TO: PLANNING & REGULATORY COMMITTEE
DATE: 13 DECEMBER 2000

BY: HEAD OF PLANNING

DISTRICT(S): MOLE VALLEY
ELECTORAL DIVISION (S): DORKING NORTH

PURPOSE: FOR DECISION
S/A REF: 106 C2

TITLE: MINERALS AND WASTE APPLICATION: MO00/1706 BROCKHAM OILFIELD, FELTON’S FARM, BROCKHAM

SUMMARY

Retention of an existing well site and access road for a temporary period of 12 months and the temporary installation of equipment for the carrying out of production testing operations over a period of three months.

The application concerns an existing well site in the Green Belt which may have the potential to sustain small-scale oil production. The Applicants wish to carry out further appraisal testing in order to determine whether this is the case. A key issue in this case is whether it has been demonstrated that there is a need to retain the existing well for further testing. It has also been necessary to consider the impact of the development and whether any impacts upon residential amenity and the local environment can be mitigated satisfactorily.

The report accepts that the development is required in order to complete the evaluation of the commercial potential of the well. It is considered that the proposal is not inappropriate in the Green Belt and that the proposed extension of time is small and will not have a materially adverse impact upon the character of the area. The short-term effects of noise and traffic can be mitigated by the imposition of appropriate planning conditions.

The recommendation is to PERMIT subject to conditions.

APPLICANT: Edinburgh Oil and Gas plc
Date Registered: 5 October 2000
Amplifying/Amending Letters: 02/11/00 & 11/11/00

SITE DESCRIPTION AND PLANNING HISTORY

1. Felton’s Farm is situated to the west of Bushbury Lane and Old School Lane, south-west of Brockham Village, near Dorking.

2. Planning Permission (Ref: MO86/1112) was originally granted for an exploratory oil well site and access road in May 1987. Later on that same year, an exploratory borehole, Brockham 1, was drilled which identified hydrocarbon deposits. Approximately 70-80 barrels of oil were produced per
day from May to September 1988. The equipment was then removed from the site pending an evaluation of the test. Following a series of temporary permissions to retain the site, planning permission (Ref: MO92/0969) was granted in January 1995 for the retention of the existing well site for further appraisal and drilling of up to 5 additional wells, and the installation of production and road tanker facilities. Condition 2 of the permission required all buildings, plant, machinery and engineering works to be removed from the site within 12 months of completion of flow testing. Condition 3 of the permission required the site to be restored to agriculture within 12 months of that date. These conditions have not been complied with but can be enforced if the current proposal is refused planning permission.

3 In 1998, a second well was drilled, Brockham 2, to further appraise the development potential of the oilfield. The results from the drill were disappointing, no further work was carried out, and the equipment was removed. The license for the site has now been taken over by new operators, Edinburgh Oil and Gas (the Applicants). Despite the results of the second well the existing Brockham 1 well is known to be oil producing and, when it was drilled in 1987, it had produced 70-80 barrels of oil per day but it had been inadequately tested. The Applicants now wish to complete testing in order to finish evaluating the commercial potential of the existing well and to establish how the site is to progress.

THE PROPOSAL

4 It is proposed to retain the well site and access for a temporary period of 12 months together with the installation of temporary rented equipment on the site to test the levels of production from the Brockham 1 well over a period of up to 90 days.

5 Similar testing operations are currently being conducted at the Lidsey Oilfield near Bognor Regis in West Sussex. The testing proposed for Brockham would use almost identical equipment: a beam pump; four stock oil tanks; an oil/gas separator; oil and water export pumps; a gas vent stack and scrubber; a diesel powered generator; and a small office/site hut. The Applicants have provided a colour photograph **ANNEXE 1** showing the equipment currently in use at Lidsey and state that the tallest structure is the vent stack with a height of 6.2 metres, the tanks have a height of approximately 3.1 metres, the office and storage buildings 2.5 metres and the beam pump 4.5 metres. The oil/gas separator, oil and water export pumps are much smaller vessels. Flow rates and characteristics would also be very similar. Previous tests indicate that there is a low likelihood of gas being present. In the event that significant amounts of gas are produced, it is intended to install a flare at ground level. The flare would be screened by surrounding mounds.

6 Production over the 90 day period is expected to be about 70 barrels per day of which 5 to 10 would be water. It is not anticipated that there would be any gas although, if levels were significantly greater, then a gas/oil separator would be introduced. Given the anticipated production levels a maximum of 3 tankers per week would be required to remove the oil and water from the site. Vehicular access would be to and from the A24 via the same route used in the construction of the site and the drilling of the two wells. It would take approximately 3 to 4 days to bring the equipment to the site and set up using a mobile crane. This period would be the time of greatest activity with about 5 HGV’s visiting the site per day. When testing commences traffic volumes should fall to a maximum of 3 tankers per week together with a small number of cars and light vans each day.

7 It is anticipated that manual operations will be carried out during daylight and that lighting will not be required.

8 Following completion of testing, a decision will be made by the Applicants whether to abandon the wells and restore the site or to seek planning permission for production over a 3 to 4 year period.
DEVELOPMENT PLAN

9 Mole Valley Local Plan (Adopted October 2000) : Metropolitan Green Belt – Policy ENV2

CONSULTATIONS

10 Environment Agency : No objection.
11 Surrey Wildlife Trust : No objection.
12 County Highway Authority - (Transportation Development Control) : No objection, subject to conditions.
13 Head of Engineering - (Environmental Noise) : No objection, subject to conditions.
14 Environmental & Economic Policy - Conservation : No objection.
   - Archaeology : No objection.
   - Rights of Way : No objection subject to conditions.
15 Consultant Geologist : No objection.
16 Thames Water Utilities : No objection.
17 Sutton & East Surrey Water Company : No views received.
18 SEEBOARD : No views received.
19 Health and Safety Executive : No views received.
20 Surrey Fire and Rescue : No views received.
21 Farming and Rural Conservation Agency : No views received.
22 National Trust : No objection.

PUBLICITY

23 The proposal was advertised by way of site and press notices. Brockham Parish Council, Brockham Green Village Society, Brockham Sewerage Land Group and the Council for the Protection of Rural England were notified. No representations have been received to date.

DISTRICT COUNCIL

24 No objection at officer level. Request that appropriate conditions are recommended to ensure that the testing operations do not result in an unreasonable level of noise transmitted beyond the boundaries of the site and that all testing equipment is removed and the site made good at the expiry of the temporary period. Development Control and Licensing Committee due to consider the application on 6 December 2000.
PLANNING CONSIDERATIONS

Introduction

25 The proposal concerns a site located in the Green Belt which may have the potential to sustain small-scale oil production. The Applicants wish to carry out further appraisal testing in order to determine whether this is the case. A key issue is whether it has been demonstrated that there is a need to retain the existing well for further testing. At the same time, it will also be necessary to consider the impact of the development and whether any impacts upon residential amenity and the local environment can be mitigated satisfactorily.

26 National policies relevant to this proposal are contained within Planning Policy Guidance Note 2 (PPG2) ‘Green Belts’ (Revised) January 1995 and Draft Consultation Mineral Planning Guidance (MPG) ‘On-Shore Oil, Gas and Coalbed Methane Development’ (October 1999). The following Development Plan policies are also relevant in assessing this proposal:

**Surrey Structure Plan 1994**
- Sustaining Surrey’s Environment: EN1
- Development within the Green Belt: PE2
- The Movement Implications of Development: MT2
- The Impact of Lorry Traffic: MT7
- Demand for Mineral Working: DP24
- Oil and Gas Resources: DP26
- Restoration: DP29

**Surrey Minerals Local Plan 1993**
- Environmental and Amenity Protection: Policy 1
- Restoration and Afteruse: Policy 5
- Appraisal of Exploratory Well Sites: Policy 16
- Transportation of Hydrocarbons: Policy 18

**Mole Valley Local Plan 2000**
- Development Policy for the Green Belt: Policy ENV2
- The Movement Implications of Development: Policy MOV2

**National and Local Plan Hydrocarbon Policies**

27 Current government guidance is contained within Mineral Planning Guidance (MPG): On-Shore Oil, Gas and Coalbed Methane Development (Draft Consultation Document) which replaces Circular 2/85. The consultation draft MPG states that “exploration and appraisal activity is therefore a sound preparation for the future, provided that it can be carried out in an environmentally acceptable way consistent with the principles of sustainable development.”

28 Structure Plan Policy DP26 states:

“The County Council will regulate oil and gas development in accordance with policies set out in a Minerals Local Plan. These policies will require development to be compatible with the conservation and enhancement of the environment.”

The Policy reflects the guidance given in the draft MPG in seeking to minimise the environmental impact of such development.
Surrey Minerals Local Plan Policy 16 refers specifically to appraisal drilling and subsequent testing and states that proposals will only be permitted where the County Council is satisfied that:

(i) the proposed development is necessary;
(ii) the proposal forms part of a scheme for the appraisal of the field; and
(iii) the proposal is in accord with relevant Structure Plan and Mineral Local Plan Policies.

The Policy further states that:

“Proposals for the use of exploratory well sites for appraisal or production will be treated on their merits. There will be no presumption in favour of their use for such purposes.”

Green Belt Considerations

The site is located within the Metropolitan Green Belt. Planning Policy Guidance Note 2 (PPG2) (Revised) January 1995 sets out the latest government advice on Green Belts. The guidance states that minerals can only be worked where they are found and “that minerals extraction need not be inappropriate development: it need not conflict with the purposes of including land in Green Belts, provided that high environmental standards are maintained and that the site is well restored”. Policy PE2 of the Surrey Structure Plan 1994 (SSP), whilst pre-dating the revision of PPG2, sets out the Authority’s approach to the control of development within the Metropolitan Green Belt. In paragraph 3.8 it is recognised that some uses may need to be located in the Green Belt, including mineral working and waste disposal, and that these uses may be permitted though not as of right. In judging this proposal it is therefore necessary to be satisfied that the proposal is necessary, maintains high environmental standards, and does not give rise to any adverse impact.

Impact on the Green Belt

The well site is established and has been subject to previous testing operations in 1988 and more recently in 1998. These operations were carried out to the satisfaction of the County Planning Authority. The site is a small-scale site and well screened. Restoration at a later date can be achieved under the terms of the original planning permission. The current proposal will have no greater impact on the Green Belt than previous operations.

Need for the Development

The first well drilled in 1988 (Brockham 1) has produced oil, but testing has been limited. Despite the disappointing results of the second well drilled in 1998 (Brockham 2), the Applicants consider that the first well had sufficient initial production potential that it should be subject to a further period of testing before the site is abandoned and restored. The submitted documents have been reviewed by the County Consultant Geologist. Given the previously favourable results of testing for Brockham 1, it is considered reasonable to accept a further limited period of appraisal subject to the operations being carried out in an environmentally acceptable manner.

Summary of Green Belt and Hydrocarbon Policy Considerations

The proposal satisfies the tests set out in the draft MPG, PPG2, SSP Policies PE2 and DP26, MLP Policy 16 and is acceptable for the period proposed subject to environmental and amenity considerations.

Environmental and Amenity Impact Considerations
Mineral extraction can be a source of public concern and has the potential to harm environmental and amenity interests. The consultation draft Mineral Planning Guidance Note (MPG) ‘On-Shore Oil, Gas and Coalbed Methane Development’ recognises that mineral working can have a significant environmental impact and often takes place in areas of attractive countryside.

The Surrey Structure Plan (SSP) 1994 recognises that emphasis needs to be given to the broader environmental implications of development. Proposals are expected to demonstrate compliance with the wide range of criteria set out in Policy EN1 ‘Sustaining Surrey’s Environment’.

Surrey Minerals Local Plan (SMLP) 1993 Policy 1 seeks to secure adequate safeguards for the protection of the environment and amenities of local residents by requiring applicants to satisfy the County Council that adequate steps have been taken to minimise the impact of any proposal and that the relevant issues set out in the policy have been taken into account. In this case, such issues include traffic and noise.

Noise

The County Noise Engineer is unaware of any complaints relating to noise from the previous testing. The nearest noise sensitive property is Pondtail Farm to the northeast, approximately 518m away. The County Council’s Noise Control Officer has commented that the diesel generator could have the potential to cause problems at night unless it is very well silenced in a purpose built enclosure. This matter can be dealt with by the imposition of an appropriate condition. Such a condition will address the District Council Officers’ request for appropriate controls.

Visual Impact

The site is approximately 518m away from the nearest property and is well screened by hedgerows and trees. The site is also screened by a 2 to 3 metre high grassed bund. Given the nature and size of the proposal as well as the screening available it is not considered that the proposal will affect the amenity of local residents.

Highways and Traffic

Traffic is identified as one of the main impacts connected with mineral working. The government’s advice on transport, Planning Policy Guidance Note 13 (PPG13) March 1994 is currently being revised and is out to public consultation. The revised PPG states that local authorities should “encourage development which is, or can realistically be, served by rail or water and development with good (though where possible indirect) access to trunk roads…”

Surrey Structure Plan (SSP) Policy MT2 seeks to ensure that the movement implications of a development are compatible with the local transport infrastructure. SSP Policy MT7 recognises the impact that lorry traffic can have on sensitive areas, town and village centres, residential streets and rural lanes. The ‘Surrey Minerals Local Plan’ (SMLP) 1993 recognises that traffic associated with mineral workings gives rise to a high level of concern and that careful consideration is necessary to assess the impact on the locality and the highway network.

SMLP Policy 18 states that:

“The transport of hydrocarbons by road from an oilfield in Surrey will only be permitted where the impact of such traffic on local highways and the environment generally can be restricted to an acceptable level and then only: -
(i) for a period not exceeding 6 months where necessary to prove a deposit encountered in an exploratory or appraisal well; or

(ii) where it can be demonstrated to the satisfaction of the County Council that a pipeline to a treatment plant or rail terminal is not commercially feasible.”

42 The proposals would involve testing over a period of 90 days which is well within the period of 6 months stated in Policy 18 of the SMLP above. It is anticipated that a maximum of 3 tankers per week would be required over the 90-day production period. Given the limited number of tanker movements and the short duration of the proposal, the impact of the traffic to and from the site would be acceptable. The number of tanker movements can be controlled by the imposition of an appropriate condition. Transportation by pipeline was investigated as part of planning permission ref. MO92/0969 where it was considered unlikely to be commercially feasible. In any case, the appraisal might reveal that the identified reserves are not commercially viable and therefore require abandonment and restoration. The construction of a pipeline is therefore not considered necessary in this particular instance.

Rights of Way

43 The access road crosses Public Footpath 86. Safe public access would be maintained by the imposition of appropriate conditions.

Summary Environment and Amenity

44 It is considered that impacts on noise and traffic can mitigated by the imposition of appropriate conditions. Extensive consultation has been carried out in relation to the environmental and amenity issues raised by the proposal. However, consultees have raised no objection. It would therefore appear that the proposal would not have an adverse impact upon the environment.

CONCLUSIONS

45 The application has to be considered on its merits, and should not be influenced by any hypothetical future development. Approval of this application would not be an endorsement for further hydrocarbon development. Minerals can only be worked where they are found. It is accepted that the development is required in order to complete the evaluation of the commercial potential of the well.

46 Green Belt policy accepts that minerals can only be worked where they are found. Mineral extraction is considered a temporary activity and need not be inappropriate provided that it does not conflict with the purposes of including land in the Green Belt, that high environmental standards are maintained, and the site is well restored. Given the nature and scale of the proposals, the requirement for restoration can be dealt with by the imposition of an appropriate condition. It is therefore considered that the development would not be inappropriate in the Green Belt and would meet the requirements of SSP Policy PE2.

47 The proposed extension of time is small and will not have a materially adverse impact upon the character of the area and is therefore acceptable in visual terms. The short-term effects on noise and traffic can be mitigated by the imposition of appropriate planning conditions. Therefore, in the light of the above, it is considered appropriate to permit the proposed development subject to appropriate conditions to ensure the site is restored in accordance with the provisions of Structure Plan Policy DP29 and to safeguard amenities as encouraged in Policy 1 of the SMLP.

RECOMMENDATION
The recommendation is to PERMIT subject to the following conditions:

1. The permission hereby granted shall be for a limited period expiring on 31 December 2001. All buildings, plant, machinery, both fixed and otherwise, and any engineering works connected therewith on or related to the application site (including any hard surface constructed for any purpose) shall be removed from the application site by this date or within six months of the completion of production testing operations, whichever is the earlier. All the land where such works stood shall be restored to its former condition in accordance with the terms of the application hereby permitted. Notwithstanding this, any plant or equipment required to make the site safe to a specification agreed with the Department of Energy in accordance with the Petroleum (Production) (Land Areas) Regulations 1984 or any subsequent Regulations may remain in position.

2. The duration of production testing operations shall not exceed 90 days nor involve more than 3 tanker loads per week except with the prior written permission of the County Planning Authority.

3. The appraisal and production of hydrocarbons and subsequent restoration hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted documents and plans contained in the application and with such details as are subsequently approved by the County Planning Authority and no variations or omissions shall take place without the prior approval in writing of the County Planning Authority.

4. (a) No watercourses shall be incorporated into or allowed to discharge into any part of the application site nor shall there be any direct connection between the site and any watercourse without the prior permission in writing of the County Planning Authority following consultation with the Environment Agency.

(b) All possible steps shall be taken to prevent any suspended matter or material passing into any watercourse from production testing operations. There shall be no discharge of sand, oil, grease or any other offensive or injurious matter into any watercourse.

5. Site preparation work and installation of equipment for the carrying out of production testing operations and subsequent reinstatement shall not be undertaken except between the hours of 0700-1900 on Monday to Friday; 0700-1300 on Saturday and no such work shall take place at any time on Sunday or a public holiday, without the prior written permission of the County Planning Authority.

6. Except in the case of emergency, no commercial vehicles shall enter or leave the site except between the hours of 0700-0800, 0900-1530 or 1800-2000, on Monday to Friday or 0700-1300 on Saturday.

7. All vehicles entering or leaving the site shall follow the route shown on Drawing No Figure 1 of application MO92/0969.

8. Without the prior written approval of the County Planning Authority, no diesel mechanical drilling rig shall be used on the site. During the hours of 2200-0700 inclusive no tripping shall be undertaken nor shall casing be cemented except in cases of emergency or with the prior written permission of the County Planning Authority.

9. The noise arising from the testing operations or the use of any plant or equipment associated with such operations on the site of the development hereby permitted, when measured at or recalculated as at a height of 1.2 m above ground level and 3.6 m from the facades of residential properties facing the site shall not exceed 45dBA Leq(1 hour).

10. Notwithstanding the provisions of Condition 9 during the hours of 2200 to 0700 the noise arising from any activity on the site of the development hereby permitted, when measured at or recalculated as at...
a height of 4m above ground level and 3.6m from the facades of residential properties facing the site, shall not exceed 35dBA Leq(1 hour) and so as to ensure that these levels are not exceeded the following measures shall be undertaken:

(a) the generators shall be housed and equipped with silencers designed to ensure that the specified noise levels are not exceeded and thereafter maintained in good condition;

(b) water injection pumps shall be enclosed.

11 In accordance with the provisions of Condition 1 the site shall be returned to a condition suitable for agriculture at previously existing ground levels in accordance with a scheme to be submitted for the approval of the County Planning Authority within six months of the date of this permission, so as to facilitate natural drainage and to permit the carrying out of normal agricultural operations. When approved such restoration shall be carried out to the satisfaction of the County Planning Authority in accordance with the following provisions:

(a) A person or persons with knowledge of an expertise in site restoration and having powers to require in the interests of restoration that operations be carried out or discontinued shall supervise restoration, aftercare and the works described in Condition 1.

(b) Following removal of plant equipment and hardstanding as required by Condition 1, the area is to be thoroughly ripped or deeply cultivated so that any compact layers are effectively broken up.

(c) The subsoil is to be spread over the restoration area at an even depth so as to follow the final contours. This soil is to be deeply cultivated so that any compact layers are effectively broken up.

(d) The topsoil is to be spread over the restoration area at an even depth above the respread subsoil so as to achieve the final levels and configuration described above.

(e) Both during and on completion of the restoration provision shall be made for the natural or artificial drainage of the site to the satisfaction of the County Planning Authority and shall include the provision by the Applicants or the owner of the land or their successors in title, of any land drainage which the County Planning Authority may consider necessary to bring the land back to agricultural use.

12 The land shall be brought to the required standard for use for agriculture in accordance with the provisions of the aftercare scheme which, under the terms of this condition, shall be submitted to the County Planning Authority for approval within 12 months of the date of this permission. The scheme shall include details of the planting or seeding, cultivation, fertilisation, watering, drainage, the provision of hedges, fences, shelter belts and other treatment of the land that it is proposed should be carried out. The Applicants shall notify the Authority when the planting or seeding has been completed and not more than one year after that date there shall be a meeting at the site which shall be attended by representatives of the Applicants, the owners of their successors in title and the County Planning Authority, to monitor the success of the scheme. Should it prove necessary further meetings will be held within the period of five years from the commencement of aftercare.

13 The access and sight lines to Bushbury Lane provided in accordance with the terms of Condition 15 of planning permission MO86/1112 dated 20 May 1987 shall be maintained to the reasonable satisfaction of the County Planning Authority and the area in advance of the sight lines shall be kept permanently clear of obstructions.
14 The existing parking and turning area at the premises shall be maintained exclusively for that purpose.

15 Before any of the operations hereby approved are commenced, which involve the movement of materials in bulk to or from the site, facilities shall be provided as may be agreed with the County Planning Authority, after consultation with the County Highway Authority, to prevent the deposition of extraneous matter on the public highway and shall thereafter be maintained and used whenever the said operations are carried out.
Reasons:

1, 2, 11 & 12
To comply with the terms of the application and to enable the County Planning Authority to retain control over the operation so as to ensure an orderly method of working, to minimise the impact on local amenity and that the site is restored to a satisfactory condition in accordance with the terms of Surrey Structure Plan Policies EN1 ‘Sustaining Surrey’s Environment’, PE2 ‘Development within the Green Belt’, DP29 ‘Restoration’, Minerals Local Plan Policies 1 and 5 and Mole Valley Local Plan Policy ENV2.

3
To ensure that the proposed development will be carried out entirely as approved so as to avoid any detriment to the amenities of the locality in accordance with Structure Plan Policies EN1 ‘Sustaining Surrey’s Environment’ and Minerals Local Plan Policy 1.

4
To ensure that the free-flow of surface water and floodwater is not obstructed and to protect the flow and purity of water in the existing watercourses in accordance with Structure Plan Policy EN1 ‘Sustaining Surrey’s Environment’ and Minerals Local Plan Policy 1.

5, 6
To enable the County Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area in accordance with Structure Plan Policy EN1 ‘Sustaining Surrey’s Environment’ and Minerals Local Plan Policy 1.

7, 13–15
In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users to comply with Minerals Local Plan Policy 1.

8-10
To ensure minimum disturbance and avoid nuisance to the locality to comply with Structure Plan Policy EN1 ‘Sustaining Surrey’s Environment’ and Minerals Local Plan Policy 1.

Informatives:

1
Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the brink of the main river. Contact Nathan Fahy on 01276 454340 for further details.

2
Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground water), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Contact Tracy McKeown on 01276 454366 for further details.

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BACKGROUND PAPERS: