from the river bed that could be transported downstream into the SAC, thereby removing the possibility of any significant impact from these works on the interest features of the SAC.

### **Nationally Designated Sites - No objection – no conditions requested**

This application is in close proximity to the North York Moors, Eilers Wood and Sand Dale, River Derwent and Troutdale and Rosekirk Dale Fens Sites of Special Scientific Interest (SSSIs). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the sites have been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

### **Other advice**

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

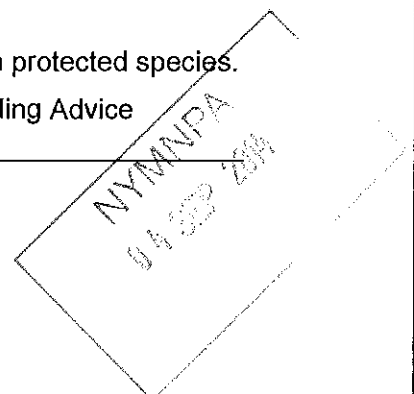
- local sites (biodiversity and geodiversity);
- local landscape character; and
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

### **Protected Species**

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published [Standing Advice](#) on protected species. The Standing Advice



includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

### **Biodiversity enhancements**

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

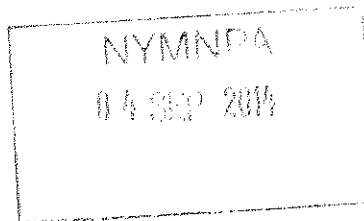
For any queries relating to the specific advice in this letter only please contact me on  
or For any new consultations, or to provide further  
information on this consultation please send your correspondences to

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

We also welcome your feedback on Natural England's revised standing advice in terms of its usability (ease of access, presentation), quality of content and, its clarity and effectiveness as a tool in guiding decision-making. Please provide this, with any suggested improvements, by filling in the attached customer feedback form or by emailing your feedback direct to

Yours sincerely

Andrew Whitehead  
Yorkshire and Northern Lincolnshire



**Caroline Bell**

---

**From:** Andrew Wyatt  
**Sent:** 04 September 2014 20:15  
**To:** Chris France; Planning  
**Subject:** Ebbeerston Moor South Well Site

Dear Chris & Mark

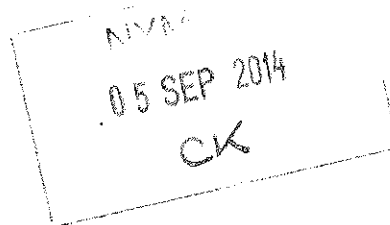
Thank you for the latest information on this planning application. We have not had a scheduled PC meeting since receipt of this information and our next meeting is on Monday next 8th September the date on which comment must be registered with NYMNPA.

I am requesting a few days grace to get any comments to you and trust this will be in order. Will you please confirm this will be acceptable.

Yours sincerely

Andrew Wyatt

Clerk to the Council



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**Caroline Bell**

---

**From:** Planning  
**Sent:** 05 September 2014 08:34  
**To:** Chris France  
**Cc:** Mark Hill  
**Subject:** RE: Ebbeerston Moor South Well Site

Dear Mr Wyatt

Thank you for your email. I can confirm that an extension for the submission of comments is acceptable in this instance.

Yours sincerely  
Caroline Bell

**From:** Andrew Wyatt  
**Sent:** 04 September 2014 20:15  
**To:** Chris France; Planning  
**Subject:** Ebbeerston Moor South Well Site

Dear Chris & Mark

Thank you for the latest information on this planning application. We have not had a scheduled PC meeting since receipt of this information and our next meeting is on Monday next 8th September the date on which comment must be registered with NYMNPA.

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Yours sincerely

Andrew Wyatt

Clerk to the Council

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**Caroline Bell**

---

**From:** Andrew Wyatt  
**Sent:** 10 September 2014 11:01  
**To:** Chris France; Planning  
**Cc:** Cllr Janet Sanderson  
**Subject:** Fwd: Ebbeerston Moor South Well Site

Dear Chris & Mark

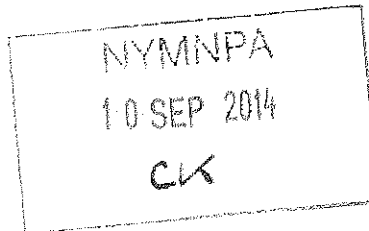
Thank you for the dispensation to delay response.

The Parish Council has no objections to the current application but continues the concern to be involved with the implementation plan to deal with the transport and road operation from Ebberston to the site location. the Council looks forward to receiving further details on this matter.

Yours sincerely

Andrew Wyatt

Clerk to the Council



-----Original message-----

Date : 04/09/2014 - 20:15 (GMTDT)  
To : [c.france@northyorkmoors.org.uk](mailto:c.france@northyorkmoors.org.uk), [planning@northyorkmoors-mpa.gov.uk](mailto:planning@northyorkmoors-mpa.gov.uk)  
Subject : Ebbeerston Moor South Well Site

Dear Chris & Mark

Thank you for the latest information on this planning application. We have not had a scheduled PC meeting since receipt of this information and our next meeting is on Monday next 8th September the date on which comment must be registered with NYMNPA.

I am requesting a few days grace to get any comments to you and trust this will be in order. Will you please confirm this will be acceptable.

Yours sincerely

Andrew Wyatt

Clerk to the Council

**Wendy Strangeway**

---

**From:** Andrew Wyatt  
**Sent:** 02 May 2015 19:49  
**To:** Planning  
**Subject:** Planning application Ebberston Moor South well site

Dear Mark

A couple of queries from the notification letter received today.

Do I assume this is from Third Energy as it does not say in the letter and can you clarify that Ebberston Common Lane is in Ebberston and not Snainton or is it a different address in Snainton.

Thank you

Andrew Wyatt

Clerk to the Council

NYMNP  
- 5 MAY 2015  
CK

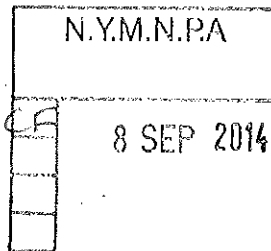


ENGLISH HERITAGE

YORKSHIRE OFFICE

Mr Alan Goforth  
North Yorkshire County Council  
Planning Services  
County Hall  
NORTHALLERTON  
North Yorkshire  
DL7 8AH

Our ref: P00431258



2 September 2014

Dear Mr Goforth

**Notifications under Circular 01/2001, Circular 08/2009 & T&CP (Development Management Procedure) Order 2010**

**EBBERSTON MOOR SOUTH WELLSITE, EBBERSTON COMMON LANE, SNAINTON - INTERCONNECTING PIPELINE - TO KNAPTON GENERATING STATION, EAST KNAPTON, MALTON  
Application No NY/2014/0275/ENV**

Thank you for your letter of 1 September 2014 notifying English Heritage of the above application. The application is for the installation of a Natural gas production site at the existing Eberston Moor south well site (within the North York Moors National Park) and the construction of an underground pipeline to the Knapton Generating Station, Ryedale. We have considered the proposal and offer the following advice.

### Summary

As this proposed scheme crosses two local authority areas, English Heritage have also been notified by, and provided advice to, the North York Moors National Park Authority (NYMNP). The documentation submitted with the application is the same, consisting of the Cultural Heritage section of the Environmental Statement. Our advice letter to the NYMNP is included here for your information. Our recommendation remains that the application should be deferred to permit the compilation and implementation of an agreed scheme of assessment of the archaeological potential of the application sites, and thereafter the creation of an agreed mitigation strategy.

### English Heritage Advice

The proposed works consist of the creation of a Natural gas pipeline including works at the existing Eberston Moor South well site within the North York Moors National Park, the drilling of a second borehole and the construction of a 13.9 km long underground pipeline from the Eberston Moor south well site to the Knapton Generating Station, Ryedale. The proposed works are to take place within and across a rich



37 TANNER ROW YORK YO1 6WP

## YORKSHIRE OFFICE

archaeological landscape significant for its extensive and highly visible earthwork remains of the prehistoric period. Many of these features, most notably the dyke systems and groups of burial mounds are designated as nationally important Scheduled Monuments.

The authors of the Cultural Heritage section of the ES state that 'consultative enquiries have been submitted to English Heritage...to ascertain potential mitigation [but] responses have not been received' (para 13.23). Unfortunately we have no record of such enquiries being made and we would be particularly keen to meet with the applicant, their archaeological consultant and the archaeological curators from North Yorkshire and NYMNPA to agree an appropriate archaeological mitigation strategy as required by the National Planning Policy Framework (NPPF).

We note that responses to the application have been submitted by the Development Management Archaeologist at NYCC and the Senior Conservation Archaeologist at NYMNPA; in both cases these officers argue that the Cultural Heritage section of the ES is lacking in detail, fails to consider the possible extent of undesignated archaeology (which is a particular problem along the pipeline section within Ryedale District) and does not propose a clear archaeological mitigation strategy. English Heritage concurs with the views expressed by the archaeological curators.

The NPPF makes it clear that an applicant should establish the significance of designated and undesignated heritage assets in order to understand the degree of harm that may be caused to that significance by the proposed development (NPPF para 128). For archaeological sites, field evaluation is encouraged. A particular issue with regard to the pipeline section, and indicated by the NYCC Development Management Archaeologist, is that there is a lack of previous archaeological research along the route of the pipeline and therefore archaeological evaluation is considered imperative in order to understand the significance of the assets.

English Heritage advises that a round table meeting should be arranged between the applicant, their archaeological contractor, English Heritage, NYCC and NYMNPA. The purpose of this meeting will be to agree the content of an archaeological mitigation strategy and its timing, and should take place prior to a planning decision being made.

### **Recommendation**

English Heritage recommends that the application should be deferred to allow for the compilation and implementation of an agreed scheme of archaeological mitigation.

We would welcome the opportunity of advising further. Please consult us again if any



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YORKSHIRE OFFICE

additional information or amendments are submitted. If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the committee and send us a copy of your report at the earliest opportunity.

Yours sincerely

**Keith Emerick**

Ancient Monuments Inspector

E-mail: [Keith.Emerick@english-heritage.org.uk](mailto:Keith.Emerick@english-heritage.org.uk)

cc:Graham Lee, Senior Archaeological Conservation Officer, NYMNPA  
Peter Rowe, Development Management Archaeologist, NYCC  
Paul Foster, Barton Willmore, LLP



37 TANNER ROW YORK YO1 6WP

*English Heritage is subject to the Freedom of Information Act, 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.*

**Caroline Bell**

---

**From:** planning@northyorkmoors.org.uk  
**Sent:** 10 September 2014 10:34  
**To:** Planning  
**Subject:** Comments on NYM/2014/0587/EIA - Case Officer Mr M Hill - Received from Ms sara Robin at YWT, 1 St Georges place, York, N Yorks, yo24 1gn

Comments

I have checked the information about bat surveys in the Ecology Chapter of the ES. I have also looked at the Design and Access Statement to get an overview of the project. The trees which will be impacted by the development appear to have been thoroughly surveyed. The trees have been surveyed from the ground and the ones with higher potential to have bat roosts have been checked with climbing equipment. My only concern is that the original bat surveys do not appear to be provided in any of the appendices. This is also true of the other protected species surveys and so I will leave it to Rona as to whether the consultants will be asked for the more detailed information.

Sara Robin  
Conservation Officer (Planning)  
Yorkshire Wildlife Trust  
1 St George's Place  
York  
YO24 1GN



Comments made by Ms sara Robin of YWT, 1 St Georges place, York, N Yorks, yo24 1gn  
Preferred Method of Contact is Email

Comment Type is Comment

414

**Caroline Bell**

---

**From:** Mark Hill  
**Sent:** 10 September 2014 16:02  
**To:** Planning  
**Subject:** FW: NYM/2014/0587/EIA Ebberston Moor South Well Site, Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton  
**Attachments:** 140901 NYM20140587EIA Ebberston gas well SVR.docx

---

**From:** Sara Robin  
**Sent:** 10 September 2014 10:40  
**To:** Mark Hill  
**Cc:** Rona Charles  
**Subject:** NYM/2014/0587/EIA Ebberston Moor South Well Site, Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton

Dear Mark

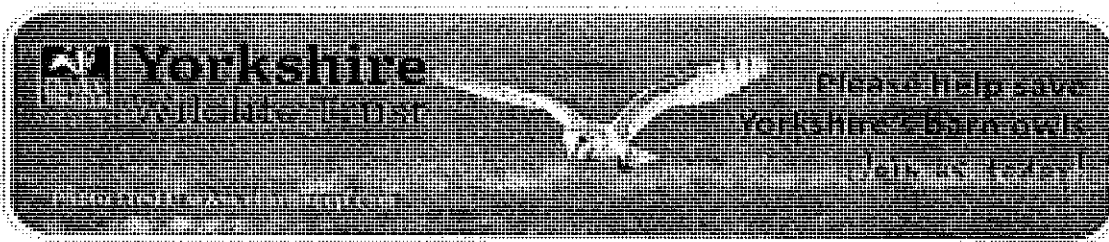
Attached are comments on the above, I have also posted comments on the website as I wanted to be sure that Rona also saw them.

Best wishes

Sara

Sara Robin  
Conservation Officer(Planning)  
Yorkshire Wildlife Trust

NYM/2014/0587/EIA  
10 SEP 2014  
CK



Yorkshire Wildlife Trust is a company limited by guarantee, registered in England Number 409650.  
Registered Charity Number 210807. Registered Office: 1 St George's Place, York, YO24 1GN.

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North York Moors National Park Authority

Internal Memorandum

To: Internal - ecology, Yorkshire Wildlife Trust  
fao: Sara Robin  
1 St George's Place  
York  
YO24 1GN



Case Officer: Mr M Hill

File Ref: NYM/2014/0587/EIA

Date: 10<sup>th</sup> September 2014

Application for Natural gas production and water re-injection at the existing borehole at Ebberston Moor South Well Site, the drilling of a second borehole for water production and re-injection, the construction of a 13.9 km long 12" diameter underground pipeline from the Ebberston Moor South Well to the Knapton Generating Station (KGS) at East Knapton, Malton and construction of ancillary works at the Generating Station at Ebberston Moor South Well Site, Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton

for

Third Energy Limited and Moorland Energy Limited, c/o agent

490330 487130

I have received a planning application for the above development. The details including forms, supporting information and plans for the application are available on the Authority's website using the following link:

<http://planning.northyorkmoors.org.uk/Northgate/PlanningExplorer/ApplicationSearch.aspx> and by following the instructions given. Alternatively, you may view the file held by the Case Officer.

I should be grateful for any comments you may have within 21 days.

In order to respond to this e-consultation, please use the Authority's Local Consultations Online using the following link:

<http://planning.northyorkmoors.org.uk/Northgate/LocalConsultations/PLAuth/login.aspx?LAYOUT=UE&ReturnUri=%2fNorthgate%2fLocalConsultations%2fPLAuth%2fConsulteesHome.aspx%2fLocalConsultations%2fPLAuth%2fConsulteesHome.aspx>

Mark Hill  
Head of Development Management



### Comments

I have checked the information about bat surveys in the Ecology Chapter of the ES. I have also looked at the Design and Access Statement to get an overview of the project. The trees which will be impacted by the development appear to have been thoroughly surveyed. The trees have been surveyed from the ground and the ones with higher potential to have bat roosts have been checked with climbing equipment. My only concern is that the original bat surveys do not appear to be provided in any of the appendices. This is also true of the other protected species surveys and so I will leave it to Rona as to whether the consultants will be asked for the more detailed information.

Sara Robin  
Conservation Officer (Planning)  
Yorkshire Wildlife Trust  
1 St George's Place  
York  
YO24 1GN



MM

Wendy Strangeway

NYM/2014/0587/EIA
15 OCT 2014
CK

**From:** Conservation  
**Sent:** 14 October 2014 18:22  
**To:** Mark Hill  
**Cc:** Planning  
**Subject:** FW: Comments on NYM/2014/0587/EIA have been received by the council.  
**Attachments:** NYM/2014/0587/EIA Ebberston Moor South Well Site, Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton

Ecological comments from Rona to add

I have no comments other than to support those of YWT (attached) and to ask for sight of the confidential badger report (App 6.6).

-----Original Message-----

**From:** [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk) [mailto:[planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)]  
**Sent:** 19 September 2014 16:44  
**To:** Conservation  
**Subject:** Comments on NYM/2014/0587/EIA have been received by the council.

Discussing archaeological mitigation with the developer's archaeological consultant but will require full archaeological condition, as a minimum. Graham Lee (Senior Archaeological Conservation Officer)

There could be ecological comments to follow.

Comments made by Conservation Department of North York Moors National Park Authority The Old Vicarage Bondgate Helmsley YO62 5BP  
 Phone: 01439 772700  
 EMail: [conservation@northyorkmoors.org.uk](mailto:conservation@northyorkmoors.org.uk)  
 Preferred Method of Contact is: Post

Comment Type is Raise Concerns  
 Letter ID: 427776

Comments are confidential.

North York Moors National Park Authority

Internal Memorandum

NYM/NPA

15 OCT 2014

To: Internal - ecology, Yorkshire Wildlife Trust  
fao: Sara Robin  
1 St George's Place  
York  
YO24 1GN

Case Officer: Mr M Hill

File Ref: NYM/2014/0587/EIA

Date: 10<sup>th</sup> September 2014

Application for Natural gas production and water re-injection at the existing borehole at Ebberston Moor South Well Site, the drilling of a second borehole for water production and re-injection, the construction of a 13.9 km long 12" diameter underground pipeline from the Ebberston Moor South Well to the Knapton Generating Station (KGS) at East Knapton, Malton and construction of ancillary works at the Generating Station at Ebberston Moor South Well Site, Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton

for

Third Energy Limited and Moorland Energy Limited, c/o agent

490330 487130

I have received a planning application for the above development. The details including forms, supporting information and plans for the application are available on the Authority's website using the following link:

<http://planning.northyorkmoors.org.uk/Northgate/PlanningExplorer/ApplicationSearch.aspx>  
and by following the instructions given. Alternatively, you may view the file held by the Case Officer.

I should be grateful for any comments you may have within 21 days.

In order to respond to this e-consultation, please use the Authority's Local Consultations Online using the following link:

<http://planning.northyorkmoors.org.uk/Northgate/LocalConsultations/PLAuth/login.aspx?LAYOUT=UE&ReturnUrl=%2fNorthgate%2fLocalConsultations%2fPLAuth%2fConsulteesHome.aspx%2fLocalConsultations%2fPLAuth%2fConsulteesHome.aspx>

Mark Hill  
Head of Development Management

NYM/NPA  
15 OCT 2014

### Comments

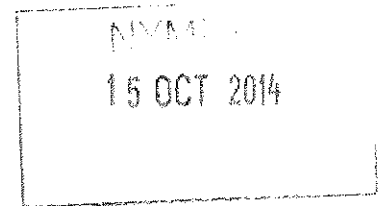
I have checked the information about bat surveys in the Ecology Chapter of the ES. I have also looked at the Design and Access Statement to get an overview of the project. The trees which will be impacted by the development appear to have been thoroughly surveyed. The trees have been surveyed from the ground and the ones with higher potential to have bat roosts have been checked with climbing equipment. My only concern is that the original bat surveys do not appear to be provided in any of the appendices. This is also true of the other protected species surveys and so I will leave it to Rona as to whether the consultants will be asked for the more detailed information.

Sara Robin  
Conservation Officer (Planning)  
Yorkshire Wildlife Trust  
1 St George's Place  
York  
YO24 1GN

Website: <http://www.ywt.org.uk>

**North York Moors National Park Authority**

**Internal Memorandum**



To: Internal - ecology, Yorkshire Wildlife Trust  
fao: Sara Robin  
1 St George's Place  
York  
YO24 1GN

Case Officer: Mr M Hill

File Ref: NYM/2014/0587/EIA

Date: 10<sup>th</sup> September 2014

**Application for Natural gas production and water re-injection at the existing borehole at Ebberston Moor South Well Site, the drilling of a second borehole for water production and re-injection, the construction of a 13.9 km long 12" diameter underground pipeline from the Ebberston Moor South Well to the Knapton Generating Station (KGS) at East Knapton, Malton and construction of ancillary works at the Generating Station at Ebberston Moor South Well Site, Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton**

for

**Third Energy Limited and Moorland Energy Limited, c/o agent**

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Mark Hill  
Head of Development Management

### Comments

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Sara Robin  
Conservation Officer (Planning)  
Yorkshire Wildlife Trust  
1 St George's Place  
York  
YO24 1GN

Website: <http://www.ywt.org.uk>

APPROVED  
15 OCT 2014

MH

**Caroline Bell**

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**From:** planning@northyorkmoors.org.uk  
**Sent:** 19 September 2014 16:44  
**To:** Planning  
**Subject:** Comments on NYM/2014/0587/EIA - Case Officer Mr M Hill - Received from Conservation Department at North York Moors National Park Authority, The Old Vicarage, Bondgate, Helmsley, YO62 5BP

Discussing archaeological mitigation with the developer's archaeological consultant but will require full archaeological condition, as a minimum. Graham Lee (Senior Archaeological Conservation Officer)

There could be ecological comments to follow.

Comments made by Conservation Department of North York Moors National Park Authority The Old Vicarage Bondgate Helmsley YO62 5BP

Phone: 01439 772700

EEmail: [conservation@northyorkmoors.org.uk](mailto:conservation@northyorkmoors.org.uk)

Preferred Method of Contact is: Post

Comment Type is Raise Concerns  
Letter ID: 427776

Comments are confidential.

NYM/2014/0587/EIA  
22 SEP 2014  
CK

**Caroline Bell**

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**From:** planning@northyorkmoors.org.uk  
**Sent:** 10 September 2014 12:00  
**To:** Planning  
**Subject:** Comments on NYM/2014/0587/EIA - Case Officer Mr M Hill - Received from Mrs Lesley Myers at Clerk to Allerston and Wilton Parish Council, Waterways, Main Street, Allerston, Pickering, North Yorkshire, YO18 7PG

Allerston and Willton Parish council have no objections to this pipeline. They feel it is much better than building another generating station at Thornton Dale. One production well in the forest is a much better option.  
the only reservation they have is that Allerston Water Supply (Spring site) should not be compromised in any way by the drilling

Comments made by Mrs Lesley Myers of Clerk to Allerston and Wilton Parish Council, Waterways, Main Street, Allerston, Pickering, North Yorkshire, YO18 7PG  
Preferred Method of Contact is Email

Comment Type is Comment

NYM/2014/0587/EIA  
10 SEP 2014  
CK



**Wendy Strangeway**

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**From:** Lesley Myers  
**Sent:** 15 March 2015 09:36  
**To:** planning.control@northyorks.gov.uk  
**Cc:** Planning; planning Ryedale  
**Subject:** NY/2014/0275/ENV

Application for Natural gas production and water re-injection at the existing borehole at Ebberston Moor South Well Site, the drilling of a second borehole for water production and re-injection, the construction of a 13.9 km long 12" diameter underground pipeline from the Ebberston Moor South Well to the Knapton Generating Station (KGS) at East Knapton, Malton and construction of ancillary works at the Generating Station at Ebberston Moor South Well Site  
Ebberston Common Lane  
Snainton to Knapton Generating Station  
East Knapton

**Dear Sirs**

Allerston Parish Council is very concerned that the phrase used concerning Allerston Water that the drilling will **Probably** not contaminate the drinking water. We would like to point out that Allerston Water supplies over 100 properties and farms including a herd of milking cows and would like to know what measures the company will take

- a) to prevent any contamination
- b) how are they going to monitor the drinking water in Allerston to make sure they have not caused any contamination?
- c) what measures will be put in place to supply these properties with clean drinking water in event of any contamination either short term or long term.

The Parish Councillors feel that to say **PROBABLY** shows little or no regard to the 250 – 350 people who drink this water daily and more should be done to prevent any contamination.

Lesley Myers  
Clerk to Allerston and Wilton Parish Council  
Waterways  
Main Street  
Allerston Pickering  
North Yorkshire  
YO18 7PG

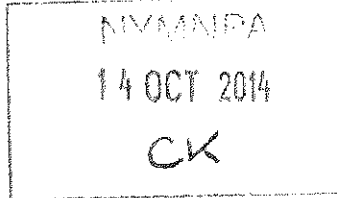


MH



YorkshireWater

National Park Officer  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York  
YO62 5BP



Land Use Planning  
Yorkshire Water Services Ltd  
Midway  
Western Way  
Halifax Road  
Bradford  
BD6 2LZ

For telephone enquiries ring:

Your Ref: NYM/2014/0587/EIA  
Our Ref: Q013691

E-mail

13th October 2014

Dear Sir/Madam,

Generating Station at Eberston Moor South Well Site, Eberston Common Lane, Snainton to Knapton Generating Station, East Knapton - Application in respect of Natural gas production and water re-injection at the existing borehole at Eberston Moor South Well Site, the drilling of a second borehole for water production and re-injection, the construction of a 13.9 km long 12" diameter underground pipeline from the Eberston Moor South Well to the Knapton Generating Station (KGS) at East Knapton, Malton and construction of ancillary works

Thank you for consulting Yorkshire Water regarding the above proposed development.

Development shall not commence until details describing the means of protecting the three public water supply pipelines that are laid within the development boundary have been submitted to and approved by the Local Planning Authority and it has been proven to the satisfaction of the local Planning Authority that the protection works have been fully and properly implemented. The details shall include protective measures during the construction phase of the development and the means by which future access for repair and maintenance of the pipes is assured.

(In order to protect the public water supply network)

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local Planning Authority. Furthermore, construction of the injection borehole shall not proceed until the relevant approved mitigation measures with respect to protection of groundwater have been implemented to the satisfaction of the Local Planning Authority

#### Infrastructure Protection

The pipeline is proposed to cross water mains at three locations:

180mm HPPE main and 4" CI main at grid reference 486975, 483015  
6" CI main at grid reference 486798, 479397  
6" CI main at grid reference 487494, 477298

A minimum of 300mm clearance is required where new third party apparatus crosses any of the above mentioned water mains. The depth of the water mains is unknown and the developer must locate the mains on site before pipe laying commences.



Awarded for excellence

Any potential conflict between the water mains and the proposed pipeline should be notified in the first instance to: paul.white@yorkshirewater.co.uk who can also provide the developer with further information regarding the required pipe protection measures

### **Groundwater Protection**

The Ebberston Moor south well site lies within groundwater SPZII (outer source protection zone) for the Corallian Limestone public water supply abstraction at Irton. Note that the zones for this aquifer were re-designated by the Environment Agency in 2012 and now cover a much larger area than previously defined to reflect new understanding of the highly complex and vulnerable nature of the geology. Operations on the site including the injection borehole must be undertaken with adequate controls in place to protect groundwater quality and quantity in the Corallian aquifer, and consequently the public water supply.

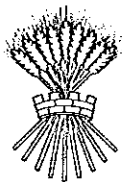
However, this is an existing gas production site. Therefore, provided that robust mitigation measures are implemented to protect groundwater, the current proposals should not pose a significantly increased risk to the public water supply. In this regard, a comprehensive Construction Environmental Management Plan (CEMP) must be submitted and agreed by the planning authority, and mitigation measures put in place as outlined in the Environmental Statement ch.11 and 12 and the detailed design of the injection borehole submitted to planning authority before construction commences. The CEMP and injection borehole design should be discussed and agreed with the Environment Agency and Yorkshire Water in order to ensure groundwater and public water supplies are protected.

I trust the above is helpful, but if you require further information, please contact me at the above address

Yours faithfully

**Stephanie Walden**  
Land Use Planning Manager

NYM/ALD  
14 OCT 2014



Mr M Hill  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York  
YO62 5BP



20 October 2014

Dear Mr Hill

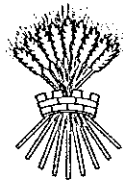
Your ref: NYM/2014/0587/EIA

**Application in respect of Natural gas production and water re-injection at the existing borehole at Ebberston Moor South Well Site, the drilling of a second borehole for water production and re-injection, the construction of a 13.9km long 12" diameter underground pipeline from the Ebberston Moor South Well to the Knapton Generating Station (KGS) at East Knapton, Malton and construction of ancillary works at the Generating Station at Ebberston Moor South Well Site, Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton**

Thank you for notifying me of the above application. I would advise you that the Local Planning Authority (Ryedale District Council) has no objection to this proposal subject to the following considerations:-

- 1 A requirement for the submission of full details of the habitat restoration scheme, to include details of the type and source of materials to be utilized, methodologies, timing of the works, and details of initial aftercare and longer-term maintenance.
- 2 To secure the habitat enhancements referred to in Table 6.15 of the Environmental Statement. The inclusion of these measures in the project would be in line with paragraph 118 of the National Planning Policy Framework (NPPF) which states that "opportunities to incorporate biodiversity in and around developments should be encouraged". In this case, potential enhancement measures could include increasing the botanical diversity of impacted ditches, creating species-rich hedgerows in appropriate areas and erecting bat and bird boxes. This would also be in line with RDC Local Plan Policy SP14 - Biodiversity.
- 3 Prior to the commencement of the development the applicant shall consult with North Yorkshire County Records Office regarding paragraphs 1-5 of the Hedgerow Regulations 1997 in respect of those hedgerows to be crossed in the implementation of the development. The results of these consultations shall be submitted to the Local Planning Authority and any hedgerows which are deemed 'important' under this criteria of the Regulations shall be thrust bored to avoid the need to remove sections of these hedgerows.

Reason:- The hedgerows to be crossed in implementing the development have only been assessed in relation to Paragraphs 6-8 of the Hedgerow Regulations 1997, and to avoid disturbance of any hedgerows which are deemed 'important' under paragraphs 6-8 of The hedgerow Regulations.

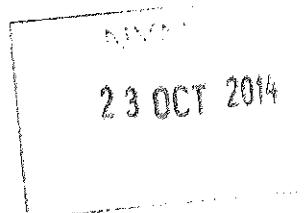


- 4 Prior to the commencement of development a Construction Environmental Management Plan shall be submitted for the prior written approval of the Local Planning Authority.
- 5 Construction, pipe laying operations and access to and from site with the exception of drilling shall be limited to 07:00 - 18:00 hrs Monday to Friday and 07:00 - 13:00 hrs Saturday. Any work outside these hours shall be subject to the prior written agreement of the Local Planning Authority.
- 6 All equipment, machinery and vehicles shall be well maintained and fitted with effective silencers. The drilling rig shall have acoustic enclosures for generators and mud pumps, air inlet and outlet attenuators, exhausts and acoustic screening of the drill floor substructure and draw works and incorporate measures to alleviate the potential for brake squeal.
- 7 No drilling, major workover or tubing replacement operation shall take place prior to the approval of the Planning Authority of a scheme of works detailing the operations involved. Such a scheme shall make provision for notifying the Planning Authority and neighbouring residents 7 days in advance of the operations, shall specify a programme of noise monitoring including details of noise measurement locations, the method of noise measurement and the maximum permissible levels of noise at each location. The maximum permissible levels during drilling operations, under neutral weather conditions shall be designed to ensure that a level of 42dB, LAeq, 1hr (free field) at anytime of the day or night time is not exceeded at noise sensitive dwellings or such other levels at such locations as maybe subsequently approved in writing by the Local Planning Authority.
- 8 In the event that the noise levels specified in Condition X above are exceeded, those operations at the site causing excessive noise shall be subject to a scheme of mitigation to be agreed by the Planning Authority and further noise monitoring undertaken and results submitted to the Planning Authority in order to evidence the effectiveness of the mitigation measures and steps taken to attenuate the noise level to be in compliance before the recommencement of work.
- 9 An Odour Management Plan shall be submitted to the Local Planning Authority detailing the precautions to be adopted to prevent gaseous or odour pollution. Such a plan shall be required to be adhered to and approved in writing by the Planning Authority prior to the commencement of the development.
- 10 Stringent precautions shall be taken to avoid smell nuisance and gaseous pollution. In particular all condensate shall be handled in enclosed systems and facilities made available to deal with venting of equipment or accidental spillage, including the application of sodium hydroxide or sodium hypochlorite to reduce odour from any mercaptans present
- 11 The permission hereby granted permits the extraction of conventional natural gas only by conventional drilling methods. For the avoidance of doubt it does not permit hydraulic fracturing of any part of the gas reservoir resource.

For your information, I have attached a copy of the Council's Environmental Health Officer's report.

Yours faithfully

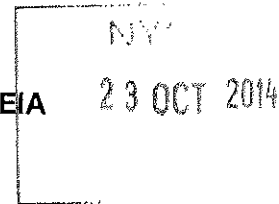
Gary Housden  
Head of Planning & Housing



**Planning application**

North York Moors National Park Authority – NYM/2014/0587/EIA

North Yorkshire County Council – NY/2014/0275/ENV



**Application in respect of natural gas production and water re-injection at the existing borehole at Ebberston Moor South Well Site, the drilling of a second borehole for water production and re-injection, the construction of a 13.9 km long 12" diameter underground pipeline from the Ebberston Moor South Well to the Knapton Generating Station (KGS) at East Knapton, Malton and construction of ancillary works at the Generating Station.**

**Ebberston Moor South Well Site, Ebberston Common Lane, Snainton to Knapton Generating Station, East Knapton.**

As the planning application covers both the North York Moors National Park Authority and North Yorkshire County Council as planning authorities, my comments cover the entire project.

The Development seeks planning permission to effectively combine elements of two extant planning permissions:

- Moorland Energy Limited (MEL) constructed the EMS Well Site in late 2008 with exploratory drilling commencing in spring 2009. After a public inquiry in 2011, planning permission was granted in June 2012 by the Secretary of State for gas production at the well site, known as the Ryedale Gas Project (RGP). As of August 2014, this permission has not been implemented; and
- Planning permission was granted by NYMNP and NYCC in December 2013 and April 2014 respectively to Third Energy UK Gas Limited for gas production at the Ebberston Moor A (EMA) Well Site, located 2.5 km to the north of the EMS Well Site within the North York Moors National Park, and for a 15.3 km underground gas pipeline from the EMA well Site to the Knapton Generating Site (KGS), known as the Ebberston Moor -Knapton Gas Pipeline scheme. As of August 2014, this planning permission has not been implemented,

The Development aims to carry out the following activities:

- Gas production and water re-injection from the existing borehole well at the EMS Well Site;
- Drilling a second borehole for water production and re -injection at the EMS Well Site;
- Construction of an 13.9 km, 12" (300 mm) diameter steel underground pipeline from the existing EMS Well Site to deliver natural gas and condensate (liquid naturally generated with gas extraction) to the KGS at East Knapton where it will be used to produce energy; and
- Construction of ancillary equipment to receive the gas at KGS.

**Noise**

The National Planning Policy Framework (NPPF) 2012 provides guidance on noise planning and minerals, together with the Technical Guidance to The National Planning Policy Framework. This was supplemented by Planning Policy Guidance (PPG) in March 2014, which needs to be considered when a new development may create additional noise, and when a new development would be sensitive to the prevailing acoustic environment. The

NPPF technical Guidance recognises that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction work.

It is anticipated the largest noise impact will be during the drilling operations. It is anticipated that drilling to re-enter the existing well is anticipated to take 30 days and the drilling of the second borehole for reinjection will take 60 days. In order to ameliorate the impact of drilling and the associated activities, including traffic it is proposed to provide a Construction Environmental Management Plan (CEMP). Although drilling will be 24 hrs/day, all other associated activity is proposed to be limited to 07:00 hrs – 18:00hrs Monday to Friday and 07:00hrs – 13:00 hrs Saturday. Any work outside these hours should be subject to prior agreement of the planning authority who may impose certain restrictions.

In relation to the drilling the applicant has assumed a worst case scenario with a drilling rig BDF28. Background noise readings have confirmed the presence of low background noise in the area. An assessment of predicted noise levels due to drilling has been assessed at the nearest residential properties. The calculated noise for the nearest properties are slightly above the likely background levels on a quiet night but at all other times will be subsumed into the general levels of ambient noise. The effect is therefore of minor adverse significance. I am not aware of any complaints during the drilling operations at the site in 2008. I have suggested a condition in line with the noise standards suggested in the Technical Guidance to the National Planning Policy Framework.

An assessment of daytime noise from construction activities at EMS and KGS are determined as negligible.

An assessment has been made of the noise impact of the pipeline route during construction. Noise from the construction of the pipeline will be transitory and limited in duration with respect to any single noise receptor. As the pipeline works will be progressive it is unlikely that any individual dwelling will subject to increase noise levels for more than a few days. Five properties have been assessed as subject to daytime noise levels LAeq,1h in excess of 55dB , with 3 properties being subject to between 60-63dB. On these days the noise level may be significant according to the WHO Guidelines, but this must be matched against the duration of the event.

The absolute noise levels from the EMS Well Site under normal operational conditions at the nearest residential properties to the Site will be less than 10dB LAeq,5m at both High Scamridge Farm and Givendale Head Farm. These levels of noise should be inaudible at all times of day and night. The operational noise levels at the nearest noise-sensitive properties to KGS will be unaffected by the Development and will continued to be governed by the mode of operation on site. There is also control of noise from the KGS site through the original "Manchester Agreement".

### Air quality

An air quality assessment has been undertaken to assess the likely significant effects of the development on the environment in terms of air quality. *It is stated that in addition to a planning consent the development will also require an Environmental Permit to operate. The Environmental Permit will be regulated by the Environment Agency. The Environmental Permit application process is a separate process to the planning process which focuses on the pollution control of the development such as air and odour emissions controls.*

I have confirmed with the agent that It is considered unlikely that any variation of the KGS Environmental Permit will cover activities at the EMS well site and will be confined to the existing operations at KGS. As such any control of potential air pollution/odour at the EMS wellsite should be controlled by planning conditions.

23 OCT 2014

23 OCT 2014

## ANNEX 1

There is the possibility of odour from fugitive emissions at the wells site or during routine or emergency operations. It is stated that *odour is also considered unlikely to be a significant issue as only small volumes of gas are to be combusted at the EMS Well Site which may include some potentially odourous compounds*. I have confirmed with the agent that the proposed generator will be diesel powered; therefore there will be no gas combustion at the well site. This will be confirmed in a Draft Odour Management Plan (OMP) which will be prepared for consultation with the relevant stakeholders prior to Construction.

It was not considered necessary by the applicants to undertake any additional assessment of the KGS as the development is for the provision of gas to the existing site only and therefore no significant change in combustion activities are envisaged at the KGS site. Additionally, no new infrastructure is anticipated to be required to treat or combust the gas delivered from the EMS Well Site. Any variation in gas to be the site is likely to be covered by a variation of the existing relevant Environmental Permit.

The NPPG and Technical Guidance provide guidance on the consideration of dust emissions for minerals extraction.

The key pollutants of concern with respect to construction activities are suspended dust (e.g. PM10) and accumulated dust (soiling/deposition). This is due to the movement of on-site plant equipment, movement of materials on-site and stockpiling of materials on-site.

The guidance presented in the NPPG Technical Guidance indicates that there is a risk of adverse air quality effects from minerals works, such as excavation of pipeline and construction works.

There are twenty receptors within 1 km of the Development. Of these receptors only three are within 150m of the Development. As the majority of air quality effects would be within the first 150m, it is anticipated that most receptors will experience no significant air quality effects. The closest receptor is not likely to experience significant dust effects as the portion of the site closest to the receptor will be used for pipe storage and worker welfare facilities.

The PM10 concentration from construction is predicted to be well within the AQS 24-hour objective of 50 µg/m<sup>3</sup>. On the basis of these findings, it is anticipated that construction dust will cause a negligible effect at the two receptors within 150m along the pipeline route. This is because during construction activities, PM10 concentrations are predicted to remain below the 24-hour AQS objective of 50µg/m<sup>3</sup> (with no increase in the number of days of exceedence).

Although a negligible effect is predicted for dust effects, these will be mitigated through the preparation and implementation of a dust management plan, which will be agreed in consultation with NYMNPA. This will result in an overall negligible effect.

In accordance with best practice, construction dust will be controlled through the application of a series of measures incorporated into a Construction Environmental Management Plan (CEMP)

### Hydrology

The proposal for the injection of produced water from the Permian Kirkham Abbey formation to the Sherwood Sandstone formation located above.

This is mainly an issue for the Environment Agency, as the authority who control such injections to ground water. Control of such proposed injection by the Environment Agency will be by the requirement to require an Environmental Permit under the provisions of the



Environmental Permitting Regulations 2010. In order to be able to discharge water to the ground a permit is required under these regulations. In addition the applicant will also be required to submit a notice to the Environment Agency for the drilling operations under sec 199 of the Water Resources Act 1991. In addition to the control by the Environment Agency any well head has to be constructed in accordance with The Offshore Installation and Well (Design and Construction) Regulations 1996, enforced by the Health and Safety Executive.

Health and Environment Services have previously written to the Environment Agency to advise them of private water supplies in the immediate area of the borehole

I understand that following the grant of planning permission by NYMNP in December 2013 for the EMA-KGS scheme, a formal application for a groundwater permit was submitted to the Environment Agency (EA) under the EPR 2010 in February 2014 and a permit (Permit Ref. EPR/AB3593DU) was granted in May 2014. A Radioactive Substances (RSR) Permit covering the disposal of produced water containing naturally occurring radioactive substances (NORM) has also been obtained (Permit Ref. EPR/SB3730DE).

*It is stated that based on discussions with the Environment Agency, the Applicant and its advisers have applied the same criteria to an assessment of proposed water injection at the Ebberston South (EMS) Well Site. Accordingly, this chapter of the ES demonstrates that the disposal of produced water to the Sherwood Sandstone will not have any adverse environmental effects and can also be permitted at that location.*

### **Proposed Conditions**

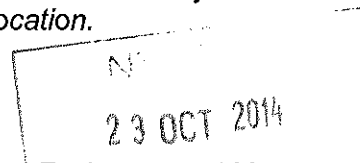
Prior to the commencement of development a Construction Environmental Management Plan shall be submitted for the prior written approval of the Local Planning Authority.

Construction, pipe laying operations and access to and from site with the exception of drilling shall be limited to 07:00 – 18:00 hrs Monday to Friday and 07:00 -13:00 hrs Saturday. Any work outside these hours shall be subject to the prior written agreement of the Local Planning Authority.

All equipment, machinery and vehicles shall be well maintained and fitted with effective silencers. The drilling rig shall have acoustic enclosures for generators and mud pumps, air inlet and outlet attenuators, exhausts and acoustic screening of the drill floor substructure and draw works and incorporate measures to alleviate the potential for brake squeal.

No drilling, major workover or tubing replacement operation shall take place prior to the approval of the Planning Authority of a scheme of works detailing the operations involved. Such a scheme shall make provision for notifying the Planning Authority and neighbouring residents 7 days in advance of the operations, shall specify a programme of noise monitoring including details of noise measurement locations, the method of noise measurement and the maximum permissible levels of noise at each location. The maximum permissible levels during drilling operations, under neutral weather conditions shall be designed to ensure that a level of 42dB, LAeq, 1hr (free field) at anytime of the day or night time is not exceeded at noise sensitive dwellings or such other levels at such locations as maybe subsequently approved in writing by the Local Planning Authority.

In the event that the noise levels specified in Condition X above are exceeded, those operations at the site causing excessive noise shall be subject to a scheme of mitigation to be agreed by the Planning Authority and further noise monitoring undertaken and results



submitted to the Planning Authority in order to evidence the effectiveness of the mitigation measures and steps taken to attenuate the noise level to be in compliance before the recommencement of work.

An Odour Management Plan shall be submitted to the Planning Authority detailing the precautions to be adopted to prevent gaseous or odour pollution. Such a plan shall be required to be adhered to and approved in writing by the Planning Authority prior to the commencement of the development.

Stringent precautions shall be taken to avoid smell nuisance and gaseous pollution. In particular all condensate shall be handled in enclosed systems and facilities made available to deal with venting of equipment or accidental spillage, including the application of sodium hydroxide or sodium hypochlorite to reduce odour from any mercaptans present

The permission hereby granted permits the extraction of conventional natural gas only by conventional drilling methods. For the avoidance of doubt it does not permit hydraulic fracturing of any part of the gas reservoir resource.

NYM/IDA  
23 OCT 2014