

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

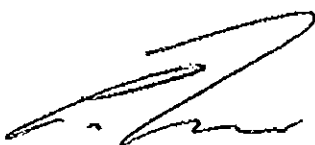
To Viking UK Gas Limited
c/o Petroleum Safety Services Limited
fao: Mr Philip Silk
The Innovation Centre
Kirkleatham Business Park
Redcar and Cleveland
TS10 5SH

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The above named Authority being the Planning Authority for the purposes of your application validated 08 July 2013, in respect of proposed development for the purposes of **permission for temporary gas appraisal boreholes and associated plant, equipment including drilling rig (max height 50 metres) and construction of 2 no. additional drilling cellars (revised scheme to NYM/2013/0068/FL to extend time limit from one year to three years) at Ebberston Moor 1 Wellsite, Common Lane, Snainton, Scarborough** 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 consent hereby granted relates only to the use of the site for exploratory drilling and testing and evaluation as set out in the details accompanying the application. There shall be no other development on the site including any works in relation to production.
3. Within three months of test drilling and subsequent analysis of the data being completed, the site shall be restored to its former condition as set out in Paragraph 2.6, Section II – Planning Statements and Appendices submitted with the application and received on 4 February 2013.
4. Spoil in excess of that required for replacement and restoration after completion of drilling operations, together with the drilling mud, additives, waste oil and any other waste shall be disposed of at a waste disposal site licensed under the Environmental Protection Act 1990 to receive waste of that category.
5. The application site shown edged red on the plans accompanying the application received on the 4 February 2013 shall be fenced off from adjoining land for the duration of the development hereby permitted and the land outside of that shown edged red shall not be disturbed in any way or used for storage or disposal of waste or materials.
6. Except in any emergency endangering life or property any gas flaring shall only be carried out in daylight hours or between 07:00 and 19:00 hours whichever is the shorter period and at no time on Sundays or Bank Holidays unless prior agreement is obtained in writing from the Local Planning Authority and 12 hours notice shall be given to the Local Planning Authority and the occupiers of any dwelling within a radius of 900 metres of the application site prior to any gas flaring taking place.

Continued/Conditions



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Conditions (Continued)

- 7. 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 silenced vibration and exhausts and acoustic screening of the drill floor substructure and draw works and incorporate measures to alleviate the potential for break squeal. Such measures as may be approved in writing by the Local Planning Authority shall be taken to ensure that under neutral weather conditions the perceived noise levels measured at the nearest residential property shall not at any period of the development including construction operations, drilling or flaring exceed levels of 45dB(A) LAeq, 1 hour (free field) between 07:00 and 19:00 hours and 42dB(A) LAeq, 1hour (free field) between 19:00 and 07:00 hours or such other levels at such locations as may be subsequently approved in writing by the Local Planning Authority.
- 8. Noise generated in the course of drilling and hydrocarbon testing operations shall be monitored in accordance with a scheme and programme to be submitted for the prior written approval of the Local Planning Authority and the results shall be made available to the Local Planning Authority.
- 9. In the event that the noise levels specified in condition 7 above are exceeded, those operations at the site causing excessive noise shall cease immediately and steps be taken to attenuate the noise level to be in compliance with the requirements of condition 7 before the recommencement of work.
- 10. The Local Planning Authority shall be notified in writing within seven days of the discovery of oil or gas reserves which require testing (including open hole drill stem testing) and evaluation to be carried out at the site, or of a decision to abandon the well.
- 11. The flare point shall be established as proposed in the application details unless otherwise agreed in writing by the Local Planning Authority.
- 12. 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 any accidental spillage, including the application of sodium hydroxide or sodium hypochlorite to reduce smell from any mercaptans present.
- 13. In the event of oil being encountered during the course of drilling operations, such oil shall only be removed from site as is necessary for essential testing purposes or is necessary to ensure site safety.
- 14. The dilapidation surveys undertaken in relation to the existing highway (Ebberston Common Lane – unclassified road, whole length and including the first 20 metres of the A170 in either direction at the junction with Ebberston Common Lane) shall be carried out as set out in the Methodology submitted by PSSL received on 9 May 2013, unless otherwise agreed in writing by the Local Planning Authority.
- 15. Unless otherwise agreed in writing by the Local Planning Authority, the routing of HCV construction traffic shall be as set out in Section 2 (access routes) of the Traffic Management Plan submitted by PSSL on 4 February 2013 and the approved routes shall be used by all vehicles connected with construction on the site.

Continued/Conditions

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Conditions (Continued)

16. The development hereby permitted shall not be commenced until such time as a scheme for:

- the storage of materials;
- the storage of chemicals;
- the storage of oil;
- the storage of hazardous materials;
- the proposed method of working;
- the proposed phasing of development;
- the proposed maintenance and after-care of the site;
- future landscaping;
- the provision of road and wheel cleaning facilities; and
- proposed scheme for monitoring of nearby water features (including groundwater

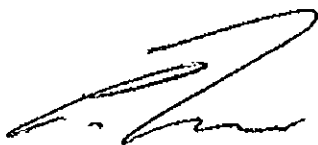
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has been submitted to, and approved in writing by, the Local Planning Authority. Any such scheme shall be supported, where necessary, by detailed calculations; include a maintenance programme; and establish current and future ownership of the facilities 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.

Informative(s)

1. The developer will be required to submit a Notice to the Environment Agency of 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. Drilling should be carried out to an approved drilling method statement.
 - 1a) No oil-based drilling methods should be used in strata shallower than, and including, the Corallian Group aquifer.
 - 1b) 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.
 - 1c) Details of the drilling muds must be agreed with the Environment Agency on submission of the drilling method statement and WR - 11 form.
- 2) No potentially contaminating substances should be allowed to enter groundwater in strata shallower than, and including, the Corallian Group aquifer.
- 3) If during development dewatering is found to be required, we must be consulted prior to any dewatering taking place.
- 4) The borehole should be constructed in such a way so as to cause no contamination between, and including, any overlying drift deposits and Corallian Group aquifer.

Continued/Informative 1



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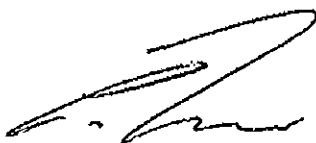
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Informative 1 (Continued)

- 5) The borehole should be constructed in such a way so as to cause no contamination between, and including, the Corallian Group aquifer and any underlying deposits.
 - 6) Decommissioning of the borehole should be undertaken following Environment Agency guidelines in 'Decommissioning Redundant Boreholes and Wells'.
 - 7) Under Section 198 of the Water Resources Act 1991, British Geological Survey (Macleam 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.
 - 8) Under 'The Borehole Sites and Operations Regulations 1995' 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.
 - 9) There shall be no discharge of foul or contaminated drainage from the site into either the groundwater or any surface waters, whether direct or via soakaways.
 - 10) Any facilities, above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. Such facilities shall be constructed and completed in accordance with plans approved by the Local Planning Authority.
2. The Environmental Permitting Regulations 2010 make it an offence to cause or knowingly permit a groundwater activity unless authorised by an Environmental Permit which The Environment Agency will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater.
- The Environment Agency regulate the treatment and recovery of waste drilling muds through an environmental permit, to ensure their impact on the environment is minimised. The Environment's position statement on this issue can be found at: www.environment-agency.gov.uk/static/documents/Business/PS_037_Drilling_Muds_final_May_2012.pdf
- If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility.
- If any waste is to be used on site, the applicant will be required to obtain the appropriate exemption or authorisation from the Environment Agency. The Environment Agency are unable to specify what exactly would be required if anything, due to the limited amount of information provided.
- If the applicant wishes more specific advice, they will need to contact the Environment Management Team at the York office on 01904 825952 or look at available guidance on the Environment Agency website: www.environment-agency.gov.uk/subjects/waste.

Continued/Informative(s)



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Informative(s) (Continued)

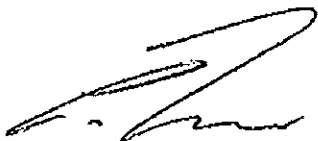
3. A cesspool requires regular emptying and must not be allowed to overflow. The Environment Agency recommend the applicant to install a level warning device to indicate when the tank is nearly full. The applicant should also check that whoever they employ to empty the cesspool is registered with the Environment Agency to carry waste. They can use the local authority or private contractors as an emptying service.
4. Should water or oil be used to lubricate the drilling machinery, the Environment Agency should be advised of the procedures put in place to ensure that lubrication fluids are processed and dealt with in accordance with the relevant regulations. Drilling activities including vehicle and plant movements on site should be undertaken in such a way as to ensure they do not lead to mud and silt leaving the site during heavy rainfall. Surface drainage must be maintained. Fuel or oils used on site must be stored appropriately, an emergency spillage procedure should be in place and in the event of a spillage the Environment Agency should be informed in a timely manner.

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 to 5. In order to return the land to its former condition and comply with the provisions of NYM Core Policy A which seeks to conserve and enhance the landscape of the National Park.
- 6 to 13. 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.
- 14 & 15. In accordance with NYM Development Policy 23 and in the interests of highway safety and the general amenity of the area.
16. In order to protect the quality of water within the Corallian Group Aquifer, the Sherwood Sandstone Aquifer and the Magnesian Limestone Aquifer, all of which are classed as principal aquifers, capable of supporting large water supplies and in accordance with Core Policy C of the NYM Local Development Framework.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to maintain the economic, social and environmental conditions of the area.



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