

Town and Country Planning Act 1990
North York Moors National Park Authority

Notice of Decision of Planning Authority on Application for
Permission to Carry out Development

To Viking UK Gas Limited
c/o Barton Willmore LLP
fao: Mr Paul Foster
Elizabeth House
1 High Street
Chesterton
Cambridge
CB4 1WB

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The above named Authority being the Planning Authority for the purposes of your application validated 22 July 2013, in respect of proposed development for the purposes of gas production from existing wellsite for a temporary period (five years), construction of gas conditioning building/plant, water separator building and administration building, connection to the existing LTZ gas pipeline on site, provision of metering facilities, flare and storage tanks and erection of gas engine and associated plant and machinery, creation of hardstanding areas and 2 no. accesses off Ebberston Common Lane together with landscaping and drainage works and means of enclosure at Ebberston Moor 1 Wellsite and Lockton Compound, Ebberston Common Lane, Snainton has considered your said application and has granted permission for the proposed development subject to the following conditions:

1. The permission hereby granted is valid only for five years from the date of this permission and the development shall be removed from the site before this consent expires and the site restored to its former condition before that date, unless a subsequent permission has granted permission for part of the plant and equipment to be retained.
2. The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3. The levels of noise emitted from the operational site shall not exceed 60dB(A)LAeq, 1 hour, measured at any point on the site boundary, unless otherwise agreed in writing with the Local Planning Authority.
4. Before the gas processing facility is commissioned a noise attenuation scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the methods by which noise from the plant is to be controlled in order to meet the operational noise limits. The operation of the gas processing facility shall not be undertaken except in accordance with the approved scheme.

Continued/Conditions



Mr C M France
Director of Planning

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20 DEC 2013

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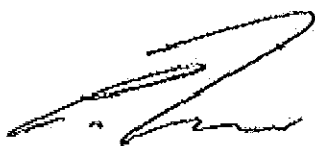
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Conditions (Continued)

5. Before the gas processing facility or the wellhead site are commissioned a programme of noise monitoring shall be submitted to and agreed in writing with the Local Planning Authority. The programme shall specify the locations at which noise is to be measured, the method of assessment (which will be in accordance with the relevant sections of BS.4142:1997) and the maximum permissible noise level at each such noise monitoring location. It shall include a requirement that the spectral equivalent continuous noise levels in third-octave bands are measured. A noise survey shall be conducted during site commissioning and before the commencement of full commercial operations and the results submitted to the Local Planning Authority for approval in writing. The programme shall include the provision that once the facility is brought into operation, noise measurements shall be conducted on behalf of the operating company as soon as possible on receipt of a written request from the Local Planning Authority. The results of such measurements are to be submitted to the Local Planning Authority within three working days of completion if the survey. In the event that the predicted noise levels at the site boundary are exceeded, additional attenuation measures shall be taken within 28 days and further noise survey or surveys conducted until the predicted noise levels are achieved to the written satisfaction of the Local Planning Authority.
6. Tonal noise from the gas processing facility shall not be audible outside any residential property in existence at the date of this planning permission. Tonal noise shall be considered to be audible where the level in any third-octave band is 5dB or more in excess of the levels in the two adjacent bands and tonal components are clearly audible.
7. The permission hereby granted permits the extraction of up to 15 mmscf/d 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.
8. Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Minerals Planning Authority. The CEMP shall include:
 - a. Details of the size, location and design of the compound, including how any potentially polluting materials will be stored to minimise the risk of pollution;
 - b. All 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 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;
 - c. All replenishment of tanks and containers and all refuelling of vehicles, plant and equipment shall take place within that bunded, impervious hardstanding;
 - d. Details of a protocol to deal with any pollution that may occur during the course of construction e.g. provision of spill kits close to storage areas/compounds. This shall include training staff on how to use these correctly;
 - e. Plant and wheel washing is carried out in a designated area of hard standing at least 10 metres from any watercourse or surface water drain;
 - f. Run-off from plant, wheel and boot washing collected in a sump, with settled solids removed regularly and water recycled and reused where possible;

Continued/Condition 8



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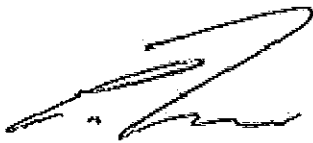
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Condition 8 (Continued)

- g. A strategy for recycling/disposing of waste resulting from construction works;
 - h. Details of how the requirements of the approved CEMP will be disseminated to all relevant staff/contractors throughout the construction period.
 - i. Details of the normal construction hours and arrangements for seeking approval for variation of construction hours for exceptional circumstances.
- Development shall thereafter proceed only in strict accordance with the approved CEMP.
- 9. No development shall take place on site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
 - 10. The applicants shall maintain a log containing the details of every time the flare stack is used for flaring, the information shall include the date, number of times that day and duration of the flare stack use and make it available to officers of the National Park upon request given reasonable advance notice.
 - 11. 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 Common Lane – unclassified road, whole length, and A170 for 20 metres east and west of the junction with Ebberston Common 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 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.
 - 12. Unless otherwise approved in writing by the Local Planning Authority, there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until details of the routes to be used by HCV construction traffic have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority, as generally given 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. Thereafter the approved routes shall be used by all vehicles connected with construction on the site.

Continued/Conditions



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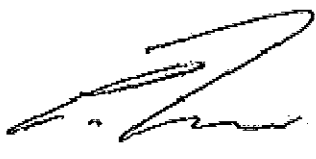
Conditions (Continued)

- 13. 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 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 12 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.
- 14. The development hereby permitted shall not be commenced until such time as a scheme for all has been submitted to, and approved in writing by, the local planning authority:
 - 1. the storage of materials;
 - 2. the storage of chemicals;
 - 3. the storage of oil;
 - 4. the storage of hazardous materials;
 - 5. the pressure testing of the pipeline;
 - 6. the disposal of foul and surface water;
 - 7. the removal and treatment of suspended solids from surface water run-off;
 - 8. the proposed method of working;
 - 9. the proposed phasing of development;
 - 10. the proposed maintenance and after-care of the site;
 - 11. the provision of road and wheel cleaning facilities; and
 - 12. the 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.
- 15. Notwithstanding the details submitted for the proposed development of the site, there shall be no:
 - 1. de-watering of the site;
 - 2. interruptions to ground or surface water flows without the written consent of the Local Planning Authority.

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Continued/Informatives



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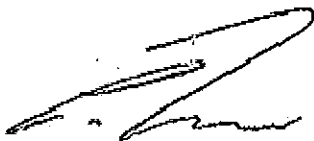
Informatives

1. Adequate security must be in place during the construction phase. This should include robust perimeter fencing of the site and a monitored alarm system for the site cabins, including those cabins housing materials. Security of plant equipment and security of any fuel storage should be demonstrated. There should be a dedicated secure area in which contractors can park their vehicles, which may have a significant value of tools stored in them when the contractor is working on site. Theft from such vehicles in these circumstances is not uncommon and should be addressed.
2. The applicant's attention is drawn to the provisions contained in the Environment Agency letter dated 09 December 2013 (copy attached).

Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
- 3 to 6 and 10. In the interests of the amenities of the locality and to comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the special qualities of the National Park.
- 7 & 8. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with NYM Core Policy A which seek to conserve and enhance the special qualities of the NYM National Park.
9. In order that any remains of archaeological importance can be adequately investigated and recorded before any development takes place on the site and to comply with NYM Core Policy G which seeks to conserve and enhance the historic assets and cultural heritage of the National Park.
- 11 to 13. In accordance with NYM Development Policy 23 and to secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of highway users.
14. Protection of the water environment is a material planning consideration and development proposals should ensure that new development does not harm the water environment. In this case the proposal poses a threat to water quality because it crosses through Source Protection Zone 3 of both the Scarborough and the Pickering drinking water supplies and to comply with NYM Development Policy 1.
15. This condition is required to manage 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 interests including springs, rivers or wetlands dependent on groundwater flow and to comply with NYM Development Policy 1.

Continued/Explanation of how the Authority has Worked Positively with the Applicant/Agent



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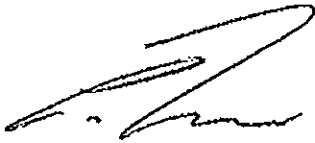
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Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has engaged in extensive pre-application advice to frontload the planning application process and has generally acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



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Director of Planning

Date: 20 DEC 2013

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