RESPONSE TO INFORMAL COMMENTS FROM RYEDALE DISTRICT COUNCIL

1.1 This note sets out the response to informal comments to the Ryedale Gas Project received from the Council's Countryside Officer, dated 21 June, Tree and Landscape Officer, dated 15 June and the Health and Environment Manager.

Countryside Officer

1.2 The majority of the comments are fully addressed in the Ecology Species Survey which has been prepared by URS, Moorland Energy's ecological consultants. The report includes emergence survey data to determine the number of bats, their use of roosts and the surrounding habitat and the effect of the construction and operation of the proposed gas processing facility. There is no visible evidence to confirm that bats are using the old railway bridge or the farm buildings in New Ings lane for roosting.

1.3 The farm building in New Ings Lane has been surveyed for evidence of barn owls and a nest was discovered, confirming that barn owls are using the building. However, the farm building is not directly affected by the proposed development so there will be no direct disturbance to barn owl.

1.4 Amphibian surveys have also been undertaken during the optimal survey period and there is evidence of a small colony of great crested newts in the vicinity of Hurrell Lane.

1.5 The badger report that accompanied the ES confirmed that one badger sett would be destroyed as a result of the pipeline construction. To compensate for the loss of Sett 6, an artificial sett will be established to the south of the pipeline wayleave. This will be established in advance of the loss of the existing sett. No significant residual adverse effects on badger are anticipated. As a result, it is not the case that a great deal of disturbance to badgers will occur during the construction and operation of the proposed development.

1.6 A full survey of the vegetation along the railway embankment has found a range of grasses and other species which have both botanical interests and provide a good habitat structure for invertebrates, birds and small mammals. As a result, the grassland and other vegetation along the railway embankment will be managed. Planting along the southern margins will comprise grassland and lower-growing shrubs and trees to avoid excessive shading of the vegetation. The applicant will work with the Yorkshire Wildlife Trust to develop plans for the establishment and management of ecological

mitigation strategy. A plan setting out the combined landscaping and ecological mitigation has been prepared.

1.7 An addendum to the Alternative Sites Chapter of the ES has been prepared which describes in more detail how a range of other sites have been considered and the reasons for why they have been discounted.

1.8 Key Principle (vi) of PPS7 states that:

> **"where granting planning permission would result in significant harm to biodiversity and geological conservation interests, local planning authorities will need to be satisfied that the development cannot reasonably be located on any alternatives sites that would result in less or no harm."**

1.9 The ES and the additional ecological survey results demonstrate that there would be no significant harm to such interests subject to appropriate mitigation measures which are set out in detail. In addition, each of the alternative sites which have been studied by the applicant are all likely to give rise to greater adverse effects upon the environment than the proposed gas processing facility at Hurrell Lane. Consequently, there is no valid reason for planning permission to be refused based upon any conflict with PPS7.

Trees and Landscape Officer

1.10 In the vicinity of the Hurrell Lane Gas processing Facility, the Vale of Pickering landscape is predominantly characterised by rectilinear fields and the associated hedges and tree belt along field boundaries, with scattered blocks of woodland (for example, in the vicinity of Holliday's Whin, Thornton Carr, Wilton Carr and Wilton Ings). The landscape proposals for the Gas Processing Facility include the enhancement of the boundaries of the Site, which coincide with existing field boundaries, and the strengthening of the existing hedges and creating strips of woodland planting along the eastern and western boundaries, of a scale that would be keeping with, and reflect the species of the local area.

1.11 The permanent landscape effects of the proposed pipeline are limited to the loss of field boundary hedgerows and trees along the alignment of the pipeline and along the

route of the access road to and the entrances for the Hurrell Lane Gas Processing Facility, with no effect on landscape features on the Ebberston Well Site.

1.12 The Application Site, including the proposed pipeline, the Ebberston Well Site and the Hurrell Lane Gas Processing Facility, is well screened by existing vegetation and topography. This comprises the Dalby Forest, woodland plantations to the south of the North York Moors National Park and the existing vegetation around the Ebberston Well Site and the Hurrell Lane Site, and the steep slopes of the escarpment running to the north of the A170.

1.13 The permanent adverse visual effects are very localised. There are no permanent views of the proposed development from the North York Moors National Park, with the exception of glimpses of the Ebberston Well Site from the immediately adjacent footpath. Limited views are obtained from publicly accessible locations, such as public rights of way, in the immediate vicinity of the Hurrell Lane Processing Facility, and from open locations to the north-west on higher ground, and to the south from the valley floor of the Vale of Pickering.

1.14 Very few residential properties will experience permanent adverse visual effects arising from the development. Only Charity Farm (825m from the Hurrell Lane site) and Willow Grange Farm (1,275m) will experience moderate adverse visual effects which will be partial views of the proposed gas processing facility, which will be partially screened by intervening field boundary vegetation. The photomontages which have been prepared from Charity Farm (View 3) show the likely impact at both Year 1 and at Year 15. These demonstrate that the visual effects will be slight.

1.15 The Officer states in his final paragraph that there is a need to carry out extensive planting which will be uncharacteristic of the local landscape and which may also be harmful to existing ecology. However, this view is not supported by Natural England in its response to NYCC, dated 8 June, about the Hurrell Lane facility. By contrast, it advises that a significant amount of additional planting should be undertaken to ensure that biodiversity gains are achieved as part of the proposal. Any hedgerow and tree planting should utilise only native trees of local provenance. The letter concludes that landscaping planting proposed around the facility should utilise a variety of tree species at a range of sizes such that it not only achieves its screening function, but also provides a diverse area of habitat for wildlife. Moorland Energy is confident that the wishes of Natural England can be met and that the significant additional planting will achieve the necessary screening whilst enhancing wildlife habitats.

Health and Environmental Officer

(a) Siting

1.16 Correspondence from the NYMNPA dated 18 March 2009 (Appendix 5.1 of the ES) refers to the Authority's views about electricity generation rather than gas processing within the Park, as this was the preferred method of using the gas produced at the Ebberston wellsite at the time. That said, the letter implies that gas should be piped from the Park where it could then be "stored/transported/utilised for electricity generation." This response was based upon information supplied to the Park Authority by Moorland Energy in early February 2009 which proposed a small electricity generating plant being located on site, occupying a footprint of less than 0.5 ha with a stack approximately 15m in height. The exploratory drilling of the Ebberston wellsite in February and the subsequent testing results in March revealed that the scale of the gas reserve was considerably larger than had been anticipated from seismic surveys. This fact and the absence of a sufficient power supply close to the wellsite were material factors against installing an electricity generating set on site.

1.17 The gas processing facility will occupy an area of 2.2 ha with structures up to 15m in height – more than four times larger in footprint size than an electricity generating facility. The Park Authority has not advised Moorland Energy at any time that its view has changed and that a larger facility than was originally proposed would now be acceptable within the Park boundary.

1.18 The existing 450mm local transmission system gas pipeline which runs between Pickering and Whitby is not suitable for two principle reasons. Firstly, NGN has confirmed that, for significant periods during the year, there is no spare capacity in the pipeline to accommodate the gas forecast to be produced at the Ebberston wellsite. Secondly, using the NGN pipeline presupposes that a gas processing facility could be accommodated either at the wellsite within the National Park or south of Givendale Head Farm. Locating the GPF within the National Park could not be justified, based upon the guidance in PPS7, whilst siting the GPF at Givendale Head farm would have a greater adverse impact upon the environment in terms of visual impact and archaeology. An addendum to the Alternative Sites chapter of the ES has been prepared which gives more detail about the range of alternative sites considered by Moorland Energy and the reasons for discounting them.

1.19 Reference is made by the Officer to a wellsite to the north, known as Ebberston Moor 1 (EB-1). The site is on land off Ebberston Common Lane, approximately 6.5 km north of

Ebberston. Planning permission was initially granted in March 2006 to Viking UK Gas for the siting of an exploratory well for a temporary period of three years.

1.20 Planning permission was granted in November 2008 for a further three years to retain the well site and remodel the landscaping and boundary treatment in order to reduce the existing visual impact of the site.

Air Quality

1.21 Moorland Energy concurs with the RDC interpretation of the Environmental Permitting (England and Wales) Regulations 2010 with respect to the GPF and the need to secure a Part A(1)a environmental permit through the Environment Agency. Moorland Energy will be in contact with the Environment Agency shortly to commence pre-application discussions.

1.22 Fugitive emissions from tank vents on-site, during filling and transfer operations and from passive breathing emissions containing sour gases (including hydrogen sulphide and mercaptans) will be mitigated through the application of Best Available Techniques (BAT) for the installation, with reference to indicative BAT as outlined in the Gasification, Liquefaction and Refining Installations (EPR 1.02) Environment Agency Guidance (dated March 2009). The measures to be used will be agreed with the Environment Agency as part of the environmental permit application process and through the development of a fugitive emissions management plan. However, examples of the measures currently envisaged to be used to mitigate fugitive odour releases include: pack bed type scrubbers on vents (or other equivalent techniques) and vapour balancing to minimize emissions during loading and unloading.

Noise

1.23 Moorland Energy's noise consultant has confirmed that the overall noise level at Givendale Head Farm will be 10dB(A) or less under normal operational conditions. Table 10.5 of the ES gives the anticipated noise levels from the operational plant. The noise from the hydrate inhibitor injection pump, corrosion inhibitor injection pump, and choke valve are intermittent and infrequent. For the majority of the time, there will be no significant noise sources within the wellhead site. Based upon the noise consultant's long experience in the oil and gas industry, the two injection pumps for produced water and condensate are likely to be significantly less than the estimated 70dB(A) at 1m which has been used in calculating the effects of the proposed plant at the wellsite. The

noise consultant does not foresee a problem in complying with any reasonable noise limit at Givendale Head Farm.

1.24 Regarding noise levels arising from the Hurrell Lane facility, it is entirely reasonable and indeed, the only responsible approach to compile a properly-designed scheme of plant and equipment noise control at the detailed design stage. This would be attached as a condition to any planning permission, and subject to the approval of the EHO. The scheme would also take into account the possibility of any tonal characteristics, and ensure they were controlled.

1.25 It is difficult to offer further evidence that Moorland Energy has modelled a 'worst case' for noise emissions from the plant, when information on the likely equipment is still subject to final agreement. However, it is agreed that the detailed design should be undertaken so as to avoid any increase in noise levels at local residential property. It is known from numerous noise surveys over recent years that the minimum night-time noise levels will be 20dB L_{Aeq} or less.

Private Water Supplies

1.26 Over the past 12 months, Moorland Energy has worked closely with those landowners and tenants affected by the proposed development to inform them of necessary survey work and to enable access to their land. The landowners are aware of the route of the proposed pipeline and have been closely involved to ensure that their wishes about both the horizontal and vertical alignment of the pipeline route is taken into account in his design. This includes private water supply networks and other existing infrastructure.