

SCREENING OPINION

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

Screening Opinion reference: BA/17a

Applicant: Cuadrilla Resources Limited

Agent: RSK

Date Received: 18 July 2017

Site: Lower Stumble Exploration Site, London Road, Balcombe RH17 6JH

Proposal: Temporary permission for exploration and appraisal comprising the flow testing and monitoring of the existing hydrocarbon lateral borehole along with site security fencing, the provision of an enclosed testing flare, and site restoration.

In May 2014, planning permission was granted for the development described above (ref. WSCC/005/14/BA). Condition 1 of that permission required that it be implemented within three years, the standard length of time identified for the duration of planning permissions in Section 91(1)(a) of the Town and Country Planning Act 1990. The permission was not implemented by 2 May 2017 and so effectively expired.

The development the subject of this Screening Opinion is largely the same as that allowed by the 2014 permission, comprising a temporary, six month operation involving the installation of a workover rig to 32 m in height (where it was 22m in the 2014 proposal) over the existing borehole, and a flare to 13.7m in height (as previously) to enable flow testing to establish what hydrocarbon resource is present and whether it can be economically exploited. No further drilling and no hydraulic fracturing is proposed. A key change is an increase in vehicle movements associated with the development, though crucially, the daily maximum numbers would not change.

Classification of the Proposed Development

The proposal does not comprise Schedule 1 development, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations').

The application site is located within a 'sensitive area', as defined in regulation 2(1) of the EIA Regulations, namely the High Weald Area of Outstanding Natural Beauty. Accordingly it is considered to fall within Schedule 2 of the EIA Regulations.

In addition, the development falls within Part 2(e) of Schedule 2 to the EIA Regulations as it relates to a surface industrial installation for the extraction of petroleum and natural gas. The site measures 0.73 hectares in area and so exceeds the 0.5 hectare threshold set out in column 2 to Schedule 2.

Accordingly, consideration needs to be given, with reference to Schedule 3 to the EIA Regulations, as to whether the development would have the potential to result in 'significant environmental effects' which require an EIA.

Characteristics of Development	
<p>Development Area</p> <p>Nature / Scale / Design of Whole Development</p>	<p>Site area – 0.73 hectares including the pad, access road and lateral borehole (already drilled).</p> <p>The development would be temporary, for a period of six months in total.</p> <p>The Screening Request notes that the works would comprise three stages, namely:</p> <ul style="list-style-type: none"> - Exploration well testing: site set-up and acid wash; flow testing including nitrogen lift and installation of flare; and shut-in / pressure monitoring. There would be no further drilling and no hydraulic fracturing. - Plugging/Abandonment: sealing and securing of well. - Demobilisation/Site Restoration: removal of equipment from site and land restored to former condition. <p>The applicant has clarified that the maximum daily HGV movements associated with the development would be 34 (17 HGVs travelling to/from the site) during the initial 7 day mobilisation period. Over the whole development there would be a maximum of 424 HGV movements (112 HGVs travelling to/from the site), where the movements set out in the approved development were half this number (212 HGV movements (106 HGVs travelling to/from the site). The existing site access from London Road would be used for all operations, with lorries routed to the north via Balcombe and the A23.</p> <p>A workover rig to 32m in height would be in place during the initial exploration/testing phase, and an enclosed flare to 13.7m in height in place for 7 days. Other, smaller equipment would be on the site, enclosed with a security fence.</p>

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect?
<p>1. Will the development involve actions that will cause physical changes in the locality (topography, land use, changes in waterbodies etc.)?</p>	<p>Likely – changed use of site from dormant to active hydrocarbon site, for temporary period.</p>	<p>No. Use would be temporary, site is relatively small, and physical changes relatively minor. Drilling of site has already taken place and no further activity of that nature is proposed. Unlikely to result in significant effects.</p>

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect?
<p>2. Will the development use natural resources such as land, soil, water, biodiversity, materials, or energy, especially resources that are non-renewable, in short supply or have low capacity to regenerate?</p>	<p>Unlikely. No greenfield land would be used; significant resources (water, soil, land, biodiversity, materials and energy) would not be used in the development. Some non-renewable fossil fuels would be used by vehicles travelling to/from the site, and generators used, and some fossil fuels may be extracted for testing and gas, if found, would be flared.</p>	<p>No significant resource use anticipated, as development is for a temporary period, and the scale of fossil fuel use would not be so great as to be considered to result in a 'significant effect'.</p>
<p>3. Will the development involve the use, storage, production of substances or materials that could be harmful to people or the environment?</p>	<p>Likely. Operations would result in returned water from the borehole, mud and cement from plugging and abandonment of the borehole, gas flared during operations, and sanitary waste from site employees.</p>	<p>No significant effects anticipated, given complementary Environmental Permitting regime and Health & Safety Executive (HSE) requirements. Pad is bunded with impermeable membrane; liquid and solid waste would be contained on site before being taken off to appropriate facilities; gas emissions and any naturally-occurring radioactive materials (NORMs) are managed through Environmental Permitting process.</p>
<p>4. Will the development produce significant volumes of wastes during construction, operation or decommissioning?</p>	<p>Unlikely. Limited waste likely to result from site set-up. Operational wastes not significant in volume.</p>	<p>Significant volumes of waste not anticipated, and would be controlled through the Environmental Permitting process. No further drilling is proposed and, therefore, there would be no waste generated through that activity.</p>
<p>5. Will the development give rise to significant noise, vibration, light, dust, odours?</p> <ul style="list-style-type: none"> - during construction - during operation 	<p>Unlikely. Operations not generally associated with significant noise or other emissions, and primarily undertaken during day.</p>	<p>No significant impacts anticipated, taking into account appropriate mitigation (such as noise monitoring and acoustic housing of generators, and shrouded lighting) that could be secured by condition.</p>

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect?
6. Does the proposal have the potential to release pollutants to air, land, or water?	Likely if not appropriately controlled.	No significant effects anticipated given limited physical works proposed (including no further drilling and no hydraulic fracturing), and controls through planning and Environmental Permitting processes, as well as requirements of HSE regarding well design, construction and integrity.
7. Are there areas on or around the location that are already subject to pollution or environmental damage – e.g. where existing environmental standards are exceeded, which could be affected by the project?	Possible. Application site has previously been used for hydrocarbon exploration, though there is no indication that environmental standards have been exceeded.	No significant effects anticipated. Limited physical works proposed so development not expected to exacerbate any damage that may be present, given controls of planning and Environmental Permitting processes, and HSE requirements.
8. Is there a high risk of major accidents and/or disasters, including those caused by climate change, during construction or operation of the development that could have effects on people or the environment?	Unlikely. Operations do not pose significant risk in terms of major accident or disaster, particularly given planning, permitting and HSE controls.	No significant effects anticipated.
9. Will the project result in social changes e.g. demography, traditional lifestyles, employment?	Unlikely. No changes anticipated.	No significant effects anticipated.
10. Will the development pose significant risks to human health, for example due to water contamination or air pollution?	Unlikely. Operations would be short term. Controls would be in place to ensure sensitive water bodies are not affected. Air emissions would be controlled through the Environmental Permitting process.	No significant effects anticipated, given the limited physical works proposed (including no further drilling and no hydraulic fracturing) and controls through planning and Environmental Permitting, and HSE requirements.
11. Are there areas on or around the location that are protected under international, national or local legislation for their ecological, landscape, cultural or other value that could be affected by the project?	Site is within High Weald Area of Outstanding Natural Beauty, and adjacent to Ancient Woodland.	No significant effects anticipated, given temporary nature of use, and relatively small physical scale of development.

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<p>12. Are there any other areas around the location that are important for their ecology e.g. wetlands, riparian areas, river mouths, mountains, forests, coastal zones, the marine environment, nature reserves and parks that could be affected by the project?</p>	<p>No sites statutorily designated for ecological reasons within 2km of site. Ashdown Forest Site of Special Scientific Interest, Special Protection Area, and Special Area of Conservation located 10.5km to east.</p> <p>Several Sites of Nature Conservation Importance in vicinity, at closest 0.6km to north.</p>	<p>No significant effects anticipated as a result of proposal given distance to such sites, short term nature of proposal, and ability of planning/ permitting/HSE regimes to ensure measures are in place to contain emissions.</p> <p>Applicant has indicated intention to submit a Habitats Regulations Assessment Screening Assessment in relation to Ashdown Forest. A HGV routing agreement could be secured to ensure that lorries do not travel through the Forest.</p>
<p>13. Are there any areas on or around the location that are used by protected or sensitive species of fauna or flora that could be affected by the project?</p>	<p>Likely. Application site abuts ancient woodland. Screening request states that a preliminary ecological appraisal indicated that the pad has limited ecological value, but the surrounding woodland is high quality for bat commuting and foraging.</p>	<p>No significant effects considered likely given temporary nature of activity and nature of site (hard-sealed site enclosed with fencing). If potential impacts are identified, conditions could be imposed to ensure that they would not be significant.</p>
<p>14. Are there any inland, coastal, marine or underground waters on or around the location that could be affected by the project?</p>	<p>Site is within 1 kilometre of Ardingly Reservoir. Other small streams in locality. Not within or near groundwater source protection zone.</p>	<p>No significant effects anticipated. Site impermeably sealed and bunded; potential impacts on surface and groundwater controlled through planning and Environmental Permitting processes.</p>
<p>15. Are there any areas or features of high landscape or scenic value on or around the location that could be affected by the project?</p>	<p>Site is within High Weald AONB.</p>	<p>No significant effects anticipated. Workover rig would be in place at full extension for at most 3 months; the flare would be erected for 7 days so any landscape/visual impact would be very short term. Site is enclosed with mature trees that help to mitigate impact.</p>

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect?
16. Is the project in a location where it is likely to be highly visible to many people?	Likely. Site is located between London Road (the B2036) and the London-Brighton railway corridor.	Significant effects unlikely given short term nature of development. Flare and rig would only be in place for short periods, and visibility is reduced by mature trees surrounding site.
17. Are there routes on/around the location that are used by the public for access to recreation or other facilities that could be affected by the project?	The nearest PROW is some 300 metres north of the site, running from London Road under the railway corridor.	No significant impacts anticipated, given distance to PROW and short term nature of development.
18. Are there any routes on or around location that are susceptible to congestion or cause environmental problems, that could be affected by the project?	Unlikely. No Air Quality Management Areas affected; HGV movements not so significant as likely to cause congestion.	Some periods of intensive HGV movements, but short lived, and even with increased movements proposed, no significant impacts on congestion or the environment expected to result.
19. Are there any features of historic or cultural importance on or around the location that could be affected by the project?	Unlikely. No such buildings/ features within close proximity to site.	No significant impacts anticipated.
20. Will there be any loss of Greenfield land?	No greenfield land affected.	No impacts anticipated.
21. Are there existing land uses around the location that could be affected by the project?	Unlikely. Forest /agricultural land to north and south, B2036 to west, railway corridor to east so unlikely to be affected.	No significant impacts anticipated, given short term nature of development.
22. Are there areas on or around the location that are densely populated or built-up, that could be affected by the project?	Unlikely. Balcombe village some 0.8km north.	No significant effects anticipated. Some impact from HGVs accessing the site but these would be short term, particularly the intensive periods, and impact not likely to be significant.
23. Are there areas on or around the location that are occupied by sensitive land uses e.g. hospitals, schools, community facilities that could be affected by the project?	Unlikely. No sensitive uses identified in vicinity of site, though lorries would pass primary school en route to A23.	No significant effects anticipated given short term nature of development and that maximum daily number of HGV movements would be 34, for a 7 day period. For the longer flow test and monitoring phases the HGV movements would be up to 22/day (11 HGVs coming to/from the site) so significant impacts are not expected.

	Likely/Unlikely – briefly describe	Is this likely to result in a significant effect?
24. Are there any areas in or near the application site that contain high quality or scarce resources that could be affected by the development, e.g. groundwater resources, forestry, agriculture, tourism, minerals?	Site abuts Ancient Woodland and agricultural land.	No significant effects considered likely, given ability of Environmental Permitting regime to control emissions.
25. Is the location susceptible to earthquakes, subsidence, landslides, erosion, flooding, or adverse climatic conditions that could cause the project to present environmental problems?	Unlikely. No such features present.	No significant effects anticipated.
26. Are there plans for future land uses on or around the site that could be affected by the project?	Balcombe Parish Neighbourhood Plan (September 2016) identifies three new residential allocations, one of which would be near the train station on London Road, on the lorry route to be used by the operation.	Significant detrimental impact on forthcoming residential development unlikely given short term nature of proposal.
27. Is there a potential for transboundary impacts?	Unlikely. Site is not near any boundaries.	No significant effects identified.
28. Will any effects be unusual in the area or particularly complex?	Unlikely. No complex effects anticipated.	No significant effects identified, given controls in place through planning and Environmental Permitting regimes, as well as controls through the Oil and Gas Authority and HSE.

Conclusion

This Screening Opinion relates to a proposal for a temporary, six month permission for exploration and appraisal at an existing hydrocarbon site near Balcombe, including flow testing and monitoring of the lateral borehole, site fencing, an enclosed flare and site restoration. The site has previously been used for hydrocarbon exploration, and a new borehole was drilled in 2013 under planning permission WSCC/027/10/BA. Permission was subsequently granted (ref. WSCC/005/14/BA) for much the same development as is the subject of this Screening Opinion, but that permission expired in May 2017. As already stated, the key difference with the present proposal is a doubling of anticipated HGV movements.

The site is within the High Weald Area of Outstanding Natural Beauty, defined in Schedule 2 to the EIA Regulations as a 'sensitive area'. It is adjacent to an ancient woodland. It is not subject to any other ecological, landscape, historic or other constraints, and is not within an area identified as being at risk of flooding, or in a groundwater source protection zone.

Because the operations fall within Schedule 2 to the EIA Regulations, the site is within a defined 'sensitive area' (High Weald AONB), and it exceeds the threshold set out in column 2 to Schedule 2, consideration must be given to the need for EIA.

Guidance for determining whether a proposal is EIA development is provided in National Planning Practice Guidance: Environmental Impact Assessment (revised 28 July 2017) to aid local planning authorities to determine whether a project is likely to have significant environmental effects. This includes 'Annex: indicative screening thresholds' which states are "*indicative only and are intended to help determine whether significant effects are likely*".

For part 2(e) – surface installation for the extraction of oil/gas the indicative criteria and threshold are the "*development of a site of 10 hectares or more or where production is expected to be more than 100,000 tonnes of petroleum per year.*" Neither of these factors apply in this case, because the site is not in production.

The 'key issues to consider' are identified as the "*scale of development, emissions to air, discharges to water, the risk of accident and the arrangements for transporting the fuel.*" In this case, the development site is small in scale, as is the physical development (i.e. no further drilling is proposed), albeit a large rig would be in place but for short, temporary periods. The site is well-screened, is brownfield land, and located between a road and the railway corridor, so that although it is in the AONB, the potential for impact on the landscape designation is not considered significant. No hydraulic fracturing is proposed. Emissions to air are controlled through the Environmental Permitting process, and the risk of accident control by the HSE. Fuel would not be transported from the site as production is not proposed. There would be some increase in vehicle movements on the local highways but it is not considered that this would result in significant environmental impact.

In approving the 2014 application, it was considered that the development would not result in significant impact on people or the environment. Given the similarities between this proposal and that approved in 2014, this conclusion is relevant when considering whether EIA is necessary, even when taking into account the increase in HGV movements.


In this case, taking into account the short period over which the operations would take place, the small scale of physical development, and the controls in place through the planning and Environmental Permitting regulations, and through HSE, and taking into account the criterial in Schedule 3 of the EIA Regulations, it is considered that the proposal does not have the potential for significant environmental impact within the meaning of the EIA Regulations.

Screening Opinion.

In the opinion of the Mineral Planning Authority, the development **would not require an Environmental Impact Assessment.**

Draft Reviewed by:

Signed:

A handwritten signature in black ink, appearing to read 'Michael Elkington'.

Michael Elkington
Head of Planning Services

Date: 8 August 2017

A handwritten signature in black ink, appearing to read 'Jane Moseley'.

Jane Moseley
County Planning Team Manager

Date: 22 August 2017