



KIRBY MISPERTON A

KIRBY MISPERTON 1/3 WELLSITE

**VARIATION OF CONDITION 2 OF
PLANNING PERMISSION**

C3/06/00625/CPO/C

PLANNING STATEMENT



APPROVAL LIST

	Title	Name	Signature
Prepared By	Planning Manager	Elizabeth Walker	
Reviewed By	Director MBH Environmental	Katharine Blythe	
Approved By	Operations Director	Alan Linn	

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1. INTRODUCTION

Third Energy UK Gas Limited (the “Applicant”) is the operator of gas fields within the Ryedale area and, at the time of submitting this application, holds interests in a total of six (6) Petroleum Licences and one (1) Petroleum Appraisal Licence, granted by the Secretary of State at the Department of Energy and Climate Change (DECC) now the Department for Business, Energy and Industrial Strategy (BEIS), which is administered by the Oil and Gas Authority. Under the Petroleum Licensing system this permits the licence holder to ‘*search and bore for and get petroleum within the licence boundary*’ subject to the granting of planning permission, in accordance with the Town and County Planning Act 1990.

Many of the Ryedale gas fields were originally discovered by Taylor Woodrow Exploration Limited and subsequently developed by Kelt UK Limited. Kelt sold its interest in the Ryedale Gas Fields to Tullow Oil and Edinburgh Oil and Gas. Tullow Oil went on to acquire the interest held by Edinburgh Oil and Gas. The Applicant (formerly Viking UK Gas Limited) acquired the interests of the Ryedale Gas Fields from Tullow in 2003 and has subsequently undertaken an active drilling and workover programme to enhance production of gas from the gas fields located at Kirby Misperton, Pickering, Marishes and Malton.

The Applicant also holds a number of exploration licences and has previously constructed and drilled wells at Ebberston Moor, within the North York Moors National Park.

1.1 THE DEVELOPMENT

Planning permission was granted by North Yorkshire County Council, the Minerals Planning Authority (MPA) on 30th August 2006 for the Variation of Condition 3 of Planning Permission C3/71/29D/FA to extend time limit until 19 May 2018 at Kirby Misperton - 1/3 Wellsite, Alma Farm Kirby Misperton

The KM-1 wellsite was constructed in 1984 by Taylor Woodrow Energy Ltd, and was called the “Kirby Misperton 1 wellsite”. This was later referred to as the KM1/3 wellsite. This forms the southern section of the KMA wellsite. The Northern section was constructed in 2013.

KM-1 was drilled from the KM1/3 wellsite in 1985. The well was tested and subsequently suspended as the well was not productive. In 1994 Kelt UK Ltd, brought KM-1 online as part of the North Yorkshire Power Project, and began producing gas from the Carboniferous sandstone. Production had declined markedly by 2008 so a workover to re-perforate the reservoir section to improve recovery rates was undertaken. However, after the operation the well failed to recover hydrocarbons and was abandoned.

A sidetrack from KM-1 was drilled as KM-7 in 2012. This was also suspended following testing.

KM-3 was drilled by Kelt UK Ltd in 1987. This was drilled as a gas appraisal well, but was converted into a water disposal well for re-injection of produced water and hydrocarbon condensates from the gas treatment process at KGS.

This southern portion of the wellsite formed part of the “North Yorkshire Power Project” in 1993, and conditional planning permission was granted to Kelt UK Ltd for the installation of gas production and liquid separation equipment, carrying out well maintenance operations and retention of the access road to enable the winning of underground gas reserves, for use in the generation of electricity. This was the outcome of a planning appeal under Section 78 of the Town and Country Planning Act 1990.

Condition 3 required the operations to be discontinued, buildings and plant ceased to be used and removed from the site, and the site to be restored, either by 1 April 2008, within six months of the cessation of gas production, or within six months of the cessation of electricity production at KGS (whichever is sooner).

This consent was extended in 2006, by an application from Viking UK Gas Ltd to NYCC under Section 73 of the Town and Country Planning Act 1990. This was to vary Condition 3 of the 1993 consent, and extended the lifetime of the wellsite as a production wellsite until May 2018; ten years from the 2008 original end-date.

The Applicant is applying to the MPA for permission to:

‘Vary condition 2 of planning permission C3/06/00625/CPO to allow for a further seventeen (17) years in which to complete the approved operations on the site.’

There are no physical alterations to the KM 1/3 wellsite proposed as part of this application.

The Applicant’s justification to vary condition 2 is to allow for a further seventeen (17) years in which to continue the approved operations on site. A detailed justification is provided in Section 6 of this Planning Statement.

1.2 THE PETROLEUM LICENSING SYSTEM

Ownership of the petroleum resources of the nation is vested in the Crown and the right to explore for and produce petroleum is controlled by BEIS, under a licensing system, which is administered by the Oil and Gas Authority. Companies are granted a Petroleum Exploration and Development Licence (PEDL) under the Petroleum (Production) (Landward Areas) Regulations 1995. Older licences were issued depending on whether the licence was exploration, appraisal or development. These licences are gradually being replaced with the single PEDL licence when older licences are relinquished by the licence holder. This licence grants the licensee the exclusive right “to search and bore for and get petroleum within the licence boundary”. The Licence within which the proposed development is to be undertaken is Production Licence (PL) 080.

1.3 THE NEED FOR PETROLEUM DEVELOPMENT

The UK is heavily reliant on obtaining energy from fossil fuels and this will continue for a number of years. Oil and gas from the UK currently supplies 75% of the UK’s energy needs¹. The North Sea oil fields are gradually depleting, having peaked in 1999. Therefore, it is imperative that this supply is

¹ DECC, 2011, Oil and Gas, http://www.decc.gov.uk/en/content/cms/meeting_energy/oil_gas/oil_gas.aspx,

maintained and additional reserves of oil and gas are found. As a result of the need for more reliable and secure sources of oil and gas, the exploration and development of onshore prospects is of ever increasing importance, to ensure the continued growth of UK energy supply and security.

In 2004 the UK became a net importer of oil and gas for the first time; this has continued with increasing demand. The UK is currently importing 8% of oil and 32% of gas. It is estimated that by 2020, import dependence will increase to 45 – 60% for oil and 70% or more for gas². These significant increases in demand are also being seen in many other countries, consequently, there will be continued demand for mineral resources in the future.

BEIS, in 'UK Energy in Brief 2017'³, sets out that demand for Natural Gas increased by 13% between 2015 and 2016. The rise was due to a 40% increase in gas used for electricity generation, caused by the decrease in coal power generation. Domestic and services consumption were also up, by 4.6% and 3.5% respectively, driven by comparatively colder temperatures during winter. In 2007 the Energy White Paper was produced by the UK Government, which highlighted the significant demand for oil and gas and how this will meet the UK's requirements for the foreseeable future⁴. It highlights that the majority of demand for petroleum reserves is from the transport sector in the UK. In addition, it highlights that fossil fuels are to be supported by appropriate Government policies to ensure a continuous supply and to maintain competitiveness.

The UK Government wishes to ensure security of supply by exploring for indigenous oil and gas reserves both onshore and offshore, where they can be exploited in a safe and sensitive manner having regard to the environment. This was highlighted in the National Policy Statement for Energy⁵. If the UK does not maintain security of supply it will become more susceptible to fluctuations in price and demand volatilities. Many of the countries which produce significant quantities of petroleum are politically unstable. Therefore, there is an increasing risk that geopolitical interference could impact on the UK's efforts to ensure energy demand is met.

1.4 REGULATORY FRAMEWORK

The oil and gas industry is heavily regulated, with a number of review processes and permissions required before any operations can commence. Obtaining planning permission is only one requirement, with other organisations, including the Health and Safety Executive, Environment Agency, the Oil and Gas Authority and the Coal Authority having a responsibility to regulate the proposed operations. These requirements are discussed in more detail below.

National Planning Practice Guidance issued 6th March 2014 identifies the key regulators for hydrocarbon extraction and highlights which hydrocarbon issues MPAs need to consider and those covered by the other regulatory regimes. MPAs are advised that where other regulatory bodies have responsibility, the MPA should rely on their assessments.

² DECC, 2010, Annual Energy Statement - DECC Departmental Memorandum, DECC, London

³ BEIS, 2017, UK Energy In Brief 2017.

⁴ DTI, 2007, Energy White Paper,

⁵ Overarching National Policy Statement for Energy (EN-1) DECC July 2011

1.4.1 The Management of Health and Safety at Work Regulations 1999

The Management of Health and Safety at Work Regulations 1999 places a duty on employers to assess and manage the risks to their employees and others arising from their work activities. Employers must carry out risk assessments to eliminate or reduce risks and record the significant findings of the risk assessment if there are five or more employees. Employers also need to implement health and safety measures identified within the risk assessments and arrange for monitoring and review of these arrangements.

1.4.2 Borehole Sites and Operations Regulations 1995

The above regulation specifies the minimum requirements which must be complied with when undertaking borehole operations. Specifically, obligations are placed upon the Applicant to:

Regulation 6:

Notify the Health and Safety Executive not less than 21 days in advance of the drilling or well operations commencing. The purpose of the notification is to inform the Health and Safety Executive of the intention to carry out a borehole operation and in particular the method by which the well operation will be carried out.

The 21 day notification period is necessary to allow the Health and Safety Executive sufficient time to review the proposed borehole operation and intervene if it deems necessary.

Regulation 7:

Prepare and hold on site a 'health and safety document', which is required to demonstrate that the risk to which persons at the borehole site are exposed whilst they are at work have been assessed in accordance with Regulation 3 of the Management of Health and Safety at Work Regulation and the prevention of specific hazards associated with petroleum borehole operations.

Prior to commencing any operations, the Applicant will be required to ensure that the necessary notifications and documentation have been completed.

1.4.3 The Offshore Installations and Wells (Design and Construction, etc.) Regulations 1996

This regulation is applicable to all onshore drilling operations. In summary, it places obligations on the well-operator to:

Regulation 13:

Ensure that a well is designed, modified, commissioned, constructed, equipped, operated, maintained, suspended and abandoned such that there is no unplanned escape of fluids from the well and that the risks to the health and safety of any person from it or anything in it, or in strata to which it is connected, are as low as is reasonably practicable.

Regulation 18:

To make and put into effect arrangements in writing for independent examination by a competent person before the design of the well is commenced. This independent examination is intended to provide the Well-Operator that the well is designed and constructed properly and is maintained adequately. Specific emphasis is given to the impartiality and independence of those responsible for carrying out independent examinations.

These regulations ensure the protection of the environment and persons through careful design. Following a number of internal reviews, the operations are reviewed by an independent competent third party (Independent Well Examiner). This process ensures that the well is designed and planned to the highest standards.

1.4.4 Environmental Permitting (England and Wales) Regulations 2016

Mining waste activities and protection of groundwater are regulated by the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2016 (EPR 2016). Under these regulations the Environment Agency controls the treatment and disposal of mining waste, naturally occurring radioactive material (NORM) should this be encountered, the handling and storage of crude oil (including gas condensate) and any emissions to air and water as a result of the development. Up to nine different permits/licences may be required from the Environment Agency depending on the site location and geological and hydrogeological characteristics of the site.

The Application Site is currently subject to the following environmental permits, acquired for and in advance of the proposed hydraulic fracture stimulation of the KM8 borehole, consented by the MPA in May 2016:

- A Mining Waste Permit, including a non-hazardous mining waste facility;
- A Radioactive Substances Activity Permit; and
- A Groundwater Activity Permit.

The Applicant is currently in the process of obtaining additional permits for the Application Site, which is part of an industry wide re-permitting exercise being carried out by the Environment Agency.

1.4.5 Water Resources Act 1991

This Act regulates water resources, quality and pollution. Part of its requirements relate specifically to drilling, by ensuring the protection of any groundwater sources.

Section 199 (1) of the above Act states:

Where a person proposes to construct or extend a boring for the purpose of searching for or extracting minerals, he shall, before he begins to construct or extend the boring, give to the Agency a notice of his intention in the prescribed form.

The Act requires the Applicant to submit details of the proposed well design, including casing and drilling fluid specifications. This information is then reviewed and evaluated by the Environment

Agency, which may, as it deems necessary, issue a Notice to Conserve Water resources, which sets out the Environment Agency's requirements in order to protect groundwater.

A WR11 Application was submitted to the Environment Agency in 2013, in advance of drilling the KM8 borehole.

1.4.6 Petroleum Operations Notifications

Other information required to be submitted to the Oil and Gas Authority under the Applicant's obligations as an Operator under the Petroleum Licence is Petroleum Operations Notices (PONs). PONs is a notification and approval system requiring the Applicant to notify DECC of its intention to undertake a well operation, for consent to drill a well and suspend or abandon a well.

1.4.7 Coal Authority Agreement

Any activity which intersects, disturbs or enters any of the Coal Authority's interests requires written consent. This requires the Applicant to submit details of the proposed drilling operations and consider any risks which may be presented by drilling through coal seams. Following a review of the submitted information, the Coal Authority will authorise the Applicant to drill through coal seams.

In 2013 the Applicant obtained written consent from the Coal Authority in advance of drilling the KM8 borehole.

2. PLANNING HISTORY

Table 2.1 provides a summary of the planning history for the Application Site, together with approval of details reserved by condition.

Applicant	Application No.	Status	Decision Date	Proposal
Viking UK Gas Limited	NY/2011/0322/A30	Granted	11/10/2011	Application for the approval of details reserved by conditions 8, 9 and 10 of planning permission C3/06/00625/CPO/C to perform a sidetrack on the KM1 borehole following the KM1 workover in order to retrieve the downhole gas production equipment (completion), sidetrack the well and install a new completion.
Viking UK Gas Limited	NY/2011/0270/A30	Granted	22/08/2011	Application for the approval of details reserved by conditions 8, 9 and 10 of planning permission C3/06/00625/CPO/C for a major workover of the existing gas production borehole.
Viking UK Gas Limited	NY/2009/0385/A21	Granted	31/03/2009	Submission of details to discharge conditions 4, 14, 17, 19 and 20 of Planning Permission No. C3/08/01050/CPO for the construction of an extension to an existing wellsite (Kirby Misperton), drill and test one production borehole followed by subsequent production of gas.
Viking UK Gas Limited	NY/2008/0422/FUL	Granted	20/01/2009	The construction of an extension to an existing wellsite (Kirby Misperton 1), drill and test one (1) production borehole followed by subsequent production of gas.
Viking UK Gas Limited	NY/2006/0219/73D	Granted	30/08/2006	Proposed variation to Condition No.3 to Planning Permission C/3/57/29D/FA
Taylor Woodrow	MIN0770	Withdrawn		Borehole

Kelt UK Limited	MIN0769	Granted	31/10/1989	Continued use of land as an exploratory well site and retention of well head gear
Taylor Woodrow Energy Ltd	MIN0767	Granted	05/05/1987	Gas appraisal well
Kelt UK Limited	MIN0766	Granted	31/10/1989	Retention of well-site
Taylor Woodrow Energy Ltd	MIN0765	Granted	25/01/1985	Drilling of an exploratory borehole Kirby Misperton No 3 Borehole
Kelt UK Ltd	MIN0764	Permitted on Appeal	29/03/1993	Development of well-head
Taylor Woodrow	MIN0758	Withdrawn		Wellsite

Table 2.1: KM1 Wellsite Planning History

3. PROPOSED DEVELOPMENT LOCATION

3.1 LOCATION

The Application Site is located within open countryside in the county of North Yorkshire, in the District of Ryedale and within the Parish of Kirby Misperton. The Application Site was constructed by Taylor Woodrow Exploration in 1984. The site was extended to the north in 2013, this extension adjoins the KM1/3 wellsite.

The location of the site was carefully chosen to minimise impact on the surrounding environment and sits approximately 700m southwest of Kirby Misperton village. The site is located at National Grid Reference SE 771789 (Easting 477120, Northing 478940) and is approximately 30m Above Ordnance Datum (AOD). Appendix 2 contains the site location plan reference ZG-TE-KMA-PA-01.

The nearest occupied residential properties to the application site are Alma Farm, located 160m northwest of the site, and Kirby-O-Carr Farm, located 130m south of the site. Sugar Hill Bungalow, located 120m from the KMA wellsite and is currently leased by the Applicant. The property is not habitable and the Applicant's understanding is that the Owner has no immediate plans to renovate it. A caravan park is located northeast of the site, which provides static and touring caravan accommodation. The boundary of the caravan park is 440m from the application site.

Flamingo Land Leisure Park and Zoo, a regionally significant theme park and tourist attraction, is located 750m (park entrance) to the north of the Application Site and provides static and touring caravan accommodation.

The Application Site is not located within or close to any statutory or non-statutory designations.

The Application Site is screened to the south by the existing established landscaping. The screening to the east and north is the subject of a landscaping scheme accompanying the extension planning consent, was implemented in March 2014. Once mature, the screening will provide additional mixed woodland planting to the site boundaries.

The Application Site is located within the Vale of Pickering, which is a relatively low lying area of land. It is a predominantly agricultural landscape with pockets of woodland and interspersed hedgerows. The farmland upon which the application site is constructed has been given an Agricultural Land Classification (ALC) of three (3).

The Application Site is not within an Environment Agency identified Flood Risk Zone two (2) or three (3).

4. ENVIRONMENTAL IMPACT ASSESSMENT

Section 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (EIA Regulations) requires all developments to be screened to determine whether or not, in the opinion of the MPA, a planning application for development needs to be accompanied by an Environmental Impact Assessment (EIA).

A request for a screening opinion was submitted to the MPA on 6th March 2018 and to date a formal screening opinion has not been received.

The Applicant has considered the proposed variation of Condition 2 at the KM1 wellsite in relation to the regulations. The development does not fall under Schedule 1 of the EIA Regulations. The proposed development falls to be considered under Schedule 2 development of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The proposed development will exceed 0.5 hectare in size, (site area, measures 0.5 hectares), therefore, falls to be considered under Schedule 2, and exceeds the threshold criteria. Exceeding the threshold level does not automatically trigger the need for an Environmental Statement, the test remains whether the development project by virtue of its nature, size or location is likely to have significant effects on the environment.

Schedule 3 of the EIA Regulations, sets out the selection criteria which need to be considered, in order to determine whether the proposed development is likely to have a significant effect on the environment. The selection criteria are as follows:

Characteristics of development

The characteristics of development must be considered with particular regard to—

- (a) the size and design of the whole development;*
- (b) cumulation with other existing and/or approved development;*
- (c) the use of natural resources, in particular land, soil, water and biodiversity;*
- (d) the production of waste;*
- (e) pollution and nuisances;*
- (f) the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;*
- (g) the risks to human health (for example, due to water contamination or air pollution).*

- *Location of development*

The environmental sensitivity of geographical areas likely to be affected by development must be considered with particular regard to—

- (a) the existing and approved land use;*
- (b) the relative abundance, availability quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;*

(c) the absorption capacity of the natural environment, paying particular attention to the following areas—

(i) wetlands, riparian areas, river mouths;

(ii) coastal zones;

(iii) mountain and forest areas;

(iv) nature reserves and parks;

(v) European sites and other areas classified or protected under national legislation

(vi) areas in which there has already been a failure to meet environmental quality standards laid down in Union legislation and relevant to the project or in which it is considered that there is such a failure;

(vii) densely populated areas;

(viii) landscapes and sites of historical, cultural or archaeological significance

- *Type and Characteristics of the potential impact*

The likely significant effects of the development must be considered in relation to criteria set out under [paragraphs 1 and 2](#) above with regard to the impact of the development on the factors specified in regulation 4(2), taking into account

(a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);

(b) the nature of the impact

(c) the transboundary nature of the impact;

(d) the intensity and complexity of the impact;

(e) the probability of the impact;

(f) the expected onset, duration, frequency and reversibility of the impact

(g) the cumulation of the impact with the impact of other existing and/or improved development

(h) the possibility of effectively reducing the impact

This application seeks planning consent to vary Condition 2, extending the life of the consent for a further seventeen (17) years, this is substantially consistent with the consented development.

A full assessment of the proposal against the criteria of schedule 3 is provided in the screening request submitted to the MPA on 13th February 2018, reference NY/2018/0020/SCR.

A description of the proposed development is set out in section 1 of this planning statement.

There are no residential properties within 130m of the site.

There are no unusually complex or hazardous environmental effects associated with the intended development.

The site is an existing wellsite and as such benefits from existing mitigation through the implementation of appropriate site and well design and drilling techniques.

The site has no national or local designations and the original application fully assessed, through the use of specialist consultants, the impact of the development on ecology, archaeology and noise.

This Application is accompanied by an Environmental Report provided at Appendix 4, which fully assesses the environmental implications of the extension of the life of the KM1/3 wellsite for a further seventeen (17) years

Petroleum exploration and production has been carried out in the UK for many years. Practices and standards have been developed to minimise any impacts associated with the operations and to ensure safe standards, in accordance with industry best practice.

Taking the above into consideration, and through the application of the selection criteria set out under schedule 3 and the guidance contained within the NPPG, the Applicant considers the characteristics and location of the proposed development are such that the proposal is non-EIA development.

7. PLANNING POLICY

7.1 NATIONAL POLICY

The following section considers national policy relevant to the application.

7.1.1 Overarching National Policy Statement for Energy (EN-1)

EN-1 was published by the Government in July 2011 and sets out national policy for energy Infrastructure.

Paragraph 1.2.1 sets out the role of EN-1 within the planning system and states:

'In England and Wales this NPS is likely to be a material consideration in decision making on applications that fall under the Town and Country Planning Act 1990 (as amended). Whether, and to what extent, this NPS is a material consideration will be judged on a case by case basis.'

Paragraph 2.1.2 states:

'As explained in Part 3, energy is vital to economic prosperity and social well-being and so it is important to ensure that the UK has secure and affordable energy. Producing the energy the UK requires and getting it to where it is needed necessitates a significant amount of infrastructure, both large and small scale.'

Paragraph 2.2.20 states:

'It is critical that the UK continues to have secure and reliable supplies of electricity as we make the transition to a low carbon economy. To manage the risks to achieving security of supply we need:

(Inter alia)

- **'reliable associated supply chains (for example fuel for power stations) to meet demand as it arises;'**

Paragraph 2.2.25 states:

The UK faces two main security of supply challenges during our transition to a low carbon economy:

- *increasing reliance on imports of oil and gas as North Sea reserves decline in a world where energy demand is rising and oil and gas production and supply is increasingly politicised; and*
- *the requirement for substantial and timely private sector investment over the next two decades in power stations, electricity networks and gas infrastructure.*

7.1.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was enacted in March 2012 and has replaced a number of Planning Policy Statements and Planning Policy Guidance Notes. It sets out the Government's planning policies for England and how these are expected to be applied.

NPPF highlights that the planning system must perform a number of roles to lead to sustainable development, that is:

- *An economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- *A social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- *An environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

Petroleum is a national resource, which is identified by the Government as being vital to maintaining security of energy supply. The 2007 Energy White Paper highlighted the significant demand for oil and gas and how fossil fuels are to be supported by appropriate Government policies. This will ensure a continuous supply whilst preserving competitiveness. The UK wishes to maintain security of supply by exploring for indigenous oil and gas reserves both onshore and offshore, where they can be exploited in a safe and sensitive manner with regards to the environment. By exploring for and producing indigenous petroleum resources, it can help to contribute to the key aims of the Government in relation to sustainable development.

The NPPF goes on to highlight the importance of rural diversification and how a positive approach to new development is required where it supports this diversification. This application will secure the continuation of a number of benefits to the local rural communities. Furthermore, it seeks to ensure the highest level of protection to the countryside in accordance with best practice

In relation to conserving and enhancing the natural environment, the NPPF highlights how the planning system seeks to enhance the environment by:

- *Protecting and enhancing valued landscapes, geological conservation interests and soils;*
- *Recognising the wider benefits of ecosystem services;*
- *Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- *Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and*
- *Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

To ensure the protection of the environment and communities and in accordance with industry best practice, a number of measures were incorporated into the approved proposals for the site to design out and mitigate potential hazards. This included the laying of an impermeable membrane across the site and installation of a drainage ditch around the perimeter. On completion of the approved operations, the land will be reinstated and a period of aftercare undertaken to ensure the successful restoration of the Application Site.

The NPPF highlights how any development must minimise pollution and other adverse effects on the local and natural environment. These measures were incorporated into the original proposals and provide mitigation against any adverse effects.

In accordance with section 12, Conserving and Enhancing the Historic Environment, the Applicant has assessed, within the in the original application for the KM1/3 wellsite, the potential For archaeological remains.

In relation to minerals, the NPPF highlights that the planning authority should:

- *Give great weight to the benefits of the mineral extraction, including to the economy;*
- *Ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;*
- *Ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;*
- *Provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances;*

The NPPF also specifically considers oil and gas development, it states:

When planning for on-shore oil and gas development, including unconventional hydrocarbons, clearly distinguish between the three phases of development (exploration, appraisal and production) and address constraints on production and processing within areas that are licensed for oil and gas exploration or production.

The application is considered to accord with the guidance set out in the NPPF.

7.1.2 Planning Practice Guidance

National Planning Practice Guidance (PPG) provides additional guidance in support of the NPPF.

The chapters of particular relevance to this application include Minerals, air quality and Noise. Within the Minerals chapter specific guidance on planning for hydrocarbon extraction is provided.

The guidance provides advice on the planning issues associated with the three phases of extraction of hydrocarbons and is to be read alongside the NPPF.

Details of the key regulators for hydrocarbon extraction are provided, these being DECC (now the Oil and Gas Authority), the MPA, the EA and the HSE (the role of the key regulators are captured in Chapter 3). Details of the issues captured by the other regulatory regimes are covered in some detail and include mitigation of seismic risks, well design and construction, well integrity during operation, operation of surface equipment on the well pad, mining waste, flaring and venting of any gas, final off-site disposal of water, well decommissioning and abandonment.

The guidance identifies the principle environmental and community issues of hydrocarbon extraction that should be addressed by MPAs when considering planning applications relating to onshore oil and gas. These include:

1. Noise associated with the operation
2. Dust
3. Air quality
4. Lighting
5. Visual impact on the local and wider landscape
6. Landscape character
7. Archaeological and heritage features
8. Traffic
9. Risk of land contamination
10. Geological structure
11. Soil resources
12. Impact on the best and most versatile agricultural land
13. Flood risk
14. Land stability/subsidence
15. Internationally, nationally or locally designated wildlife sites, protected habitats and species and ecological networks
16. Nationally protected geological and geomorphological sites and features
17. Site restoration and aftercare
18. Surface, and in some cases, ground water issues
19. Water abstraction

The PPG notes that not all of these points will be relevant at every site.

Noise is highlighted as an area that should be assessed to ensure that any unavoidable noise emissions are controlled, mitigated or removed at source and to ensure that noise limits are established in proximity to properties.

The Guidance draws attention to the undertaking of pre-application engagement between the prospective operator and other interested parties in terms of the efficiency and effectiveness of the planning system.

The Applicant undertook pre-application discussions with not only the MPA but also several other consultees and interested parties prior to the submission of the original planning application. Copies of responses received are provided at Appendix 3.

This Planning Statement demonstrates that the guidance contained within the PPG has been adhered to by the Applicant.

7.2 LOCAL POLICY

The development plan for this area comprises the saved policies of the North Yorkshire Minerals Local Plan (1997). The Ryedale Local Plan Strategy (2013) and saved elements of the Ryedale Local Plan (2002) also form part of the development plan.

7.2.1 North Yorkshire County Council – Minerals Local Plan

The policies of the North Yorkshire County Council Minerals Local Plan were due to expire on the 27th September 2007, however a number of the policies have been saved by the Secretary of State. Those policies that have been saved and are of relevance to this application have been identified below.

Policy 4/1 - Determination of Planning Applications

In considering an application for mining operations, the Mineral Planning Authority will need to be satisfied that, where appropriate:-

- a) the mineral deposit on the application site has been fully investigated;*
- b) the siting and scale of the proposal is acceptable;*
- c) the proposed method and programme of working would minimise the impact of the proposal;*
- d) landscaping and screening has been designed to effectively mitigate the impact of the proposal;*
- e) other environmental and amenity safeguards would effectively mitigate the impact of the proposal;*
- f) the proposals and programme for restoration are acceptable and would allow a high standard of restoration to be achieved;*
- g) a high standard of aftercare and management of the land could be achieved;*
- h) the proposed transport links to move the mineral to market are acceptable; and*
- l) any cumulative impact on the local area resulting from the proposal is acceptable.*

In accordance with Policy 4/1, the Applicant has given consideration to the points in the submission of this application. The Applicant seeks to continue an approved operation for a further seventeen (17) years.

The original application for the KM1/3 wellsite incorporated a number of mitigation measures to minimise any impacts caused by the site operations.

Policy 4/10 - Water Protection

Proposals for mining operations and the associated depositing of mineral waste will only be permitted where they would not have an unacceptable impact on surface or groundwater resources.

In accordance with the Control of Pollution (Oil Storage) Regulations 2001, any oils will be stored in bunded tanks onsite. During operations on site, special precautions will be taken to protect groundwater resources.

Policy 4/14 - Local Environment and Amenity

Proposals for mining operations and the associated depositing of mineral waste will be permitted only where there would not be an unacceptable impact on the local environment or residential amenity.

The proposed development seeks a variation of Condition 2 to allow for a further seventeen (17) years in which to continue the approved operations on the site, with no requirement for additional land.

Policy 4/15 - Public Rights of Way

Proposals for mining operations and the associated depositing of mineral waste which would interrupt, obstruct or conflict with use of a public right of way will only be permitted where satisfactory provision has been made in the application for protecting the existing right of way or for providing alternative arrangements both during and after working.

No public rights of way cross the wellsite, although public footpaths run adjacent to the northern boundary and to the south of the access track. No public rights of way will be affected by the application.

Policy 7/7 - Development of New Reserves

Unless such development would be technically impracticable or environmentally unacceptable, planning permission for the development of oil or gas reserves as yet undiscovered will only be granted where the development utilises existing available surface infrastructure or pipelines.

In accordance with policy 7/7, this proposal will utilise an existing wellsite. Furthermore it will tie in to the existing infrastructure onsite to continue to allow any produced gas to be piped to the Knapton Generating Station. The proposal requires limited works onsite to achieve this.

Policy 7/10 - Restoration

Planning permission for the exploration, appraisal or development of oil or gas resources will only be permitted when provision is made for the full restoration of the site and its related means of access to a beneficial after use. In particular, the Mineral Planning Authority will impose:-

i) a 1 year time limit for the restoration of exploration sites or the submission of proposals for continued appraisal work;

ii) a 2 year time limit for the restoration of appraisal sites or the submission of proposals for development as a production site; and

iii) a 2 year time limit for the restoration of a production site, to run from the cessation of significant oil or gas production from the site.

The Application Site will be restored upon cessation of gas production. This will include a period of aftercare to ensure the successful reinstatement of the land.

7.2.3 Emerging Minerals and Waste Joint Plan

Also of relevance, although of limited weight due to the early stage in the plan making process, is the emerging Minerals and Waste Joint Plan, prepared jointly by the City of York Council, the North York Moors National Park Authority and North Yorkshire County Council.

The publication draft Minerals and Waste Joint Plan that is currently the subject of the final examination process recognises in paragraph 5.98 the history of gas exploration and production in the plan area, particularly in the Vale of Pickering. Paragraph 5.99 highlights that these activities have been carried out without giving rise to unacceptable impact on the environment and the onshore gas industry remains an established part of the local economy.

Policies M16, M17 and M18 set out proposed policies relating to hydrocarbon development, covering issues including accessibility and transport, the local economy, waste management and decommissioning and restoration. The continued use of the KM1/3 wellsite until 2035 complies with the relevant policies of the emerging plan.

7.2.3 The Ryedale Local Plan Strategy (2013)

Paragraph 1.2 states that the purpose of the Ryedale Plan is to encourage new development and to manage future growth whilst ensuring that change across the District is based on a presumption in favour of sustainable development.

The Vision for the Plan states that, inter alia:

‘Our countryside will be an attractive, productive and multi-functional resource. Traditional activities such as food production, tourism, recreation and leisure will be accompanied by wider roles for flood storage and prevention and appropriate new forms of energy production.’

Aim 1 of the Plan: To create opportunities to retain and create jobs, skills and prosperity and to develop a diverse and resilient economy that supports an ability to live and work in Ryedale.

The Strategy Summary for the wider open countryside is:

- *Protecting the landscape and supporting and rejuvenating the rural and land-based economy*

- *Support economic diversification that complements the character of the landscape and surrounding activity*
- *Support development that is necessary to support a sustainable and healthy rural economy'*

Section 5 of the Plan recognises that a strong and healthy economy is integral to the quality of life, prosperity and sense of personal security of residents of the District.

Policy SP9 – Land Based and Rural Economy

SP9 state that Ryedale's land-based economy will be sustained and diversified with support for inter alia:

- *'Appropriate farm and rural diversification activity including innovative approaches*
- *Appropriate new uses for land including flood management and energy production related research and education in this field'*

It is considered that this application, which seeks to facilitate further energy production from an existing wellsite, complies with policy SP9.

Policy SP12 - Heritage

SP12 states that:

'distinctive elements of Ryedale's historic environment will be conserved and where appropriate, enhanced. The potential of heritage assets to contribute towards the economy, tourism, education and community identity will be exploited including:

- *The nationally significant prehistoric archaeological landscapes of the Yorkshire Wolds and the Vale of Pickering*
- *The individual and distinctive character and appearance of Ryedale's Market Towns and villages*
- *The network of historic field systems across the District and in particular, the historic field patterns around Pickering and other settlements on the northern side of the Vale of Pickering'.*

The policy goes on to state that to assist in protecting the District's historic assets and features, the Council will, inter alia:

- *'Seek to ensure the sensitive expansion, growth and land use change in and around the Market Towns and villages, safeguarding elements of the historic character and value within their built up areas, including Visually Important Undeveloped Areas*, as well as surrounding historic landscape character and setting of individual settlements*
- *Work with partners and landowners to encourage sensitive land management in the Vale of Pickering and the Wolds'.*

This Application is not considered by the applicant to have any significant impact on historic landscape character or the setting of any individual settlement or any other heritage asset, and therefore is in compliance with Policy SP12.

Policy SP13 - Landscape

Policy SP13 states that the quality, character and value of Ryedale's diverse landscapes will be protected and enhanced by inter alia:

- *'Encouraging new development and land management practises which reinforce the distinctive elements of landscape character within the District's broad landscape character areas of:*
 - *North York Moors and Cleveland Hills*
 - *Vale of Pickering*
 - *Yorkshire Wolds*
 - *Howardian Hills*
 - *Vale of York*
- *Protecting the special qualities, scenic and natural beauty of the Howardian Hills Area of Outstanding Natural Beauty, the setting of the Area of Outstanding Natural Beauty and the setting of the North York Moors National Park. Landscape Character Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities including:*
 - *The distribution and form of settlements and buildings in their landscape setting*
 - *The character of individual settlements, including building styles and materials*
 - *The pattern and presence of distinctive landscape features and natural element (including field boundaries, woodland, habitat types, landforms, topography and watercourses)*
 - *Visually sensitive skylines, hill and valley sides*
- *The ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure The Council will work with landowners and statutory agencies to encourage land management practises that will protect and reinforce landscape character across the District and proposals which seek to restore areas of degraded landscape or individual landscape elements will be supported.*

National Landscape Designations and Locally Valued Landscapes The natural beauty and special qualities of the Howardian Hills Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced and the impact of proposals on the AONB, its setting or the setting of the North York Moors National Park will be carefully considered. Proposals will be supported where they:

- *Do not detract from the natural beauty and special qualities of these nationally protected landscapes or their settings*
- *Seek to facilitate the delivery of the Howardian Hills AONB Management Plan Objectives*

- *Are considered appropriate for the economic, social and environmental well-being of the area or are desirable to support the understanding and enjoyment of the area The District Council and Howardian Hills AONB Joint Advisory Committee will resist development proposals or land management practises that would have an adverse impact on the natural beauty and special qualities of the AONB unless it can be demonstrated that the benefits of the proposal clearly outweigh any adverse impact and the proposal cannot be located elsewhere in a less damaging location. Major development proposals within the AONB that would result in a significant adverse impact on the natural beauty and special qualities of the AONB will be considered within the context provided by national policy and only allowed in exceptional circumstances. Outside of those landscapes protected by national landscapes designations, the Council will carefully consider the impact of development proposals on the following broad areas of landscape which are valued locally:*
 - *The Wolds Area of High Landscape Value*
 - *The Fringe of the Moors Area of High Landscape Value*
 - *The Vale of Pickering*

The Yorkshire Wolds and Fringe of the Moors are valued locally for their natural beauty and scenic qualities. As well as protecting the distinctive elements of landscape character in each of these areas, there are particular visual sensitivities given their topography and resulting long distance skyline views within Ryedale and further afield. The Vale of Pickering, the Wolds and the Fringe of the Moors are of significant historic landscape value and loss or degradation of the elements that are integral to their historic landscape character make these landscapes particularly sensitive to change.'

The landscape and visual impact of this Application has been assessed as acceptable (see the attached Environmental Report) and therefore is in compliance with this policy.

Policy SP14 - Biodiversity

Policy SP14 states that biodiversity in Ryedale will be conserved, restored and enhanced by:

- *'Co-ordinated and targeted activity by public, private, voluntary and charitable organisations to support the implementation of the Yorkshire and Humber Biodiversity Strategy and Delivery Plan; the Ryedale Biodiversity Action Plan and the Howardian Hills Area of Outstanding Natural Beauty Management Plan*
- *Providing support and advice to landowners to encourage land management practises that support the objectives, priorities and targets of these plans and strategies*
- *Minimising the fragmentation of habitats and maximising opportunities for the restoration and enhancement of habitats and improving connectivity between habitats through the management of development and by working in partnership with landowners and land managers*
- *Maintaining, creating and improving ecological networks and Green Infrastructure routes to assist the resilience of habitats and species in the face of climate change*
- *Supporting, in principle, proposals for development that aim to conserve or enhance biodiversity and geodiversity through the prevention of loss of habitat or species and the incorporation of beneficial biodiversity features*

- *Requiring a net gain in biodiversity to be provided as part of new development schemes*
- *Resisting development proposals that would result in significant loss or harm to biodiversity in Ryedale*
- *Encouraging the use of native and locally characteristic species in landscaping schemes*
Investment in the conservation, restoration and enhancement of biodiversity in Ryedale will be targeted at –
 - *The landscape-scale projects identified in the Yorkshire and Humber Biodiversity Delivery Plan which are wholly or partially within Ryedale:*
 - *Howardian Hills Area of Outstanding Natural Beauty and Western North York Moors Belt*
 - *North York Moors Grassland Fringe*
 - *Vale of Pickering*
 - *West Wolds*
 - *Lower Derwent Valley*
 - *Yorkshire Peatlands*

The habitats and species identified in the Ryedale Biodiversity Action Plan including those habitats which are particularly distinctive in the following areas:

- *Ancient woodland in the Howardian Hills*
- *Species rich grassland, a traditional feature of strip fields around Ryedale's villages*
- *Marsh wetland in the Vale of Pickering*
- *Fen meadows in the Howardian Hills*
- *Floodplain swamps in the Derwent Floodplain and streamside swamps in the Howardian Hills and Wolds*
- *Chalk grassland on the Wolds*
- *Acid grassland at the foot of the Wolds; southern edge of the Vale of Pickering and Howardian Hills*
- *Limestone grassland in the Howardian Hills*
- *Ponds in the Vale of Pickering and at Flaxton*
- *Dry wooded valleys along the Fringe of the Moors*
- *Wet woodland in the Vales of Pickering and York; the Howardian Hills*
- *Wood pasture and Parkland associated with large country houses*
- *Heathland remnants in the Howardian Hills and southern Ryedale*

In considering proposals for development –

Proposals which would have an adverse effect on any site or species protected under international or national legislation will be considered in the context of the statutory protection which is afforded to them.

Proposals for development which would result in loss or significant harm to:

- *Habitats or species included in the Ryedale Biodiversity Action Plan and priority species and habitat in the UK Biodiversity Action Plan*
- *Local Sites of Nature Conservation Importance or Sites of Geodiversity Importance*
- *Other types of Ancient Woodland and Ancient/Veteran Trees*

will only be permitted where it can be demonstrated that there is a need for the development in that location and that the benefit of the development outweighs the loss and harm. Where loss and harm cannot be prevented or adequately mitigated, compensation for the loss/harm will be sought. Applications for planning permission will be refused where significant harm cannot be prevented, adequately mitigated against or compensated for.

Loss or harm to other nature conservation features should be avoided or mitigated. Compensation will be sought for the loss or damage to other nature conservation features which would result from the development proposed.

Protected sites, including internationally and nationally protected sites and Sites of Importance for Nature Conservation are identified on the adopted Proposals Map.'

The Applicant commissioned an independent Phase 1 Habitat Survey in support of the Application. The survey concluded that the proposed development has no significant effects on statutory designated sites or protected species and is therefore compliant with policy SP14.

Policy SP16 - Design

Policy SP16 states that:

'Development proposals will be expected to create high quality durable places that are accessible, well integrated with their surroundings and which

- *Reinforce local distinctiveness*
- *Provide a well-connected public realm which is accessible and usable by all, safe and easily navigated*
- *Protect amenity and promote well-being'*

The Application seeks to retain existing structures consented by previous applications and, as such, no substantive change in appearance is proposed. The Application is therefore considered by the Applicant to be in accordance with policy SP16.

Policy SP17 – Managing Air Quality, Land and Water Resources

Policy SP17 states that:

'Land resources will be protected and improved by:

- *Supporting new uses for land which is contaminated or degraded where an appropriate scheme of remediation and restoration is agreed and in place*

- *Prioritising the use of previously developed land and protecting the best and most versatile agricultural land from irreversible loss. New land allocations will be planned to avoid and minimise the loss of the Best and Most Versatile Agricultural Land. Proposals for major development coming forward on sites that are not allocated for development which would result in the loss of the Best and Most Versatile Agricultural Land will be resisted unless it can be demonstrated that the use proposed cannot be located elsewhere and that the need for the development outweighs the loss of the resource*

Flood risk will be managed by:

- *Requiring the use of sustainable drainage systems and techniques, where technically feasible, to promote groundwater recharge and reduce flood risk. Development proposals will be expected to attenuate surface water run off to the rates recommended in the Strategic Flood Risk Assessment. In addition, major development proposals within areas highlighted as having critical drainage problems in the North East Yorkshire Strategic Flood Risk Assessment (or future updates) as Critical Drainage Areas may, if appropriate, be required to demonstrate that the development will not exacerbate existing problems by modelling impact on the wider drainage system*
- *Ensuring new development does not prevent access to water courses for the maintenance of flood defences*
- *Undertaking a risk based sequential approach to the allocation of land for new development and in the consideration of development proposals in order to guide new development to areas with the lowest probability of flooding, whilst taking account of the need to regenerate vacant and previously developed sites within the towns. In considering development proposals or the allocation of land, full account will be taken of the flood risk vulnerability of proposed uses and the national 'Exception Test' will be applied if required*

Water resources will be managed by:

- *Supporting the water efficient design of new development and requiring developers to demonstrate how development proposals will seek to minimise water consumption*
- *Ensuring applications for new development assess impacts on water quality and propose mitigation measures to reduce the risk of pollution and a deterioration of water quality*
- *Protecting surface and groundwater from potentially polluting development and activity. Sources of groundwater protection within and adjacent to the District will be protected using the Source Protection Zones (SPZs) identified by the Environment Agency. Within SPZ1 the following types of development will not be permitted unless adequate safeguards against possible contamination can be agreed:*
 - *Septic tanks, waste water treatment works, storage tanks containing hydrocarbons or any chemicals or underground storage tanks*
 - *Sustainable drainage systems with infiltration to ground*
 - *Oil pipelines*
 - *Storm water overflows and below ground attenuation tanks*
 - *Activities which involve the disposal of liquid waste to land*

- *Graveyards and cemeteries*
- *Other specific types of development identified within the Environment Agency's Groundwater Protection Policy*
- *Within Source Protection Zones 2 and 3 a risk based approach will be applied to the consideration of development proposals with the exception of development involving deep soakaways, sewerage, trade and storm effluent to ground which will not be permitted unless it can be demonstrated that these are necessary, are the only option available and where adequate safeguards against possible contamination can be agreed*
- *Within Source Protection Zones developers will be expected to provide full details of the proposed construction of new buildings and construction techniques, including foundation design as part of their proposals*
- *Ensuring that necessary sewerage and water treatment infrastructure improvements are provided in tandem with new development and that scale, type, location and phasing of new development or land-based activity can be accommodated without an unacceptable impact on water supply*

Air Quality will be protected and improved by:

- *Locating and managing development to reduce traffic congestion and air pollution and promote the use of alternative forms of travel to the private car*
- *Supporting measures to encourage non-car based means of travel or the use of low emission vehicles*
- *Reducing air quality emissions from buildings through renewable energy provision and sustainable building standards in line with Policy SP18*
- *Requiring development proposals within or adjoining the Malton Air Quality Management Area to demonstrate how effects on air quality will be mitigated and further human exposure to poor air quality reduced. All development proposals within or near to the Air Quality Management Area which are likely to impact upon air quality; which are sensitive to poor air quality or which would conflict with any Air Quality Action Plan will be accompanied by an Air Quality Assessment*
- *Only permitting development if the individual or cumulative impact on air quality is acceptable and appropriate mitigation measures are secured'*

This application is supported by an Environmental Report an air quality impact assessment, a hydrogeological risk assessment and a flood risk assessment. In totality these assessments demonstrate that the development will not have a detrimental impact on air quality or the land and water resource and therefore complies with policy SP17.

7.2.4 The Ryedale Local Plan (2002)

Policy EMP15 – North Yorkshire Power Project, East Knapton

Policy EMP15 – North Yorkshire Power Project, East Knapton has been saved. Saved Policy EMP15 states that further development around the power plant at East Knapton will only be permitted where it is:

- (1) Essential for the proper functioning of the gas plant and had to be accommodated on the site itself, and*
- (2) Situated wholly within the existing site boundary, and*
- (3) In accordance with Policy EMP13. (note this policy was not saved)*

Whilst this application does not involve development of the generating station, any gas produced from the KM1/3 wellsite, the subject of this application, will be transferred by the existing pipeline to Knapton Generating Station where it will be used to generate electricity, which is then exported to the national grid. The Knapton Generating Station is in the ownership of the Applicant.

This Application is considered by the Applicant to be in accordance with both the overall direction and individual policies within the Ryedale Plan.

6. JUSTIFICATION FOR THE DEVELOPMENT

The 2006 planning permission for the KM1/3 wellsite expires in May 2018. This timescale is linked to the Applicant's wider operations within the Vale of Pickering, which for clarity include:

- Knapton Generating Station (KGS) – a facility including a gas-powered turbine, and overhead line (OHL) transmitting electricity produced to the National Grid;
- Six wellsites producing natural gas – Kirby Misperton A (KM-A), Kirby Misperton B (KM-B), Malton A, Malton B, Marishes and Pickering (PK); and
- A pipeline network connecting the wellsites to KGS, transporting gas to KGS and condensates to the KM-A wellsite for reinjection via a dedicated reinjection borehole.

As the infrastructure together forms a coherent network with each aspect integral to the safe and efficient operation of the whole, it is intended to seek a coherent and unified strategy for extending the lifetime of planning consent, of which this Application for the KM1/3 wellsite is part.

Subject to receiving planning consent, the Applicant intends to continue to operate KGS and its associated wells and pipeline network until 2035. The infrastructure is important in the local economy, providing jobs directly, and jobs in the supply chain through use of local contractors. In addition, KGS produces electricity from a domestic, local energy source, providing power across North Yorkshire. It is currently the largest generating station in the UK to use onshore produced gas, avoiding the need for locally produced gas to be fed into the National Transmission System. Since 1995 it has generated over 2,000,000 MWh of electricity with an excellent safety and environmental record.

The Applicant is committed under the terms of its Petroleum Exploration and Development Licences (PEDLs) and Production, Appraisal and Development Licences (PLs, ALs and DLs) in the region to maximise the economic recovery of gas, under the Petroleum Act 1998. The Oil and Gas Authority regulates the technical and financial capability and environmental awareness of operators to work their licences. The Secretary of State for BEIS has ultimate discretion in the granting of licences, which is exercised to ensure maximum exploitation of national resource.

Since the commissioning of KGS and initial production of gas, the Applicant has been appraising and producing gas, in parallel with developing ways to increase production from the fields.

To date, twenty (20) wells have been drilled in the Vale of Pickering. Not all wells were drilled as part of the current project, however, the Applicant is committed to maintaining plugged and abandoned wells on its sites. At present, four wells are producing gas, although production is declining. In addition to the continued conventional exploitation, there are two key projects currently underway to increase production from the field; bypass gas recovery (increasing production of "conventional" gas) and exploitation of unconventional (shale) gas through hydraulic fracturing.

Bypass Gas Recovery

Production of gas from existing wells is declining partly due to an increase in water production from the wells. This water (formation water) advances along the natural fractures in the producing formation (Kirkham Abbey Formation) to the well, “bypassing” and leaving gas within the rock matrix. The Applicant is currently trialling a “Bypass Gas Recovery Pilot” (BGRP) to increase production. This is currently underway at the Pickering wellsite, where the Pickering 1 well (PK-1) was worked over in early 2017, to convert it from a gas production well to a combined gas production and water reinjection well. The aim of this trial is to reinject water produced during gas production into another formation (Sherwood Sandstone), which lies above the producing formation. This would lower the water level in the producing formation, which in turn allows the gas to flow, thus increasing overall gas production. Results from this trial are being analysed.

Should results prove promising, a similar operation, which has planning consent at another wellsite in another field (Eberston Moor South, in the North York Moors National Planning Authority) would be undertaken. Should this trial be successful, further consideration would be given to extending this technique to other wells in the region. There would also be the opportunity to develop a further pipeline from Eberston Moor South to KGS (currently with planning consent) to increase the range from which gas is extracted, into the Eberston field to the north.

Exploitation of Unconventional Gas Resources

The Applicant is currently undertaking work at its KM8 well within the KM-A wellsite to hydraulically fracture shale rock in the well (drilled in 2013). This shale is substantially deeper than the current producing reservoir, the Kirkham Abbey Formation. Gas from this well, will be transported to KGS for use as feed fuel for the turbine.

Should this trial be successful, further work would be undertaken to assess the potential for further shale gas in the region to be appraised and produced.

Although there is no guarantee that either of these trials will ultimately increase the gas production from the fields, and provide a secure supply of electricity from KGS, the period for assessment necessitates an extension of the lifetime of the existing infrastructure.

Exploitation of Conventional Gas Reserves

In accordance with planning decision C3/06/00625/CPO, planning permission exists for the KM1/3 wellsite (Kirby Misperton 1). This Application for a variation of condition seeks to gain consent for a further seventeen (17) years in which to continue the operation of the wellsite.

7. ENVIRONMENTAL CONSIDERATIONS

The planning application is supported by an Environmental Report, which considers environmental impacts in significant detail, a copy is provided at Appendix 4. Section 2.4 of the Environmental Report covers the KMA wellsite. The environmental considerations included within the Environmental Report are detailed below, together with a brief summary and conclusion.

7.1 AIR QUALITY

The Applicant has commissioned an independent Air Quality Impact Assessment in support of the application, a copy of which is appended at Appendix A of the Environmental Report.

The Assessment concludes that it is not considered that an extension to the current consent will pose any significant additional risk with respect to continued operation of the well sites and the associated pipeline network.

7.2 ECOLOGY

The Applicant commissioned an independent Phase 1 Habitat Survey in support of the planning application, a copy of which is appended at Appendix A of the Environmental Report.

The survey concludes that as the application seeks planning permission for continued operation of the KMA wellsite and the wellsite already exists, the potential for any pathways for impacts on protected or notable habitats and species arising from the Proposed Development is negligible.

7.3 LANDSCAPE AND VISUAL IMPACT

The Applicant commissioned an independent Landscape and Visual Assessment (LVA) in support of the planning application, a copy a copy of which is appended at Appendix J of the Environmental Report.

The report concludes that there would be no further changes to the character of the landscape as a result of extending the operational period of KM-A.

7.4 NOISE

Chapter 6 of the Environmental Report sets out the potential for noise emissions arising from the proposed extension of lifetime of the existing Vale of Pickering infrastructure. Noise from the wellsite will be associated with any maintenance, workovers or drilling activities. Noise from ongoing gas production activities, including routine site visits is very low and effectively inaudible at the nearest residence to the wellsites. The existing planning consents restrict noise levels at the nearest residential properties during any works on the wellsite by the means of planning conditions. These conditions will form part of any new planning consents. Planning conditions restricting working hours and hours in which vehicle access can be made to the site are also set.

7.5 TRAFFIC AND TRANSPORT

Chapter 7 of the Environmental Report sets out the environmental consideration of traffic and transport impacts associated with the extension of the lifetime of the Vale of Pickering wellsites. No changes to the KM1/3 wellsite operation is proposed, and traffic levels will remain unchanged. The Environmental Report sets out the access requirements associated with the continued operation of the wellsite and the planning conditions in place to control access at the sites.

7.6 WATER

A Hydrogeological Risk Assessment (HRA) and Flood Risk Assessment (FRA) have been carried out for the KGS site, in accordance with technical guidance, copies of which are appended at Appendix A of the Environmental Report.

The HRA and FRA demonstrate that there are no significant impacts associated with extending the lifetime of the site. Since the planning application is to extend the lifetime of the existing site, there are no cumulative impacts to consider.

8. STATEMENT OF COMMUNITY INVOLVEMENT

8.1 PUBLIC ANNOUNCEMENT OF THE PROJECT

On 7th February 2018, the Applicant formally announced its intention to apply for consent to extend the life of KGS, the associated OHL and the six (6) wellsites within the Vale of Pickering by placing an advertisement in the print edition of the Gazette and Herald (Malton). In addition an announcement was displayed on the Applicant's website which stated:

'Consultation on renewing consent for Vale of Pickering infrastructure

Third Energy will be applying for the necessary planning consents to extend the lifetime of its gas and power infrastructure in North Yorkshire until 2035. The infrastructure forms a coherent network with each aspect integral to the safe and efficient operation of the whole and includes:

- *Knapton Generating Station (KGS) – a facility including a gas-powered turbine, and overhead line (OHL) transmitting electricity produced to the National Grid*
- *A pipeline network connecting the well sites to KGS, transporting gas to KGS and condensates to KM-A for reinjection into a dedicated reinjection borehole*
- *Six well sites producing natural gas – Kirby Misperton A (KM-A), Kirby Misperton B (KM-B), Malton A (MN-A), Malton B (MN-B), Marishes (MAR) and Pickering (PK)*

The applications will seek consent to retain and operate the existing infrastructure only, with no new activities or new landtake proposed.

The existing pipeline network connects the existing well sites at Kirby Misperton, Great Habton, Pickering and Marishes to Knapton Generating Station. Third Energy will be applying to North Yorkshire County Council (NYCC) to extend the planning consent for this [pipeline network](#). Planning permission for the original pipeline network was granted in 1993 with a further consent for the Pickering pipeline granted in 1998. The new planning application will combine both pipelines into a single consent. The application will only seek to extend consent for the existing pipeline network and no additional development is proposed.

The application only relates to planning consent and not to other regulatory regimes. The pipelines have been re-validated until 2024 and are fully compliant with the Pipeline Regulations and Pressure Systems Safety Regulations 2000.

An application to similarly extend the lifetime of Knapton Generating Station will be made to the Department for Business, Energy and Industrial Strategy under Section 36C of the Electricity Act 1989. All other existing planning conditions and the Environmental Permit attached to the Generating Station will continue to apply.

In addition, Third Energy intends to apply to NYCC, under Section 73 of the Town & Country Planning Act 1990, to extend the lifetime for consented operations to produce conventional gas on its six existing well sites in the Vale of Pickering. The applications will seek to amend the time-limiting

condition in the consents, to allow operations to continue until 2035, subject to the existing planning conditions attached to each wellsite. Please note that there is no intention to amend the planning consent associated with the KM-8 well, which will continue until 2026.

Third Energy is currently undertaking a pre-application consultation on these applications. Please send any comments to northyorkshire@third-energy.com ([link sends e-mail](#)) marked Renewals by February 28th 2018.'

8.2 PRE-APPLICATION CONSULTATION

In addition to the public announcement and notice, letters were sent to the following Parish/Town Councils, geographically relevant to the application:

- Kirby Misperton;
- Great Habton;
- Great Barugh;
- Normanby;
- Pickering;
- Marishes;
- Rillington;
- Scampston; and
- Heselton.

Councillors for the following Ryedale District Council Wards were also informed by letter:

- Rillington;
- Thornton Dale;
- Amotherby;
- Pickering West; and
- Pickering East.

Relevant North Yorkshire County Councillors, (Janet Sanderson, Lindsay Burr and Greg White) were also informed by letter.

The following responses have been received to the consultation to date:

Date	Respondent	Comment
23/02/2018	Pickering Town Council	Requested additional information on the pipelines and wellsites and details of the applications. Third Energy responded on 28/02/2018, Pickering Town Council acknowledged receipt of the response but has made no further comment.
13/02/2018	Member of the public	Requested details of public consultation to be undertaken, clarification of the application to BEIS, and timescales and clarification on the turbine at KGS. Third Energy responded to the member of the public on 21/02/2018, no further comments have been received.

Copies of the consultation responses are provided at Appendix 3.

An informal pre-application discussion was held with MPA on 23rd November 2017. The Applicant set out the approach to the Vale of Pickering renewal application and the Applicant's intention to submit screening requests for the variation of condition to extend the life of the until 2035

8.3 ONGOING CONSULTATION

Communication and consultation has and will continue throughout the lifetime of proposed variation. The Applicant operates an established community liaison group with the aim of maintaining an open and constructive relationship with the local community. The Liaison Group is made up of local residents and representatives from the Parish Council.

9. CONCLUSION

This Application has been submitted to North Yorkshire County Council (Minerals Planning Authority) under the Town and Country Planning Act 1990.

The Applicant is proposing to Vary condition 2 of planning permission C3/06/00625/CPO/C to allow for a further seventeen (17) years in which to continue the approved operations on the KM1/3 wellsite.

This proposal accords with relevant national and local planning policies. As highlighted in this Application, the UK Government is in support of the appraisal of indigenous oil and gas reserves to maintain security of supply. The UK is now a net importer of oil and gas resources and is open to the volatilities of the global market. The Government highlight that *“minerals are essential to the nation’s prosperity and quality of life”*, further demonstrating its commitment to minerals appraisal.

Appraisal of minerals must ensure that any environmental effects are considered and where necessary appropriate mitigation proposed. The Applicant has considered the possible environmental effects associated with the development.

Having considered the details set out in this Planning Application and relevant National, and Local planning policy, it is considered that the proposal is acceptable. The Applicant hereby respectfully requests that planning permission is granted.

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APPENDIX 1 – COPY OF DECISION NOTICE

TOWN & COUNTRY PLANNING ACT 1990

Continuation of Amended Decision No. C3/06/00625/CPO/C

Dated 30 August 2006

1. The development hereby permitted shall be maintained in accordance with the application details dated 12 November 1990, the Environmental Statement, plans numbered BNY-24, BNY-38, BNY-39, BNY-28, BNY-29, A134, WS10C, BNY-53 and with this Schedule of Conditions which shall in all cases take precedence or with such other details as may subsequently be approved in writing by the Local Planning Authority.

Reason: To reserve the rights of control by the County Planning Authority in the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

2. The permission hereby granted is valid until 19 May 2018 and the development hereby approved shall be discontinued and any buildings and plant shall cease to be used and shall be removed from the site and the site shall be restored (i) by 19 May 2018, or (ii) within 6 months of the cessation of gas production or (iii) within 6 months of the cessation of electricity generation at Claypit Plantation, whichever is the sooner.

Reason: To reserve the rights of control by the County Planning Authority in the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

3. Access to the site shall be from Habton Road, as indicated in the application details, and no other access shall be used. The access road shall be maintained with a level hard stone surface for the duration of the development. Provision shall be made to prevent surface water from the access discharging onto the existing highway.

Reason: In the interests of highway safety in accordance with Policy 7/9 of the North Yorkshire Minerals Local Plan

4. No liquids other than those specified in the application shall be reinjected into KM3 well site.

Reason: To prevent pollution in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

5. The landscaping of the site shall be maintained during the duration of the development in accordance with the plan numbered A134 WS10C and details contained in a letter dated 19 September 1991, except as may be subsequently be approved by the Local Planning Authority in writing.

Reason: In the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

6. All fencing and gating of the site shall be maintained in accordance with plan numbered A134, WS10C and using materials specified in the planning application. All fencing and gating shall be maintained throughout the period of gas production from the site and for any subsequent period prior to site restoration to the satisfaction of the Local Planning Authority.

Reason: In the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

7. Provision shall be maintained for the duration of the development wholly within the site for parking, turning, loading and unloading of vehicles visiting the site.

Reason: In the interests of highway safety in accordance with Policy 7/9 of the North Yorkshire Minerals Local Plan

8. No vehicles in excess of 3 tonnes gross weight involved in the delivery of materials and equipment to the site shall enter or leave the site on any Sunday or Bank Holiday, nor on any other day except between the following times:-

Monday to Friday	0700 - 1900 hours
Saturday	0700 - 1300 hours

unless associated with an emergency as defined in Condition 21 or with the prior written approval of the Local Planning Authority.

Reason: In the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

9. No daylight operation workovers shall take place on the site on any Sunday or Bank Holiday nor on any other day except between the following times:-

Monday to Friday	0800 - 1900 hours
Saturday	0700 - 1300 hours

unless associated with an emergency as defined in Condition 21 or with the prior written approval of the Local Planning Authority.

Reason: To ensure control of potential disturbance arising from work over/maintenance operations in the interests of amenity in accordance with Policy 7/1 and 7/5 of the North Yorkshire Minerals Local Plan

10. No major workover or tubing replacement operation shall take place prior to the approval in writing by the Local Planning Authority of a scheme of work detailing the operations involved. Such a scheme shall make provision for notifying the Local 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 measurement location. The maximum permissible noise levels under neutral weather conditions shall be designed to ensure that a level of 42 dBL_{Aeq} (1 hour) between 0700 and 1900 hours and 42 dBL_{Aeq} (5 minutes) between 1900 and 0700 hours is not exceeded at the house nearest to the wellsite. All noise monitoring results shall be made available to the Local Planning Authority as soon as they are available.

Reason: To ensure control of potential disturbance arising from work over/maintenance operations in the interests of amenity in accordance with Policy 7/1 and 7/5 of the North Yorkshire Minerals Local Plan

11. Both the KM1 and KM3 wells shall be fitted with a drainage system to remove liquids from the well cellar and manifold area to an oil/water separator. Contaminated hydrocarbons shall be transferred to a holding tank for periodic removal to the power plant site for treatment.

Reason: In the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

12. Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking or re-enacting that Order) no buildings, plant, machinery or structure (whether fixed or portable in design) shall be erected or placed on the site without the approval of the Local Planning Authority in writing. In particular no living accommodation shall be established on the area covered by this permission or on any adjoining land.

Reason: To reserve the rights of control by the County Planning Authority in the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

13. Normal routine maintenance shall only take place between 0700 and 1900 hours on Mondays to Fridays and 0700 and 1300 hours on Saturdays. No routine maintenance shall take place on Sundays or Bank Holidays.

Reason: In the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

14. No storage of plant, equipment or materials shall take place at the site.

Reason: In the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

15. No external lighting shall be installed except in accordance with a scheme approved in writing by the Local Planning Authority. Such an approved scheme shall include details of location, height, type, orientation and intensity of the lighting.

Reason: In the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

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

Reason: To ensure effective control of odour in the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

17. The atmospheric emissions generated in the course of development shall be monitored in accordance with a scheme and programme to be submitted for the approval of the Local Planning Authority and the results of such monitoring should be submitted to the Local Planning Authority at the end of each calendar year.

Reason: To ensure effective control of odour in the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

18. All on site equipment and buildings shall be coloured in accordance with the application details. These colours shall be maintained during the life of the operations and shall apply equally to any replacement plant or buildings.

Reason: In the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

19. The surface finish of the operational area shall be maintained during the duration of the development.

Reason: In the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

20. The site shall be restored to a state suitable for agricultural use or such other use as may subsequently be approved by the Local Planning Authority. Restoration shall include capping or backfilling of the well, removal of all imported materials, deep ripping to relieve compaction and replacement of subsoils and soils and aftercare measures in accordance with details specified by the Ministry of Agriculture, Fisheries and Food in a letter dated 4 January 1991. Any damage to land drainage systems shall be fully repaired. Only such landscaping and tree and shrub planting previously undertaken in accordance with Condition 8 may be retained as part of the final restoration of the site. The site access shall be removed and the land restored to a condition suitable for agricultural cultivation, the highway verge reinstated, and the field boundary shall be fenced and hedged in accordance with details approved unless prior approval is obtained for retention of access for agricultural purposes.

Reason: To ensure effective restoration of the site in the interest of amenity in accordance with Policy 7/10 of the North Yorkshire Minerals Local Plan

21. Emergency shall be regarded as circumstances in which there is a reasonable cause for apprehending injury to persons or serious damage to property.

Reason: To reserve the rights of control by the County Planning Authority in the interests of amenity in accordance with Policy 7/5 of the North Yorkshire Minerals Local Plan

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APPENDIX 2 – SITE LOCATION PLAN

THE ORDNANCE SURVEY DATA ON THIS PLAN HAS BEEN REPRODUCED FROM ORDNANCE SURVEY © BY PERMISSION OF ORDNANCE SURVEY © ON BEHALF OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE. © CROWN COPYRIGHT 2017. ALL RIGHTS RESERVED. LICENCE No. 100022432



KEY:

- PLANNING APPLICATION RED LINE BOUNDARY (SURFACE WORKS)
- WATER FEATURES (PONDS, DRAINS)

NOTES:

REVISION HISTORY				
-	-	-	-	-
-	-	-	-	-
-	-	-	-	-
0	APR18	JF	ORIGINAL ISSUE	JF
REV	DATE	BY	DETAILS	APR

ZETLAND GROUP
FROM CONCEPTION TO COMPLETION

ZETLAND GROUP LIMITED
23A MILTON STREET, SALTBURN BY THE SEA, TS12 1QJ
T: +44(0)1287 62550 E: info@zetlandgroup.com W: www.zetlandgroup.com
Registered in England No. 1032488. Registered office: 23A Milton Street, Saltburn by the Sea, TS12 1QJ

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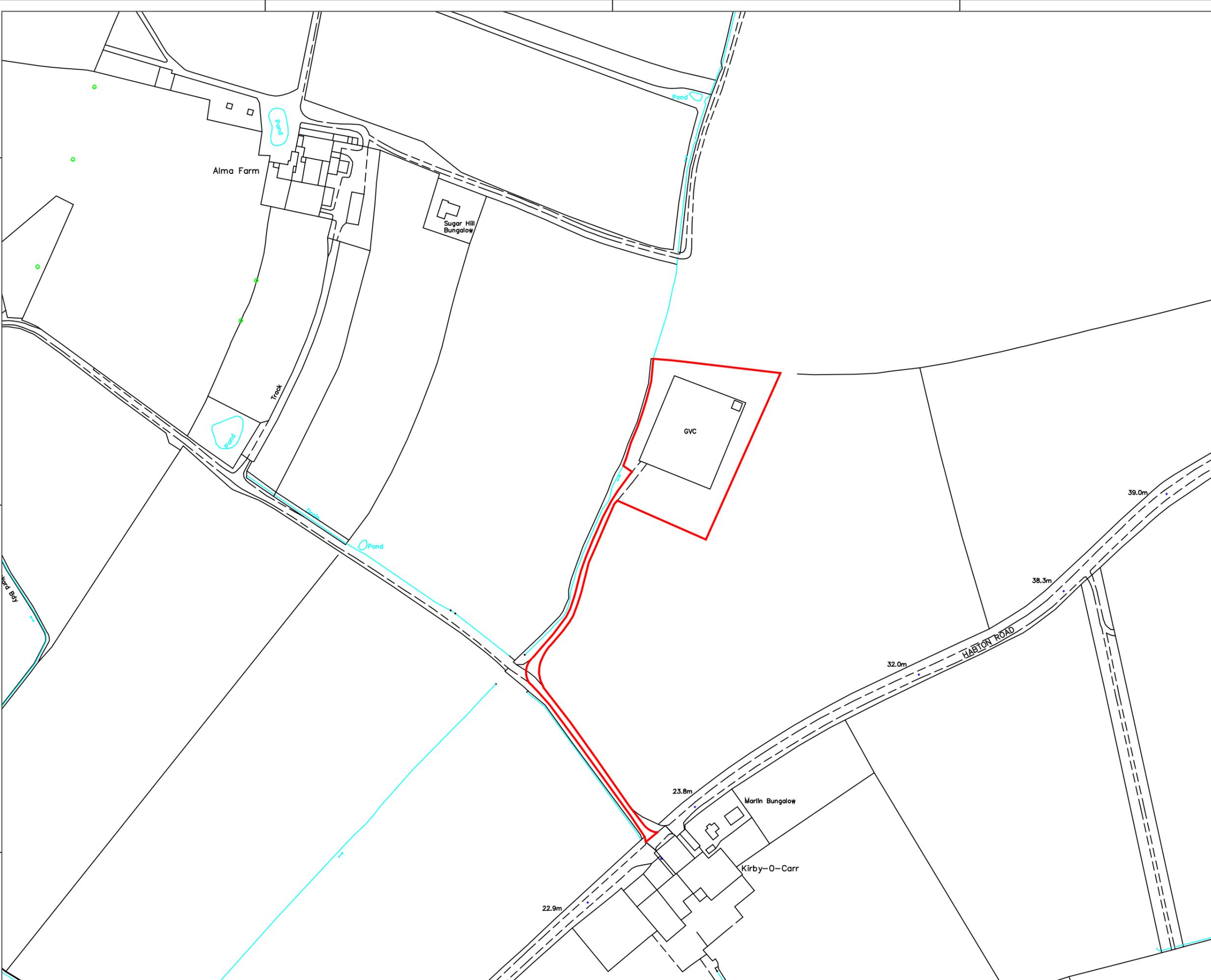
SITE: KMA WELLSITE, KIRBY MISPERTON, NORTH YORKSHIRE

PROJECT: RYEDALE GAS FIELDS EXTENSION TO PLANNING PERMISSION

TITLE: ORIGINAL KM1/3 RED LINE BOUNDARY PLAN

CLIENT: THIRD ENERGY UK GAS LIMITED

Scale: 1:2,500	DWG. No:
Size: A3	ZG-TE-KM1-PA-01
Sheet: 1 of 1	



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APPENDIX 3 – CONSULTATION RESPONSES

[REDACTED]

From: [REDACTED]
Sent:
To: NorthYorkshire
Subject: Re: Response from [REDACTED] re:Pre-Application Consultation, letter dated 5 February 2018

Dear [REDACTED]

The council appreciate the time and effort that was put into responding to its questions.

On your offer of an update. The council welcomes this but would ask that it be undertaken later in the year, perhaps once the machinery for test drilling is back on site.

Best wishes

[REDACTED]

[REDACTED]

[REDACTED]

e-Application Consultation, letter dated 5 February 2018

Dear [REDACTED]

Thank you for your response to our pre-application consultation letter. Please find our answers to the Council's questions below.

I would emphasise that the applications are for extensions of existing planning consent for the well sites, pipeline and the Knapton Generating Station and no new development is planned as part of these applications.

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

From: [REDACTED]
Sent: 13 February 2018 09:43
To: NorthYorkshire
Subject: Knapton Generating Station

Dear Sir/Madam,

I read your notice in the Gazette and Herald regarding an application to BEIS for an extension to the lifetime of the existing Generating Station under section 36C of the Electricity Act 1989.

I have a few question that would be grateful if you could answer for me

- will you be consulting publicly on this application ?
- can you advise specifically what the application to BEIS will be dealing with ? As I read section 36C it covers changes to the Generating plant itself rather than extensions of time but I may have missed something.
- when do you anticipate making the formal application ?
- will the application and what it covers have an impact upon the operating efficiency of your GE 6000 turbine which I understand you remain reliant upon ?

I look forward to you replies.

Thanks and kind regards

[REDACTED]

[REDACTED]

I would also add that some of the questions fall outside the remit of the planning consent and into areas regulated by the Health and Safety Executive (HSE) and Environment Agency. They would therefore not be considered as part of the extension of the planning consent which is mainly confined to surface effects.

First, why is the company seeking the permissions outlined in the letter at this particular time?

The company has been exploring and producing gas from our existing fields in the Vale of Pickering for over 20 years. Considerable volumes of gas remain to be recovered from these fields and our renewal request is designed to account for the remaining commercial lives of the fields and the supporting infrastructure. From time to time planning consent and other permits need to be renewed and we are working to synchronise all planning consent to 2035 which aligns with that for our existing Pickering well site.

Second, how often are the pipelines inspected both externally and internally, have any problems been identified and, if so, have they been rectified?

The safety and integrity of the pipeline network is regulated by the Health and Safety Executive under the Pipeline Safety Regulations 1996 and the Pressure Systems Safety Regulations 2000.

Third Energy regularly inspects its gas pipeline at ground level and from the air for structural integrity and potential impacts on surrounding ecology. The line is also inspected internally on a planned frequency using approved techniques designed to assess pipeline integrity. All Third Energy pipelines are protected by pressure safety valves and emergency shutdown valves.

All of our pipelines are fully compliant with the regulations and are designed to operate safely with sour (H²S) gas currently under production within the Vale of Pickering. The 6" pipelines that carry gas and liquids have been revalidated until 2024, as has the 3" liquid line from Malton to Kirby Misperton. All other 3" liquid lines have been validated until 2019.

In early 2014 an onsite leak was discovered in the 150 mm diameter multiphase pipeline from the Pickering well site to Kirby Misperton. The pipeline was shut-down immediately and investigations revealed the leak to be at a tie-in weld. On inspection, it was concluded that a repair was not optimal so the defective weld, together with a short section of pipe either side, was removed and replaced with a new section of pipe. This was all reported to the HSE as per the legislative requirements.

Third, have you received gas from KM8 and what was the chemistry?

Gas has been produced from two separate conventional reservoirs at Kirby Misperton: the deeper Namurian; and the Kirkham Abbey Formation (KAF) which in the shallower Zechstein formation. The H₂S in the Kirby Misperton field is confined to the shallower KAF reservoir. It does not occur in the deep, underlying Carboniferous section which includes the Namurian.

We have not as yet produced any gas from the KM-8 well, this will occur after a successful frac. However, from core samples taken during the drilling of the KM-8 well we have undertaken extensive sampling and analysis of the natural gas which will be produced from the KM-8 well (following a successful fracture stimulation programme). It is clear from the analysis that we expect this gas to contain no H₂S and is almost pure methane. Furthermore, the analysed gas from the core is entirely consistent with gas produced from the Namurian reservoir in the Kirby Misperton field. The absence of H₂S is very positive for pipeline management and maintenance.

As the existing facilities were designed to process and transport gas which contains H₂S, we are confident there is no incremental risk associated with transporting KM-8 gas to the Knapton Generating Station in order to produce electricity.

Fourth, what is the chemical composition of any water recovered from the well?

To date we have not produced anything from the KM-8 well, however, our core analysis confirms that the reservoir contains very limited free water, if any. However, a proportion of the frac fluid will return to surface as flowback water. Full details of the Environment Agency permit for the handling of the waste and the waste management plan can be found here [EA KM-8 Page](#)

Fifth, what corrosive gases or damaging solutions do you anticipate being carried down the pipeline?

In the absence of H₂S and the production of saline water from the reservoir we anticipate that the risks of corrosion in the pipelines will be significantly reduced when KM-8 production is blended with our existing gas production.

Sixth, can you confirm that you will not be applying to re-inject any fracking returned water into PK1 in Pickering?

Our environmental permit precludes the re-injection of any water which returns as part of the KM-8 fracs. However, as you will know, we do have the necessary EA permits for the re-injection of produced water from the Pickering wells into the Sherwood formation. Please see

the attached fact sheet on the recent workover at the well site and the project which can also be found on [our website](#).

Finally, it is some time since Third Energy presented to the council and we think it could be of value to present to the council again. We would be more than happy to come and provide you with an update on our operations – both conventional and unconventional.

Best wishes

[Redacted]

From [Redacted]
Sent: 23/02/2018
To [Redacted]
Subject: Re Pre-Application Consultation, letter dated 5 February 2018
Dear [Redacted]

Thank you for your letter.

The council would appreciate the company's responses to the questions listed below.

First, why is the company seeking the permissions outlined in the letter at this particular time?
Second, how often are the pipelines inspected both externally and internally, have any problems been identified and, if so, have they been rectified?
Third, have you received gas from KM8 and what was the chemistry?
Fourth, what is the chemical composition of any water recovered from the well?
Fifth, what corrosive gases or damaging solutions do you anticipate being carried down the pipeline?
Sixth, can you confirm that you will not be applying to re-inject any fracking returned water into PK1 in Pickering?

Best wishes

[Redacted]

[Redacted]

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APPENDIX 4 – ENVIRONMENTAL REPORT

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