

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

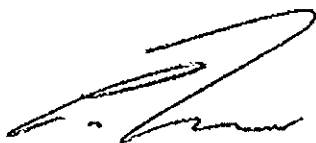
To Viking UK Gas Ltd
c/o Petroleum Safety Services Limited
fao: Mr Phillip Silk
The Innovation Centre
Vienna Court
Kirkleatham Business Park
Redcar TS10 5SH

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The above named Authority being the Planning Authority for the purposes of your application registered 10 August 2012, in respect of proposed development for the purposes of **permission for a temporary appraisal borehole and associated plant, equipment including drilling rig (max height 49 metres) and access arrangements at Ebberston Moor 4 Wellsite, Great Moor Road, Hutton Buscel** has considered your said application and has granted permission for the proposed development subject to the following condition(s):

1. The permission hereby granted is valid only for three 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.
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. Noise attenuation measures shall be incorporated into the site compound design and construction in such a manner that noise measured at the curtilage boundary of any local dwelling shall not exceed 42dB LAeq, 1hour.
4. The removal of trees shall only be carried out in accordance with the mitigation measures set out in the Archaeology Mitigation Letter received by email on the 3 October 2012.
5. Unless otherwise agreed in writing with the Local Planning Authority, the removal of soil or vegetation shall only take place between the months of September in one year and February in the following year.
6. Other than for the purposes of creating the temporary junction widening no vehicles shall be allowed to access the construction site. The junction widening shall be set out in accordance with approved layout drawing no LTP/1242/02/017-1 and constructed in accordance with drawing no. E7. Any additional damage to the existing adopted highway occurring during use of the site and until the completion of all the permanent works shall be repaired immediately. Before the site is decommissioned the highway verge/footway shall be fully reinstated in accordance with the scheme approved in writing by the Local Planning Authority in consultation with the Highway Authority.
7. No drilling shall take place until a detailed Drilling Method Statement has been submitted to and approved in writing by the Local Planning Authority.

Continued/Conditions



Mr C M France
Director of Planning

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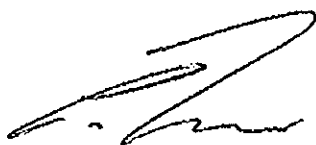
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Conditions (Continued)

8. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
- i) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number PSSL/VUK/EB4/PA/006.
- All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
9. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works until:
- i) the details of the required highway improvement works listed below have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority;
 - ii) a programme for the completion of the proposed works has been submitted.
- The required highway improvements shall include:
- a. provision of 7.no new passing places and improvements to 6.no existing passing places as shown on approved drawing no: LTP/1242/03/002.01 and these shall be constructed in accordance with details shown in standard detail no E7
 - b. strengthening of the western footway of Wykeham Lane near to the junction with the A170.
10. Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the following highway works have been constructed in accordance with the details approved in writing by the Local Planning Authority under condition 8:
- a. provision of 7.no new passing places and improvements to 6.no existing passing places as shown on approved drawing no: LTP/1242/03/002.01 and these shall be constructed in accordance with details shown in standard detail no E7
 - b. strengthening of the western footway of Wykeham Lane near to the junction with the A170.
11. There shall be no access or egress by any vehicles between the highway and the application site until:
- i) full technical details relating to the piping of the surface water ditch at Moor Lane have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority; and
 - ii) the surface water ditch at Moor Lane has been piped in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Continued/Conditions



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Director of Planning

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Conditions (Continued)

- 12. There shall be no access or egress by any vehicles between the highway and the application site until vehicle wheel washing facilities have been installed on the access road to the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept in full working order at all times. All vehicles involved in the transport of waste materials or finished products to or from the site shall be thoroughly cleaned before leaving the site so that no mud or waste materials are deposited on the public highway.
- 13. 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 highway has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- 14. The routes to be used by HCV construction traffic shall be as shown on drawing no. LTP/1242/03/001.01 rev A and approved by the Local Planning Authority in consultation with the Highway Authority. Thereafter the approved routes shall be used by all vehicles connected with construction on the site. Before being brought onto the site, the drilling rig shall be fitted with a minimum intensity 25 candela omni directional red light (or equivalent infra red light) at the highest practical point and thereafter be retained and operated at night whilst at the site.

Informative(s)

- 1. The applicant's attention is drawn to the Environment Agency letter dated 10 October 2012 (copy attached).
- 2. In relation to condition 6 these works may include replacing carriageways, kerbs, footways, cycleways and verges to the proper line and level. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The local office of the Highway Authority will also be pleased to provide the detailed construction specification referred to in this condition.
- 3. In relation to condition 8 you are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
- 4. In relation to condition 11 it is recommended that the applicant consult with the Internal Drainage Board, the Environment Agency and/or other drainage body as defined under the Land Drainage Act 1991. Details of the consultations shall be included in the submission to the Local Planning Authority. The structure may be subject to the Highway Authority's structural approval procedures.

Continued/Reasons for Conditions

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Reason(s) for Condition(s)

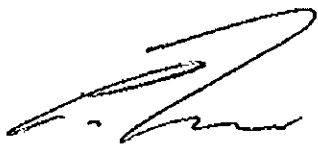
1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
4. 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.
5. In order to minimise the impact of the development on breeding birds and to accord with the provisions of NYM Core Policy C.
6. In accordance with NYM Development Policy 23 and in the interests of both vehicle and pedestrian safety and the visual amenity of the area.
7. In order to avoid contamination of Source Protection zones 2 and 3 and to accord with NYM Development Policy 1.
8. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
9. In accordance with NYM Development Policy 23 and to ensure that the details are satisfactory in the interests of the safety and convenience of highway users.
10. In accordance with NYM Development Policy 23 and in the interests of the safety and convenience of highway users.
11. In accordance with NYM Development Policy 23 and to ensure satisfactory highway drainage in the interests of highway safety and the amenity of the area.
12. In accordance with NYM Development Policy 23 and in the interests of highway safety and amenity.
13. In accordance with NYM Development Policy 23 and in the interests of highway safety and the general amenity of the area.
14. In the interests of aviation safety and to accord with NYM Development Policy 1.

Development Plan Policies Relevant to the Decision

Local Development Framework	CPA – Delivering National Park Purposes and Sustainable Development CPC – Natural Environment, Biodiversity and Geodiversity CPE – Minerals DP7 – Archaeological Assets DP23 – New Development and Transport
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Reason for Approval

The proposal by reason of its temporary and explorative nature and due regard to mitigating measures incorporated into the scheme to protect against impacts on the natural environment is considered to be in line with Core Policies A, C and E and Development Policies 7 and 23 of the NYM Local Development Framework.



Mr C M France
Director of Planning

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Date ... 8 NOV 2012