

## **SCREENING OPINION**

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

<b>Screening Opinion reference:</b>	<b>BA/20a</b>
<b>Applicant:</b>	<b>Angus Energy</b>
<b>Agent:</b>	<b>RSK</b>
<b>Date Received:</b>	<b>29 May 2020</b>
<b>Site:</b>	<b>Lower Stumble Exploration Site, London Road, Balcombe RH17 6JH</b>
<b>Proposal:</b>	<b>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.</b>

The intention of the proposed operation is to remove previously used drilling fluids. If the well shows oil flowing following the removal of the drilling fluids, the operator would upgrade the site with a pad wide impermeable membrane and then carry out an Extended Well Test (EWT) which would last approximately 12 – 14 months in duration.

In terms of equipment and plant to be used, the removal of fluids would include a linear rod pump, a surge tank, storage tanks, vapour recovery tanks and various associated pipework. Ancillary equipment would include a welfare unit and a security office. Acoustic barriers will be installed around the operational area.

The EWT operation is said to use similar equipment and plant to that allowed under temporary planning permission WSCC/040/17/BA including an enclosed flare (previous flare was 13.7m in height), coiled tubing unit, generators, tanks for oil and waste storage, a separator unit and security and welfare facilities.

#### **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.

<b>Characteristics of Development</b>	
<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 approximately 15 - 17 months, which includes removing the drilling fluid, upgrading the membrane and the EWT.</p> <p>The Screening Request notes that the works would comprise:</p> <ul style="list-style-type: none"> <li>• The removal of the drilling fluids;</li> <li>• Upgrading the site with a pad wide impermeable membrane; and</li> <li>• An Extended Well Test (EWT) which would last approximately 12 – 14 months in duration.</li> </ul> <p>The Screening Request states that the development would be similar to that approved under permission WSCC/040/17/BA in terms of equipment and operations. Clearly however, with an extended time-scale, daily and maximum HGV numbers could be experienced over a longer period. 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>

	<b>Likely/Unlikely – briefly describe</b>	<b>Is this likely to result in a significant effect?</b>
<p><b>1.</b> 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 a temporary period.</p>	<p>No. Although proposed for approximately 17 months, the use would still be temporary. In addition, the 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>

	<b>Likely/Unlikely – briefly describe</b>	<b>Is this likely to result in a significant effect?</b>
<p><b>2.</b> 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 excess gas 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><b>3.</b> 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 &amp; Safety Executive (HSE) requirements. Pad will be upgraded with new 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><b>4.</b> 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.</p>
<p><b>5.</b> Will the development give rise to significant noise, vibration, light, dust, odours?</p> <ul style="list-style-type: none"> <li>- during construction</li> <li>- during operation</li> </ul>	<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>

	<b>Likely/Unlikely – briefly describe</b>	<b>Is this likely to result in a significant effect?</b>
<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 given limited physical works proposed (no 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.
<b>7.</b> 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?	Unlikely. Although application site has previously been used for hydrocarbon exploration, there is no indication that environmental standards have been exceeded.	No significant effects anticipated. Development not expected to exceed environmental standards. Site is controlled through planning, Environmental Permitting processes, and HSE requirements.
<b>8.</b> 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.
<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> Will the development pose significant risks to human health, for example due to water contamination or air pollution?	Unlikely. Operations would be temporary, albeit over 17 months. 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 (no drilling and no hydraulic fracturing) and controls through planning and Environmental Permitting, and HSE requirements.
<b>11.</b> 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. Previous works at the site have not been shown to affect such designations.

	<b>Likely/Unlikely – briefly describe</b>	<b>Is this likely to result in a significant effect?</b>
<p><b>12.</b> 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, temporary nature of proposal, and ability of planning/ permitting/HSE regimes to ensure measures are in place to contain emissions.</p>
<p><b>13.</b> 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. Historic ecological appraisals have 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><b>14.</b> 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 is impermeably sealed and bunded; potential impacts on surface and groundwater controlled through planning and Environmental Permitting processes.</p>
<p><b>15.</b> 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. The largest piece of equipment used during the previous application was a crane at 40m in height. This would only be onsite for a limited period and although the enclosed flare would onsite, the development site is enclosed with mature trees that help to mitigate any impact.</p>

	<b>Likely/Unlikely – briefly describe</b>	<b>Is this likely to result in a significant effect?</b>
<b>16.</b> Is the project in a location where it is likely to be highly visible to many people?	Site is located between London Road (the B2036) and the London-Brighton railway corridor.	Significant effects unlikely given temporary nature of the development and transient views. The development site is enclosed with mature trees that help to mitigate any impact.
<b>17.</b> 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 limited physical works proposed.
<b>18.</b> 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.
<b>19.</b> 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.
<b>20.</b> Will there be any loss of Greenfield land?	No greenfield land affected.	No impacts anticipated.
<b>21.</b> 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.
<b>22.</b> 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. However, even given the extended time period, no significant impacts on the environment is expected.
<b>23.</b> 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 on route to A23.	No significant effects anticipated given the limited physical works proposed and temporary nature of development. Although over an extended period, HGV movements would not pose congestion issues. Significant impacts are not expected.

	<b>Likely/Unlikely – briefly describe</b>	<b>Is this likely to result in a significant effect?</b>
<b>24.</b> 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.
<b>25.</b> 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.
<b>26.</b> 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 limited physical works proposed and temporary nature of development.
<b>27.</b> Is there a potential for transboundary impacts?	Unlikely. Site is not near any boundaries.	No significant effects identified.
<b>28.</b> 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, approximately 15 – 17 month period, permission for the removal of the drilling fluids, upgrade the site with a pad wide impermeable membrane and Extended Well Test (EWT) at an existing hydrocarbon site near Balcombe.

The site has previously been used for hydrocarbon exploration, the most recently approved application (temporary planning permission WSCC/040/17/BA) allowed for a 7-day well test following a borehole being drilled in 2013 under planning permission WSCC/027/10/BA.

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 and no further drilling is proposed, nor is hydraulic fracturing proposed. The site is well-screened, is brownfield land, and located between a road and the railway corridor, so although it is in the AONB, the potential for impact on the landscape designation is not considered significant. Emissions to air are controlled through the Environmental Permitting process, and the risk of accident control by the HSE. Should oil begin to flow, crude would require exporting from site. Although there would be some increase in vehicle movements on the local highways over the operational period, it is not considered that this would result in significant environmental impact.

In approving previous applications, it was considered that the development would not result in significant impact on people or the environment. Given the similarities between this proposal and those previously approved, these conclusion are relevant when considering whether EIA is necessary, even when taking into account the increased period of time.

In this case, taking into account the temporary 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:**

Handwritten signature of James Neave in black ink.Handwritten signature of Chris Bartlett in black ink.

**James Neave**  
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**Manager**

**Chris Bartlett**  
**Principal Planner**

**Date:** 24 July 2020

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