

## SCREENING OPINION

### THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND AND WALES) REGULATIONS 2011

**Screening Opinion reference:** BA/13c

**Applicant:** Cuadrilla Resources Limited

**Agent:** Arup

**Date Received:** 5 December 2013

**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.

#### Classification of the Proposed Development

The proposal does not comprise Schedule 1 development, as defined in the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 ('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 0.7 hectares in area 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.

<b>Characteristics of Development</b>	
Development Area	Site area – 0.73 hectares including the pad, access road and lateral borehole (already drilled).
Development Nature / Scale	<p>Proposed development: Temporary use of site for 6 month period for exploration and appraisal involving flow testing and monitoring, including flaring.</p> <p>The site was used for exploratory drilling in 1986 – 1987. It was subsequently used by Balcombe Estate for forestry storage.</p> <p>A temporary planning permission was granted for hydrocarbon exploration, including flow testing and</p>

	<p>monitoring, in 2010 (ref. WSCC/027/10/BA). The need for EIA was 'screened out' for that development, in accordance with the EIA Regulations 1999, in a Screening Opinion issued on 23 September 2009.</p> <p>That development begun in September 2010, but the site was not drilled until July 2013, with drilling completed in September 2013. The permission expired on 28 September 2013.</p> <p>The development now sought involves a set-up period of up to 5 weeks (mobilisation (site set-up), cleaning of the well, initiating flow, pumping for 7 days (including flaring), then installing pressure gauges) after which the well would be 'shut-in' for 60 days. Following this, the results of the tests would be analysed before the well is sealed and abandoned over a 4 week period, and the site restored over a 4 day period.</p>
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	<b>Likely/Unlikely – briefly describe</b>	<b>Is this likely to result in a significant effect?</b>
<b>1.</b> Will the development involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies etc.)?	Likely – changed use of site from dormant to active hydrocarbon site, for temporary period.	No. Use would be temporary and physical changes relatively minor. Drilling of site has already taken place. Present proposal works unlikely to result in significant effects.
<b>2.</b> Will the development use natural resources such as land, water, materials, or energy, especially resources which are non-renewable or in short supply?	No greenfield land used and activity does not use significant amounts of water or other materials. HGV movements and plant will make use of fossil fuels.	No significant resource use anticipated, particularly as development for temporary period.
<b>3.</b> Will the development involve the use, storage, production of substances or materials which could be harmful to people or the environment?	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.	No significant effects anticipated, particularly 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.

	<b>Likely/Unlikely – briefly describe</b>	<b>Is this likely to result in a significant effect?</b>
<b>4.</b> Will the development produce significant volumes of wastes during construction, operation or decommissioning?	Unlikely. Limited waste from site mobilisation. Operational wastes not significant. Restoration works relatively minor, significant waste unlikely.	Significant volumes of waste not anticipated. Operational waste would be controlled through the Environmental Permitting process.
<b>5.</b> Will the development give rise to significant noise, vibration, light, dust, odours? - during construction - during operation	Unlikely. Operations not generally associated with significant noise or other emissions, and primarily undertaken during day.	No significant impacts anticipated. Any potential emissions could be controlled by conditions if required.
<b>6.</b> Does the proposal have the potential to release pollutants to air, land, or water?	Likely if not appropriately controlled.	No significant effects anticipated particularly given limited physical works proposed, and controls through planning and Environmental Permitting processes, as well as requirements of HSE regarding well design, construction and integrity.
<b>7.</b> Are there areas on or around the location which 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.	No. Limited physical works proposed so development not expected to exacerbate any damage which may be present, particularly given controls of planning and Environmental Permitting processes, and HSE requirements.
<b>8.</b> Is there a high risk of accidents during construction or operation of the development which could have effects on people or the environment?	Unlikely. Operations not significantly risky, and subject to HSE controls.	No significant effects anticipated.
<b>9.</b> Will the project result in social changes e.g. demography, traditional lifestyles, employment?	Unlikely. No changes anticipated.	No significant effects anticipated.
<b>10.</b> Are there areas on or around the location which are protected under international, national or local legislation for their ecological, landscape, cultural or other value which 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, particularly given temporary nature of use.

	<b>Likely/Unlikely – briefly describe</b>	<b>Is this likely to result in a significant effect?</b>
<b>11.</b> Are there any other areas around the location which are important for their ecology e.g. wetlands, forests, coastal zone which could be affected by the project?	No sites statutorily designated for ecological reasons within 2km of site. Several Sites of Nature Conservation Importance in vicinity, at closest 0.6km to north.	No significant effects anticipated as a result of proposal.
<b>12.</b> Are there any areas on or around the location which are used by protected or sensitive species of fauna or flora which could be affected by the project?	Likely. Ancient woodland. Ecological impact considered in surveys submitted.	No significant effects considered likely given temporary nature of activity, and use of existing oil exploration site.
<b>13.</b> Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	Site is within 1 kilometre of Ardingly Reservoir. Other small streams in locality. Not within groundwater protection zone.	No significant effects anticipated. Site banded; minimal physical works proposed either above or below ground; potential impacts on surface and groundwater controlled through planning and Environmental Permitting processes.
<b>14.</b> Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?	Site is within High Weald AONB.	No significant effects anticipated. Workover rig in place for 7.5 weeks, flare proposed 7 days so any impacts temporary. Site enclosed with mature trees which screen significant impacts.
<b>15.</b> Is the project in a location where it is likely to be highly visible to many people?	Unlikely. Visibility limited by mature trees surrounding site.	No significant effects anticipated.
<b>16.</b> Are there routes on/around the location which are used by the public for access to recreation or other facilities which 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, particularly given temporary nature of development.
<b>17.</b> Are there any routes on or around location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Unlikely. Intensive HGVs for short period, as set out in Transport Assessment.	No significant impacts identified.
<b>18.</b> Are there any features of historic or cultural importance on or around the location which could be affected by the project?	Unlikely. No buildings/features within close proximity to site.	No significant impacts anticipated.
<b>19.</b> Will there be any loss of Greenfield land?	No greenfield land affected.	No impacts anticipated.

	<b>Likely/Unlikely – briefly describe</b>	<b>Is this likely to result in a significant effect?</b>
<b>20.</b> Are there existing land uses around the location which could be affected by the project?	Unlikely. Conifer plantations and agricultural land to north and south, B2036 to west, railway corridor to east.	No significant impacts anticipated.
<b>21.</b> Are there areas on or around the location which are densely populated or built-up, which could be affected by the project?	Unlikely. Balcombe village some 0.8km north.	No significant effects anticipated. Some impact from HGVs during site set-up/restoration but temporary.
<b>22.</b> Are there areas on or around the location which are occupied by sensitive land uses e.g. hospitals, schools, community facilities which could be affected by the project?	Unlikely. No sensitive uses identified in vicinity of site.	No significant effects anticipated at this stage.
<b>23.</b> Are there any areas in or near the application site which contain high quality or scarce resources which could be affected by the development, e.g. groundwater resources, forestry, agriculture, tourism, minerals?	Site abuts ancient woodland and agricultural land.	Potential for significant effects on these features is considered unlikely.
<b>24.</b> Is the location susceptible to earthquakes, subsidence, landslides, erosion, flooding, or adverse climatic conditions which could cause the project to present environmental problems?	Unlikely. No such features present.	No significant effects anticipated.
<b>25.</b> Are there plans for future land uses on or around the site which could be affected by the project?	Unlikely – no allocations or proposals identified with potential to be affected by proposal.	No significant effects identified.
<b>26.</b> Is there a potential for transboundary impacts?	Unlikely. Site is not near any boundaries.	No significant effects identified.
<b>27.</b> Will any effects be unusual in the area or particularly complex?	Unlikely. No complex effects anticipated.	No significant effects identified, particularly given controls in place through planning and Environmental Permitting regimes, as well as controls through DECC and HSE.

### **Conclusion**

The applicant has applied for temporary, 6 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 which expired in September 2013.

The site is within the High Weald Area of Outstanding Natural Beauty and 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.

In relation to oil/gas extraction facilities, Circular 02/99 (EIA)(paragraph A9) states that *"EIA is more likely to be required where the scale of the drilling operations involves development of a surface site of more than five hectares. Regard should be had to the likely wider impacts on surrounding hydrology and ecology. On its own, exploratory deep drilling is unlikely to require EIA. It would not be appropriate to require EIA for exploratory activity simply because it might eventually lead to some form of permanent activity."*

The present application relates solely to exploration, on a site of less than 5 hectares in area. In accordance with Circular 02/99, EIA is unlikely to be required.

This is echoed in more recent guidance ('Planning practice guidance for onshore oil and gas': Department of Communities and Local Government, July 2013) which states:

*"Whilst all applications must be assessed on a case-by-case basis, it is unlikely that an Environmental Impact Assessment will be required for exploratory drilling operations which do not involve hydraulic fracturing unless the well pad is located in site which is unusually sensitive to limited disturbance occurring over the short period involved."* (Paragraph 54)

The application site is not considered to be 'unusually sensitive' to the limited disturbance, particularly as the development would not include the drilling phase which will already have been completed.

Taking these factors into account, along with those set out in the table above, and the criteria in Schedule 3 of the EIA Regulations, it is not considered that the proposed development would have the potential for significant effects on the environment within the meaning of the EIA Regulations.

### **Screening Opinion.**

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

**Signed:**



**Michael Elkington**  
**Strategic Planning Manager**

**Date:** 14 January 2014

**Case Officer:** Jane Moseley