



Campaign to Protect Rural England
North Yorkshire Branch (500333)

2nd February 2016

Vicky Perkins
Planning Services, County Hall
Northallerton DL7 8AH via email

Dear Ms Perkins

NY/2015/0233/ENV Further information submitted in relation to an application to hydraulically stimulate and test the various geological formations previously identified during the 2013 KM8 drilling operation, followed by the production of gas from one or more of these formations into the existing production facilities, followed by wellsite restoration. Plant and machinery to be used includes a workover rig (maximum height 37m) hydraulic fracture equipment, coil tubing unit, wireline unit, well testing equipment, high pressure flowline, temporary flowline pipe supports, permanent high pressure flowline and permanent pipe supports, at land at KMA wellsite, Alma Farm, Off Habton Road, Kirby Misperton, North Yorkshire

Katie Atkinson of KVA Planning was commissioned by the Branch to investigate the issues fully on behalf of the Branch, we trust that the information provided is sufficient to maintain our full objection to the proposals for hydraulic stimulation at the site known as KM8, at KMA Wellsite, Kirkby Misperton.

CPRE North Yorkshire would welcome the opportunity to comment further with regard to development proposal should further information be submitted by the applicant.

Yours Sincerely

JM W Marley
Chair
c: NY Trustees

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The North Yorkshire Branch of CPRE (CPRENY) have previously submitted responses to the County Council in relation to the above application. This further representation relates specifically to the additional information submitted by the applicant in December 2015 and January 2016 in response to the County Council's request for further information.

Having had the opportunity to consider the further information and the associated revised documents, submitted to the County Council and published for consultation on 20th January 2016, CPRENY feel strongly that their original objection to this application should be maintained. The revised information does not lessen the strength of their objection and therefore the application should be **refused** planning permission on the following grounds:

1. The proposals are contrary to both national and local planning policies;
2. The level of harm that will be inflicted on the landscape of the Ryedale countryside is unacceptable;
3. The impact on the economy, including agriculture and tourism, in this and the wider location is unacceptable; and
4. The impact upon the residents of this part of Ryedale will be intolerable.

As part of the further information submitted by the Applicant in January 2016, a revised Environmental Statement has been submitted to set out project design changes. In particular, Chapter 2 of the revised Statement sets out that the applicant intends to supersede the originally planned noise attenuation barrier to be constructed of ISO Shipping Containers with the Echo Barrier as suggested through the submission of further environmental information in November 2015. CPRENY remain highly concerned about the visual impact that would be inflicted upon this area of Ryedale and the residents of this area should the Echo Barrier be imposed.

Paragraph 2.1 of the revised Statement sets out that the Echo Barrier shall be constructed using a combination of “*single height ISO ‘high cube’ shipping containers (2.9m high) at the base of the barrier and a scaffold frame extending to an overall height of 9m.*” This would be a slightly taller barrier as the original barrier proposed in the initial application would measure 8.7m. The Statement goes on to describe that the individual echo barrier panels would be attached to the frame and overlap (each one measuring 2m x 1.2m) this would then be coloured green. The Applicant states that this method would ensure that there would be a reduction to 72 individual HGV movements involved with mobilising and demobilising the barrier after 8 weeks. Whilst NYCPRE acknowledge this reduction, it is still firmly of the belief that 72 HGV movements, equating to potentially 4 movements per hour at peak times, on small rural roads is not appropriate in this location.

NYCPRE acknowledge that the use of green colour would be better than the previously proposed 'grey' they remain concerned about the branding on the sheeting which is shown on the 5nr visualisations and believe this is not appropriate in the countryside location and would impact upon the landscape detrimentally. The barrier would also only be constructed to the north, west and east of the site therefore any noise dispersing to the south would not be mitigated. The Applicant has commissioned DRAW to revise its Landscape and Visual Impact Assessment (LVIA) taking account of the new echo barrier. Whilst there are no changes to the assessments of landscape or visual impacts it is surprising that no regard is given to the scaffolding or acoustic barriers over and above the assessments which were provided previously. Section 7 highlights the 'industrial' appearance of the acoustic barrier within the existing landscape as it also previously did. CPRENY believe that even for a temporary period this would not be a suitable option for this particular location. As stated in the previous response (dated 23rd November 2015), this location is shown as a Landscape of Local Value and Areas of High Landscape Value on the Key Diagram of the recently adopted Ryedale Plan Local Plan Strategy (September 2013). Policy SP13 of the same document deals with landscape matters. Under 'Landscape Character' the policy provides: "*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...*" it makes clear under the subheading 'National Landscape Designations and Locally Valued Landscape' that for areas outside of those landscapes protected by national landscapes designations, the Council will carefully consider the impact of development proposals on the broad areas of landscape which are valued locally including (specifically mentioning) the Vale of Pickering. It goes on to state: "*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.*"

Within the revised Environmental Statement's paragraph 3.11 it is stated that "*longer term, as the vegetation matures, the wellsite will be completely screened from the adjacent footpath*". NYCPRE are of the opinion that this would not be the case, given that the vegetation would be located within the site and the 2.7m security fencing will be very visible.

The Applicant has restated at paragraph 3.5 of the revised statement that "*during the 20 years of operating the Kirby Misperton Gas Fields, no road closures or scheduled road works have necessitated the requirement for an alternative HGV route to be used*" and should part of the proposed route be temporarily closed then operations involving HGVs would be suspended. CPRENY acknowledge that this may be the case, however, maintain that this application is very different in nature to the previous operations at the KMA site therefore relying on this fact is not appropriate for the proposed development. If operations are suspended at this site, the County Council must be satisfied that appropriate storage and preventative measures would be in place in order to prevent leakage and contamination to the surrounding environment prior to the determination of this application to ensure that if this did occur appropriate mitigation responses would already be in situ.

It is CPRENY's opinion therefore that the revised LVIA and further submitted information provided by the Applicant do not lessen the detrimental impacts on both the environment and residents of this part of Ryedale. The proposals are not appropriate within this landscape setting given the importance of the Vale of Pickering within the Ryedale Local Plan Strategy which should be given great weight in the planning balance when determining this application.

CPRENY believe this application is contrary to local and national planning policy and would inflict significant negative impacts and stress upon the landscape, residents and the economy of this part of Ryedale and the wider location for the reasons set out in the previous response (dated 13th October 2015 and restated in the response dated 23rd November 2015).

CPRENY believe that the traffic implications of the proposal are such that the minor roads would not cope with the volume and size of HGVs required for the duration of the operation and that the traffic implication for the larger A-roads would also cause disruption for the settlements and communities who utilise them, especially during peak tourist season.

Katie Atkinson for CPRE North Yorkshire



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The Campaign to Protect Rural exists to promote the beauty, tranquility and diversity of rural England by encouraging the sustainable use of land and other resources in town and country