TO: PLANNING & REGULATORY COMMITTEE **DATE:** 13 JULY 2016

BY: PLANNING DEVELOPMENT TEAM MANAGER

DISTRICT(S) DISTRICT/BOROUGH COUNCIL **ELECTORAL DIVISION(S):**

PURPOSE: FOR DECISION **GRID REF:**

TITLE: **APPLICATION NO: GU15/P/02110 - ALBURY PARK WELLSITE, EAST OF NEW ROAD, ALBURY SURREY**

SUMMARY REPORT

Albury Park Wellsite, East of New Road, Albury Surrey

Retention of the Albury wellsite and access track for the production of Compressed Natural Gas (CNG) and electricity including: temporary flaring to re-establish gas flow, the installation of CNG production plant and equipment within the wellsite compound and also a tanker loading area, site office, lighting, security cameras, gas powered generator, coolers, generator control room, knock out pot and WC; and retention of a transformer unit, switch room, water tank, temporary parking area and perimeter fencing all on some 1.51 hectares for a temporary period of 15 years with restoration to commercial forestry.

This application is concerned with the final stage of on-shore gas development – gas production. Gas exploration and appraisal have been carried out at Albury wellsite since the late 1980's. Having identified a gas reserve at Albury wellsite the applicant is now seeking to extract the gas for production reasons and proposes to produce compressed natural gas (CNG) as the product. The applicant first proposes to bring onto site a workover rig and flare to re-establish gas flow at the wellhead. The workover rig would be in place for four weeks and the flare would be used for seven days. After this temporary period both the rig and flare would be removed from site. For the operational period, the applicant then proposes to install plant and equipment to compress the natural gas from the Albury wellsite to less than 1 percent of the volume it occupies at standard atmospheric pressure. The CNG would then be removed from site by a tanker to transport it to a facility in Hampshire which would feed it into the market. No CNG would be stored above ground prior to it being removed from site.

The applicant states that two heavy goods vehicles in the form of tankers would come to the site daily and fill up with CNG. The applicant states the proposal would be a 24/7 operation with most of the activities controlled remotely but daily visits made by light vehicle movements. The tallest element of the proposed plant and equipment would be the generator at 3 metres in height. The surrounding tree line is 12 metres in height. Lighting would have to be installed at the application site to 2 metres in height and would only be switched on at night when needed although the applicant proposes that where possible maintenance would be carried out during the daytime. In addition to the production of CNG the applicant proposes to generate electricity using a generator, for onsite use with any excess electricity fed into the local grid by an existing connection.

The applicant proposes that the operation be carried out for a period of 15 years after which the site would be restored in accordance with details submitted as part of this application. Access to the compound would be from New Road using an existing logging track. Car parking bays would

be provided adjacent to the logging track. The proposal does not seek to increase the physical size of the existing compound area.

The wellsite lies within the Metropolitan Green Belt in a heavily wooded area, which forms part of Albury Park Estate Listed Park and Garden on land within an Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV). As the wellsite is located within an AONB, where mineral working is only allowed where the mineral is essential and of national interest, the application falls to be considered as a Departure from the provisions of the Development Plan. The proposal is considered to be 'major' development for the purposes of exception test required within the National Planning Policy Framework for proposals within AONBs. The proposed production of CNG is not considered to be Environmental Impact Assessment development under the Environmental Impact Assessment Regulations 2011. Either side of the forestry track to the application site is Ancient Woodland and an assessment of potential impact requires assessing.

It is necessary to consider the proposal against European, National and Development Plan policies, and assess the potential environmental and amenity impacts against those policies and the advice provided by statutory and non-statutory consultees and views expressed by other bodies, groups and individuals. Key issues in determining this application are the need for the development, including whether it is of national interest, whether there are any alternatives and the impact on the AONB. The County Planning Authority must be satisfied that the potential impacts arising from the development are acceptable in terms of the closest residential properties and the local environment and amenities. The report covers such environmental and amenity issues as noise, ecology, highways and traffic, historic parkland, restoration, lighting, visual impact and flooding.

There have been 37 letters of representation on this planning application raising concerns with regard to the air quality and health impacts of flaring and from the generator; increase in lorry movements on the public highway and safety implications of this, implications of climate change, noise, the impact on the AONB, light pollution; and amenity use within the locality. No objection has been raised from Guildford Borough Council, Albury Parish Council or technical consultees. The Surrey Hills AONB Office, whilst not objecting, does raise concerns with regards to the proposal having an impact on the tranquillity of the AONB from the combination of noise and traffic.

In terms of need, indigenous supplies of gas have declined to a point where the United Kingdom (UK) is now a net importer and national energy policy seeks reliability in gas supplies. Government policy for ensuring a reliable gas supply is that indigenous gas reserves are husbanded appropriately with a reduced reliance on gas supplies from outside the UK, and these principles are set out within DECC's Energy Security Strategy (2012), The Carbon Plan (2011 – updated 2013) and the Government's Annual Energy Statement 2014. These national policy statements set out why the provision of additional gas supply infrastructure is important to the future security of the UK's gas supply. The difficulty of limited locations for the exploration of gas is recognised in these documents. The Carbon Plan also sets out the Government's aims for achieving targets within the Kyoto Protocol (with more recent Paris Agreement adopted in December 2015 which provides steps to build upon this) with regard to Carbon Dioxide emissions and this includes not only the use of renewable energy but the use of alternative green fuels.

Whilst encouraging energy efficiency and renewable energy, it is also a Government objective to maximum the economic recovery of the UK's oil and gas reserves. The appraisal work carried out at Albury wellsite has shown there is a gas reserve at the wellsite which can be economically viable. The applicant has provided information within the planning application to demonstrate why CNG is the most economically and environmentally viable option for exploiting the gas reserve at Albury. The assessment of alternative options includes the construction of a pipeline to transport the gas beyond the AONB boundary.

The planning application includes a transport management plan, a noise assessment, landscape and visual impact assessment, air quality assessment, flood risk assessment and need assessment. A significant issue is the acceptability of the development within the AONB. The site is within a particularly attractive area but is well screened by existing vegetation. The landscape and visual impact assessment concludes that the compound would not be obvious or intrusive in the landscape and given the operational plant and equipment are below the tree line it would not be possible to see the proposal at short, mid or long distance views. The proposal would, however, have some impact on the landscape and would not enhance the natural beauty of the AONB during the proposed 15 year life. It is accepted that the installation and use of the workover rig would cause visual impact due to its height. However the workover rig activities would be very short term, 4 weeks, after which it would be removed. Given the temporary nature and degree of impact Officers do not consider that the development as a whole would have a significant adverse impact or that the harm was so great as to amount to an absolute constraint on visual impact grounds. Taking into account the national need to husband indigenous natural resources and the lack of viable alternative sites, Officers are satisfied that there is a proven need for the development at this site in the context of national policy which means the proposal can be granted as an exception to policy with regards to the AONB and Green Belt.

Officers consider that the proposal as it is now submitted, should enable high environmental standards to be maintained and the site to be well restored. Taking account of the need for the development and other relevant policy texts, Officers recommend that subject to appropriate conditions to protection the environment and amenity the application be permitted as an exception to Development Plan Policy, but that it is not necessary to refer the application to the Secretary of State to allow a direction prior to the issue of a decision.

A Planning and Regulatory Committee site visit took place in April 2016.

The recommendation is to **PERMIT** subject to conditions.

APPLICATION DETAILS

Applicant

Island Gas Ltd

Date application valid

3 November 2015

Period for Determination

2 February 2016

Amending Documents
Letter dated 15 April 2016 and accompanying plan ALB-16B “Wellsite Restoration Plan” dated 8 April 2016, ALB-17B “Access Restoration” dated 8 April 2016, and Restoration and Aftercare document dated April 2016-04-27sking; email dated 11 May 2016 and drawing “Elevations – Existing and Proposed” ALB-15B dated 11 May 2016; Technical Note “Use of a Temporary Flare at Albury Well Site – Emissions to Air” dated 23 May 2016; Heritage Impact Assessment dated June 2016

SUMMARY OF PLANNING ISSUES

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

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	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Need	Yes	63-80
Environmental Impact Assessment	Yes	86- 88
Climate Change	Yes	89 – 92
Lighting	Yes	93 – 104
Air Quality	Yes	105 – 123
Noise	Yes	124 – 155
Ecology	Yes	156 – 167
Ancient Woodland	No	168 – 177
Restoration	Yes	178 – 190
Hydrogeology, Surface Water Drainage and Flooding	Yes	
Historic Assets	Yes	191 - 203
Highways and Access	Yes	204 – 232
Area of Outstanding Natural Beauty, Landscape Character and Visual Impact	No	233 – 272
Green Belt	No	273 - 292

ILLUSTRATIVE MATERIAL

Site Plan

Plan 1, 2

Aerial Photographs

Aerial 1, 2

Site Photographs

1. View of New Road looking northwards
2. Access to the application from New Road
3. Access track to the wellsite
4. Perimeter drainage ditch
5. View to the wellsite along the access track
6. View across the wellsite
7. View across the wellsite
8. The well head

Additional Figures
Drawing “Proposed Site Layout” ALB-14A (please note that this plan shows the proposed items of plant and equipment to be brought onto site. It also shows the extent of the tree belt (by the blue line)
Drawing “Elevations – existing and proposed” ALB-15B
Access Layout ALB-13A
Site plan with annotations
Extent of the Registered Park and Garden
Extent of the Ancient Woodland

BACKGROUND

Site Description

1. Albury wellsite lies within the 104 hectares (ha) of historic parkland at Albury Park. The 1.51 ha wellsite is located within an area of mixed woodland approximately 1.8 kilometres (km) south east of Albury, 1.2 km south west of the village of Shere and approximately 1.5 km south of the A25. Vehicles leaving the A25 Shere Road access the site via the A248 Sherbourne and the D194 New Road before turning left into a trackway that runs approximately 200 metres (m) eastwards from New Road. The access onto New Road is close to the junction with Park Road and Sandy Lane.

2. Public footpath No 239 passes through Albury Park some 200m to the east of the site. The closest residential property to the wellsite is Keepers Cottage, which is situated approximately 190m to the north west on the side of a valley some 15m below the level of the wellsite. Further northwest of the site is Albury Park Mansion, a Grade II* Listed Building set in substantial grounds. Further north is the Grade I listed Church of St Peter & St Paul, the former parish church. Beyond the church and mansion are wooded pleasure gardens, which along with the Historic Park and Garden associated with Albury Park Mansion are Grade I listed.

3. A property known as The Bungalow is located off Sandy Lane just south of its junction with New Road. The Bungalow is situated almost opposite the site access and some 220m from its curtilage to the wellsite boundary. Further residential properties lie to the south of Park Road with the closest of these approximately 230m south east of the site. Scot's pine and larch plantation woodland surround the compound, which effectively screens the site from neighbouring dwellings and from New Road and Park Road.

4. The wellsite falls within the Metropolitan Green Belt, the Surrey Hills Area of Outstanding Natural Beauty (AONB) and the Area of Great Landscape Value (AGLV). An area of high archaeological potential is located some 200m to the north and the site is within an area of Historic Parkland. The wellsite is also included in 38.9 ha of land that has been designated as a Site of Nature Conservation Importance (SNCI) known as SNCI 1292 Park Wood, which has been designated for its ancient semi natural woodland.

5. The stone surfaced access track is approximately 200m long and is gated at both the junction with New Road and the wellsite itself. The first 25m of the track was widened from 4m to 6m to provide temporary parking under planning permission ref: GU08/0483. The site's access also provides access for forestry vehicles using a track that bears left within about 100m. Either side of the stone access track approximately 185m from the access and outside of the wellsite boundary, are two telecommunications masts. The mast to the north of the access route extends to a height of 30m and the larger mast to the south, to 35m.

Planning History

6. Following seismic surveys carried out between 1979 and 1983, a geological structure capable of containing hydrocarbons was identified. Subsequent to this the following planning permissions and approvals have been issued for this site:

- Planning permission (ref: GU87/422) granted for the construction of the Albury drill site (including sealed cesspool drainage) and associated access road, drilling of an exploratory borehole and the subsequent testing of the hydrocarbon reservoir in July 1987 for a temporary period of five years with restoration to a forestry use.
- Approval for disposal of drilling mud pursuant to Condition 7 (Ref: GU87/422) in August 1987
- Approval of the aftercare scheme pursuant to Condition 11 (Ref: GU87/422) in March 1988
- Variation of Condition 2 (Ref: GU88/405) dated 17 May 1988 to retain the hardstanding and well cellar in October 1989.
- Planning permission (ref: GU91/1408) for the retention of the exploratory wellsite until 30 June 1992 granted in December 1991

- Extension of time applications (ref: GU93/0503 and GU98/1082) granted in 1993 and 1998 for the retention of the wellsite
- A retrospective planning application (ref: GU05/0637) submitted in 2005 to retain the exploratory wellsite for a temporary period of five years permitted in August 2005
- Planning permission (Ref: GU08/0483) granted in July 2008 for the retention of the wellsite compound with associated infrastructure with restoration to commercial forestry for a temporary period of up to 3 1/2 years commencing with the date of the planning permission being implemented i.e. 5 May 2009
- Details of a traffic management plan pursuant to Condition 14 of GU08/0483 submitted in April 2009
- Approval of details for the survey and protection measures of bats (Ref: GU09/0316) pursuant to Condition 18; and approval of details of breeding birds (Ref: GU09/0409) pursuant to Condition 20 were issued in June 2009
- Approval of a detailed scheme for the translocation of newts (ref: GU09/0809) pursuant to Condition 22 in July 2009
- Approval of a restoration scheme (ref: GU09/0960) pursuant to Condition 24 in August 2009.
- Approval for the storage of oils, fuels and chemicals during Phase I (site preparation) (ref: GU09/0808) pursuant to Condition 11 in August 2009 and for Phases 2, 3 & 4 (rig mobilisation, drilling & de-mobilisation) (Ref: GU09/1238) in September 2009
- Planning permission (ref: GU10/0216) for the erection of an acoustic enclosure for the duration of the drilling operations and for the drilling phase to overrun by a period of 12 weeks was granted in March 2010
- Planning permission (ref: GU12/P/01585) was granted on 27 March 2013 for the production of liquefied natural gas (LNG) at the wellsite for up to 15 years with the installation of a LNG plant and associated equipment, using the existing forestry track for access and restoring the site to commercial forestry use.
- Hazardous Substances Consent (HSC) (ref: 2012/0179) was issued on 5 June 2013 for the production and storage of LNG at the wellsite. The HSC was required for this activity as the volume of natural gas to be stored and processed at the application site exceeded the relevant thresholds.
- Non material amendment application (ref: GU13/N/00046) to allow the LNG tankers to and from the wellsite seven days a week

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THE PROPOSAL

7. The applicant is seeking to retain the existing 1.51 ha wellsite for a period of up to 15 years and upgrade the wellsite from appraisal to production standards for the production of conventional hydrocarbons[1] to produce compressed natural gas. The existing transformer unit (4.2m x 4m), high voltage switch room (3.4m x 3.4m x 2.8m (h)) and water tank (15m in diameter) all found within the current wellsite area would also be retained. The applicant proposes to install compressed natural gas (CNG) plant and equipment within the existing wellsite and this would include:

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[1] This proposal is for the production of **Conventional** hydrocarbon production, not **Unconventional** hydrocarbon production. Please see the following definition below and go to the Surrey County Council webpages 'Oil and gas development' (http://www.surreycc.gov.uk/environment-housing-and-planning/minerals-and-waste-policies-and-plans/oil-and-gas-development**)** for more information. **Conventional** oil and gas refers to oil and gas resources (also known as hydrocarbons) which are found in relatively porous sandstone or limestone rock formations. Conventional extraction methods generally involve drilling a borehole down to the porous rock where oil or gas has formed in a reservoir. Because the oil and gas resources can flow relatively freely within the porous rock all that's needed is for the gas or oil to be pumped out of the ground using beam pumps ('nodding donkeys') or electric pumps. **Unconventiona**l ('fracking') gas and oil resources are found in fine-grained sedimentary rocks known as shales. Shale gas and oil is trapped in the rock and cannot be recovered using conventional oil and gas extraction techniques. Hence there is the need for hydraulic fracturing. Shale gas and oil is frequently found at great depths - sometimes 2 km and more beneath the surface.

a compressor(2.5m x 6m x 2.6m (H))*	a cooling unit (1.6m x 6.5m x 1.4m (H))*
a pump dispenser (1m x 0.7m x 2m (H))	a gas dryer (4.5m x 6m x 2.5m (H))

In addition to this the applicant proposes to place on site:

a tanker loading area for two Heavy Goods Vehicles (2.5m x 1.5m)	site office (2m x 4m x 2.5m (H))
a gas powered generator (3.2m x 12m x 3m (H)) with coolers (2m x 1.4 m x 3m (H))*	a generator control room (2m x 3m x 2m (H))
a Knock Out Pot (1m diameter x 2m (H))	a WC (1.2m x 1.2m x 2.3m (H))
lighting	security cameras

* - these items would be housed within acoustic containers.

8. The existing access and forestry track which provides access to the wellsite would continue to be used and the applicant is proposing to retain temporary parking alongside a 25m section of the track which was permitted under planning permission ref: GU08/0483 dated July 2008.

Site Preparation and Plant Installation

9. The site preparation works would take place over a 3 month period. Prior to any production plant being installed the well and wellhead gear would be upgraded as required and the gas flow from the well re-established. This would require the use of a truck mounted workover rig some 31m in height and the temporary installation of an enclosed ground flare to burn off any relatively minor volumes of gas produced as the well is upgraded and brought back into operation. It is anticipated that the rig would be on site for up to four weeks and no drilling work would be carried out. It is anticipated that it may be necessary to flare intermittently for up to 7 days.

10. The site preparation works would mainly consist of the installation of plant and equipment rather than construction works. The plant and equipment would arrive in containers on heavy good vehicles (HGVs) and would be pre-assembled/ skid mounted (skid mounted means the machinery at point of manufacture is permanently mounted in a frame or onto rails or a metal pallet). They would be moved into position by a mobile crane and a JCB or similar and then connected via cables/ above ground pipelines.

The Operational Period

11. The site would operate 24 hours a day, 7 days per week. The process the gas would undergo from the wellhead would include the natural gas leaving the wellhead. There would be a restrictor located immediately before the pressure let-down value which controls pressure. Any water within the gas would be removed by the Knock Out Pot after which the gas would be directed to the gas drier before going to the cooler and then the compressor to be compressed to 240 – 260 barg.

12. It is proposed to produce the gas at a rate of 1 Million Standard Cubic Feet per Day which would result in 20 tonnes of CNG being exported from the site by tanker per day in two lorries. Loading the CNG into a tanker each day would take approximately 10 hours and would be overseen by a member of staff. Maintenance staff would also visit the site to check equipment. Other than these members of staff the site would be controlled remotely and monitored by CCTV mounted on two 6 metre high camera poles. Tanker movements would, where possible, take place in daylight hours and it is intended that the site would be visited and maintained during daylight hours only. However, some manual low level lighting would be provided to be used 'as required' to allow safe movement amongst the equipment if a visit during the hours of darkness became necessary.

13. The applicant also proposes to install a gas powered generator to allow gas to be drawn from the wellsite to generate electricity to power the on-site processes with any additional electricity being fed into the local network via the site's existing connection. This existing connection is not of sufficient enough capacity to allow the larger scale production and export of electricity from the site.

14. The applicant states that previous appraisal works have confirmed a reserve capable of sustaining productions for up to 15 years.

Restoration

15. At the end of the 15 year period, or sooner if the gas reserve becomes depleted, it is proposed to restore the wellsite to a forestry use.

Traffic Generation

16. The site preparation and installation works would involve approximately 15 vehicles (30 vehicle movements) per day broken down into 20 light goods vehicles (LGV) and 10 HGV movements. HGVs would unload and turn within the wellsite. Site personnel would park cars alongside the forestry track. During the operational period the CNG would be exported from site in a tanker daily at a rate of 20 tonnes per day and would be injected into the gas grid at Portsdown Hill (Hampshire) facility. This would involve 4 tanker (HGV) movements and 4 LGV movements, which would be associated with the site staff overseeing tanker loading and equipment checks and maintenance. During the restoration of the application site, this would involve up to 30 movements per day (20 LGV and 10 HGV movements) as required.

Hours of Operation

17. During the site preparation/installation and restoration period the site hours of operation would be Monday to Friday 0800 to 1800hours and 0800 to 1300 hours on a Saturday. During the operational phase the site would operate 24 hours a day 7 days a week.

Lighting

18. The applicant does not propose to illuminate the wellsite however lighting would be required for security and health and safety and would be concentrated around the office and welfare facilities.

Differences between CNG and LNG

19. CNG is made by compressing natural gas (which is mainly composed of methane) to less than 1 percent of the volume it occupies at standard atmospheric pressure. The key difference is that CNG is gas that is stored at high pressure while LNG is stored at a low temperature becoming liquid in the process. CNG is the same natural gas that is used to heat homes but by compressing it, it can be used to fuel CNG vehicles. The recent construction of a facility in Portsdown Hill, Hampshire, capable of injecting CNG into the natural gas network provides the applicant with a more cost efficient and sustainable option than converting the natural gas to LNG.

20. The onshore oil and gas industry is heavily regulated requiring a number of different permissions before any operations can commence. Obtaining planning permission is only one requirement. The applicant would need to seek further approvals from the Health and Safety Executive (HSE) (regulates the safety aspects of all phases of extraction including design and construction of a well casing), the Department of Energy and Climate Change (DECC) (issues Petroleum Licences, gives consent to drill and responsibility for assessing risk of and monitoring seismic activity and consent for flaring or venting); and the Environment Agency (issuing of Environmental Permits to protect water resources, disposal of mining waste, emissions to air and suitable treatment and managing of any naturally occurring radioactive materials).

CONSULTATIONS AND PUBLICITY

District Council

Guildford Borough Council

21.	- Planning	:	No objection
22.	- Environmental Health	:	No concerns raised with regards to noise or disturbance

Consultees (Statutory and Non-Statutory)

23.	Department of Energy and Climate Change	:	No views received
24.	Environment Agency	:	No objection subject to conditions
25.	Natural England	:	The proposal has the potential to adversely impact on ancient woodland
26.	Public Health England	:	Recommend dust mitigation measures be consistent with current guidance. No significant concerns regarding risk to health of the local population from emissions to the local environment.
27.	Southern Water	:	No comments to make on the proposal
28.	Health and Safety Executive	:	A Hazardous Substances Consent (new or modified) may be required for the proposal. This is would be based the applicant changing the location of the stored substance or the way they are processing the gas. Consequently the applicant would not be adhering to the conditions on the current HSC. This would be a material change. With regards to planning terms of the application, no comments to make and no concerns raised.
29.	Historic England	:	No comments to make on the proposal
30.	Thames Water	:	No objection
31.	Forestry Commission	:	Government policy is to discourage development that will result in the loss of ancient woodland unless the development has overriding public benefits.
32.	UK Power Networks	:	No views received
33.	County Air Quality Consultant	:	No comments with regards to dust. More information required with regards to the flare and whether the EU Limit Value and Air Quality Strategy objective for NO2 would be exceeded. An assessment of the air quality impacts associated with the generation of electricity is required.
34.	County Noise Consultant	:	No objection subject to condition
35.	County Lighting Consultant	:	No objection subject to condition
36.	County Geological Consultant	:	No objection subject to condition with regard to checking the site after decommissioning but prior to restoration, that no contamination of the land has occurred.
37.	Surrey Wildlife Trust	:	Recommend the conditions outlined within the Ecological Appraisal are brought forward, that the lighting for the application site does not cause disturbance to bats, that any potentially polluting agents resulting from the development either during construction or as a result of the operation of the site, including waste water and fumes, is controlled. A Construction Environmental Management Plan to control development works may wish to be

			adopted.
	County Highway Authority		
38.	Transportation Development Management	:	No objection subject to condition
39.	Lead Local Flood Authority	:	No comments to make on the proposal
40.	Environmental Assessment	:	The proposal is not EIA development
41.	County Ecologist	:	No objections subject to condition
42.	County Enhancement Officer	:	Query whether the woodland proposed as part of the restoration scheme should include hardwood commercial planting for landscape and ecological benefits not just softwoods.
43.	County Landscape Architect	:	No landscape objection subject to a suitable landscape scheme being implemented for restoration. Request further information on the restoration scheme.
44.	Rights of Way	:	No objection
45.	Area of Outstanding Natural Beauty Office	:	The proposal conflicts with the NPPF para 115 and the Surrey Hills AONB Management Plan. Taking the environmental consequences of the development together, they may be regarded as causing significant harm to the AONB. Concur with the conclusions set out within the LVIA.
46.	Surrey Access Forum	:	No views received
47.	Surrey Fire and Rescue	:	No views received
48.	Historic Buildings Officer	:	The proposal would not impact on the setting of listed buildings or the registered park and garden.
49.	The Gardens Trust	:	No objection

Parish/Town Council and Amenity Groups

50.	Albury Parish Council	:	No objection
51.	Roseacre Residents Association	:	This application has the appearance of being a noteworthy extension of the original and adds to its extent. The tendency for this project to extend itself by incremental applications should be carefully contained. How big are the tankers to be, why are two tankers proposed now, why is flaring necessary
52.	CPRE	:	No views received
53.	Saveblackheathcommon	:	No views received

Summary of publicity undertaken and key issues raised by public

54. The application was originally publicised by the posting of four site notices and an advert was placed in the local newspaper. A total of 121 of owner/occupiers of neighbouring properties were directly notified by letter. A total of 37 letters of representation were received, two letters raising support for the proposal. The following issues were raised:

Flaring

- The gas flaring will have an impact on health and the environment of landowners. The methane would be smelly, noise and cause headaches, dizziness, weakness, nausea, vomiting and loss of coordination.
- There is no detailed analysis of the flare
- There would be four weeks of flaring
- It is concerning that the application proposes to power the gas compressor by burning some of the gas from the well 24/7 for 15 years. There needs to be an assessment of the exhaust emissions from this.

- Until adequate research into the long term health and side effects is carried out it is unethical to allow this application so close to where people live
- A flare burning for 24/7 will be an eyesore and a distraction

Highways

- Object to any increase in traffic movements, especially HGVs
- The proposal would increase vehicle movements and this is concerning
- New Road has a steep gradient only 4m wide with no pavements
- The A25 junction is dangerous with insufficient flat gradient and a sharp bend to negotiate Newlands Corner without holding up traffic
- It will only be a matter of time before an accident occurs
- Concern the route is a daily school run along with school buses and coaches

Climate Change

- Concern about climate change and the commitments under the Climate Change Act to reduce emissions is at odds with this application
- Surrey County Council passed a Motion on 8 December 2015 noting the international climate talks

Noise

- There will be noise disturbance to people
- There will be noise disturbance to animals

Other Matters

- Object
- Object on fracking grounds
- Object on the grounds of air pollution
- Object on the grounds of pollution/ chemical concerns
- Object on health grounds
- Concern about the potential 2 tonnes per day of highly volatile liquid gas on the local roads
- The original consent (GU87/422) was for a temporary period of 5 years and this hasn't been done
- Object to a 24 hour/ 7 day a week operation
- There was no public consultation
- This should be a public decision put to a vote for the people
- This is the AONB
- The proposal conflicts with the Development Plan
- There will be light pollution
- The proposal will be an extension to the site and intensification
- The area is popular with walkers/ cyclists/ equestrians
- The cricket and football club has some 250+ members that use the nearby ground and clubhouse
- The site is located close to Albury Mansions and church both are listed buildings
- Object on ecological grounds
- The area is prone to flooding

Support

- I am a frequent user of the beautiful countryside close to the drillsite and know how unobtrusive the site is. The site will pay business rates and so contribute to funding local services. The application will be good for the environment and will provide some employment. This application should be supported

Further Consultation

55. Following the receipt of further information another round of consultation and neighbour notification took place in April 2016. Neighbours and those that made representations on

the original publicity were notified of the further information. One further representation was received made by someone who had previously made comments. The further comments raised were concerns that the proposal would create airborne toxins which would pollute the local area having an effect on the wildlife and who would be monitoring this impact; alongside concerns about increased levels of traffic.

56. In May 2016, further information was received and another round of consultation and neighbour notification took place. Neighbours and those that made representations on the original publicity were notified of the further information. No further letters of representation were received from this notification.

57. It should be noted that of the 37 letters of representation, 3 came from Albury. The remainder have been received from Chilworth, Shalford and beyond.

Officer comment

58. This is not a proposal involving fracking. Since the submission of the original application, the applicant has submitted an air quality assessment of the flare and the gas engine. This assessment outlines that the levels of pollutants associated with these elements (NO2, methane and benzene) are of such low levels that they would not cause a significant adverse impact on the environment or public health and includes an analysis of the gas engine being in place for the period of development proposed. Whilst concern has been raised that the flare would burn for 24/7, the flare would only be used for a period of 7 days in total (not 4 weeks as cited by representations) and again the air quality assessment does not demonstrate this would cause significant adverse harm. The flare would be below the tree line and would not be seen so could not be an eyesore or a distraction. Public Health England raise no objection to the proposal on the grounds of health, and this includes the recent air quality assessment work.

59. Highway matters are covered below in the Transport section of this report. The proposal would cause an increase in traffic movements during the construction phase however these would predominantly be made up of light vehicle movements. During the operation phase these movements would reduce to 4 HGVs per day. With regards to Climate Change, this matter is covered below.

PLANNING CONSIDERATIONS

Introduction

60. The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.

61. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. In this case, the statutory Development Plan for consideration of this application consists of the: Surrey Minerals Plan Core Strategy Development Plan Document 2011 (SMP2011) and the Guildford Borough Local Plan 2003 (GBLP2003) saved policies. In April 2016 the revised Guildford Local Plan was considered at a special meeting of the Borough Economy and Infrastructure Executive Advisory Board. This document set out the Proposed Submission Local Plan: strategy and sites ("the draft Local Plan") outlining the spatial development strategy for the borough up to 2033 including the location of development alongside the protection and enhancement of the environment, the provision of appropriate infrastructure and the promotion of appropriate sustainable transport. The document sought confirmation that public consultation on the document could commence for a period of 6 weeks commencing 6 June 2016. This consultation is now taking place until 18 July. Officers consider that some weight should be given to this draft Local Plan as this is the final round of public consultation before the document is

submitted to the Secretary of State. However as no date has been set for Examination in Public of this document, the document cannot be afforded greater weight in the consideration of this planning application above those policies within the extant Guildford Borough Local Plan 2003.

62. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: need, the AONB along with landscape and visual impact, Green Belt, highways and traffic matters, heritage assets, noise, air quality including emissions, lighting, ecology including ancient woodland; and the restoration and aftercare of the site.

NEED FOR THE DEVELOPMENT

Surrey Minerals Plan Core Strategy 2011
Policy MC1 – Spatial strategy – location of mineral development in Surrey
Policy MC12 – Oil and Gas Development

63. There are three separate phases of oil and gas development: exploration, appraisal and production. Each requires separate planning permission. The applicant has sought to demonstrate the need position by identifying the contribution to UK energy needs using indigenous energy minerals to reduce the reliance in energy imports, it supporting a range of employment and economic growth and securing the UK's energy future. In respect of the Albury gasfield, the applicant states that appraisal works have identified a viable hydrocarbon reserve capable of being exploited. The applicant states that upgrading the wellsites provides an opportunity to recover the reserve before the area is restored after which, re-establishing the wellsite would be costly and damaging to the environment. The applicant states there is a lack of alternatives for exploiting the reserve. The application site is located in a rural area within the Metropolitan Green Belt and an AONB. One of the key considerations in determining this application will be the need for the development.

Planning Policy

64. National Planning Policy on onshore gas is set out within the NPPF. The NPPF recognises that minerals are a finite natural resource and can only be worked where they are found. Paragraph 142 states that it is important to make best use of them [minerals] to secure their long-term conservation and that minerals are essential to support sustainable economic growth and our quality of life. Paragraph 144 of the NPPF states that when determining applications for mineral development, local planning authorities should give great weight to the benefits of mineral extraction, including to the economy, while ensuring there are no significant adverse impacts to amenity or the environment. Paragraph 147 of the NPPF states that when planning for on-shore gas development, local planning authorities should clearly distinguish between the three phases of development (exploration, appraisal and production) and should address constraints on production and processing within areas that are licensed for gas exploration or production.

65. The nPPG sets out guidance for the determination of planning applications for gas development in the 'Minerals' section Part 9 "Planning for Hydrocarbon extraction". Para 103 states that the "*production life of an oil or gas field can be up to 20 years, possibly more*" and "*when production ceases, the facilities should be dismantled and the sites restored to their former use, or in some circumstances, an appropriate new use*". Para 124 states that mineral planning authorities should take account of Government energy policy, which makes it clear that energy supplies should come from a variety of sources and this includes onshore oil and gas.

66. This proposal, as outlined above in paragraph 7, is for conventional gas production which would then be compressed for export by HGV. The proposal is for conventional gas production as the gas has formed a reservoir underneath the ground and can flow relatively freely within the porous rock and all that is needed for the gas to be pumped out of the ground is to use a beam pump or electric pump. For the avoidance of doubt, this proposal does not involve exploiting unconventional gas resources and does not involve the need for hydraulic fracturing[2]

67. The SMP2011 paragraph 3.18 outlines that exploratory boreholes were established in the 1980's at Albury wellsite for natural gas deposits. Paragraph 3.19 states that further exploration and appraisal activity within the licensed areas is likely as UK offshore resources decline. The paragraph goes on to outline that it is not possible to identify in advance locations within the licensed areas where proposals will be forthcoming and each must be treated on its merits. Policy MC1 of the SMP2011 states that oil and gas development will most likely be concentrated in the southern half of the county.

68. Paragraphs 5.35 – 5.40 discuss oil and gas development proposals within Surrey. Para 5.36 states that conventional gas development, such as this application, differs from other mineral development as it involves continuous periods of working. However the paragraph recognises that most of this disturbance is at the exploration and appraisal stage (which are of relatively short duration). The paragraph also outlines that "*oil and gas can be transported by pipeline rather than road, and gathering stations need not be closely tied to the point of extraction, considerations which give the opportunity to reduce environmental impacts associated with production*".

69. Para 5.39 states that the specific issues associated with the production phase are the additional above ground facilities that are associated with this phase and some degree of flexibility in the siting of these facilities to mitigate against any environmental impact will be required. Policy MC12 states, in relation to production, that the commercial production of oil and gas will only be permitted where the mineral planning authority is satisfied that, in the context of the geological structure being investigated, the proposed site has been selected to minimise adverse impacts on the environment. The policy goes on to state that commercial production of oil and gas will only be permitted where it has been demonstrated that the surface/ above ground facilities are the minimum required and there are no significant adverse impacts associated with extraction and processing, including processing facilities remote from the wellhead, and transport of the product.

UK Energy Supply and Demand

70. Gas currently forms an integral part of the UK's energy and generation mix maintaining energy security, affordability and decreasing carbon emissions in the UK. DECC is clear that gas forms part of a clean, secure and affordable energy mix seeing it as part of the shift from coal power stations to gas powered stations. In a written statement to Parliament in November 2015, the Secretary of State set out that for DECC's vision for affordable, clean reliable energy new gas is to be central to the energy secure future to add new sources of home-grown supply. The DECC Autumn 2014 update states that the security of energy supplies is DECC's first priority with increased domestic supply complementing gas imports.

71. The British Geological Society (BGS) Mineral Planning Factsheet "Onshore Oil and Gas" (2011) states that the UK economy is highly dependent on oil and gas as primary sources of energy playing an important role in terms of generating electricity and for domestic heating; and being essential fuels for transport on land, sea and in the air

[2] Please refer to Surrey County Council's webpages for information http://www.surreycc.gov.uk/environment-housing-and-planning/minerals-and-waste-policies-and-plans/oil-and-gas-development on oil and gas development

alongside their use in millions of products made from chemical processing. The Factsheet states that "*whilst onshore oil production, and particular gas, is small there will be a ready market and continuing need for these minerals for the foreseeable future".*

72. Reserves of indigenous oil and gas reserves are declining with production having reached its peak and has fallen by 60% from 2000 to 2011. Imports are likely to account for as much as 90% of the UKs energy needs by 2020. By 2025 the UK will import 70% of gas needed. Consequently there has been an increase in terms of energy reliance on gas imports from outside the UK and Europe. The Government states through its Gas Generation Strategy (2012) that it is determined to ensure that the UK maximises its indigenous oil and gas resources as any over-reliance on gas or any energy source, could put the UK at risk of disruption in supply. The Gas Generation Strategy states that the most energy-efficient way of using gas is to convert it into power and heat simultaneously as this reduces the amount of energy rejected as waste heat relative to the amount generated.

73. National policy with regard to energy is set out in the White Paper 'Meeting the Energy Challenge' published in 2007 (Energy White Paper). In paragraph 4.03, it explains that while the UK has benefitted from indigenous reserves of oil and gas for many years, as the North Sea matures, we will become increasingly dependent on imported energy, and therefore we need to be confident that the market for fossil fuels continues to ensure reliable supplies of these fuels at competitive prices. Paragraph 4.06 recognises that fossil fuels will be relied upon for the foreseeable future. Paragraph 4.16 states that a supportive regulatory environment must be maintained that attracts a wide range of companies to exploit existing and prospective fields.

74. The Government's Energy Security Strategy 2012 outlines that gas will continue to play a crucial role in the energy mix for many years to come, both for power generation and heat and that the UK's domestic production is expected to continue to decline. This places an increasing reliance for the UK on global markets. Current UK gas production comes overwhelmingly from conventional gas extraction offshore however, as outlined above this is falling, making other sources of gas more economically viable.

75. The latest published Government's Annual Energy Statement 2014 states that the Government's energy policies seek to meet three primary objectives: ensuring light, power, heat and transport are affordable for households and businesses; providing energy security and reducing carbon emissions in order to mitigate climate change. The document is seeking to find a balance for a reduction in energy consumption but husbanding domestic supplies to reduce the reliance on imports. This is in combination with bringing forward cost effective renewables as part of a balanced, low carbon and secure energy mix.

76. The statement recognises at para 9 that energy consumers need to have access to reliable and secure energy supplies and that the production of gas and oil from UK's own reserves has been declining since 1999. The document goes on to state that since 2004 the UK has been a net importer of energy and as such, this has changed the way in which energy security is viewed. In 2013, gas supplied a quarter of the energy to generate electricity with oil being substantially lower at 1%. At para 39 the statement outlines that to enhance energy security the measures to be deployed are for flexible gas and low carbon generation, maximising economic production of domestic oil and gas reserves; and preventing possible disruptions to energy supply. This is to be carried out in combination with a reduction in energy consumption.

77. Para 46 looks to develop onshore shale gas resources to enhance the UKs energy security. However the paragraph does go on to state that "*By increasing production of home grown lower carbon fossil fuels, the Government is seeking to protect the country as far as possible from volatile global fuel prices"*. Officers consider this sentence is of relevance to this application and not just specifically to shale gas production. Para 220 of

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the Statement states "*gas is one of the most flexible and reliable sources of electricity and is essential to ensuring we maintain security of supply"*.

Need and National Interest

78. In the short to medium term the Government's energy policy aim is to "*maximise the potential of the UK's conventional oil and gas reserves in an environmental acceptable manner"*. This is set against the background of declining UK reserves. To maximise the potential of a reserve, it is important to fully husband that reserve, once it has been identified as economically and practically viable. Gas was originally identified at Albury Gasfield in the 1980's with a well being drilled into sands and limestones within the Purbeck Group (Upper Jurassic) reservoirs although gas was encountered at many levels within the Jurassic section. Appraisal at the site has taken place more recently and an economically viable reserve has been proven. The need for hydrocarbon appraisal at the Albury Wellsite was proven under planning permission GU08/0483 which involved the drilling of a further borehole, a testing process to the wellsite and the appraisal of the gas reservoir. Furthermore the need for production at Albury Wellsite was proven under planning permission GU12/P/01585 in March 2013 when planning permission was granted for the production of LNG at the site.

79. There must be some consideration of the nature, scale and circumstances of the proposed development. The application involves the carrying out of gas production over a temporary period of 15 years. Whilst this time period could be seen as moderate than short term in nature, the proposal does not include the construction of permanent buildings and the site would be restored to forestry on cessation of operations. A detailed assessment of the proposals impact on landscape, noise, transport, air quality, lighting and land conditions is undertaken below. With regards to the identification and use of the proposed site as required by Policy MC12, the use of the existing wellsites enables the continuation of existing infrastructure which, such as the local highway network, has not given rise to significant adverse impact. The proposal would involve physically expanding the wellsite however the applicant has stated that an alternative to utilising the application site would be to construct a pipeline to an alternative site of which, substantial pipeline construction could be damaging in itself.

80. As can be seen from Government policy set out within the NPPF, the Annual Energy Statement, Gas Generation Strategy, the Government's Energy Security Statement and the White Paper; the Government recognises there is a need to maintain a stable and reliable supply of indigenous energy sources including onshore gas into the future. It is therefore appropriate that such indigenous supplies of natural gas, regardless of how small in scale, are properly husbanded to make a valuable contribution by maximising energy recovery of indigenous supplies and contribute to the energy sector. Based on this need to maintain indigenous supplies of natural gas, this leads Officers to conclude that on the basis of Government guidance there is a national need for the production of natural gas at this site. Officers give significant weight to this.

ENVIRONMENT AND AMENITY

Surrey Minerals Plan Core Strategy 2011
Policy MC2 – Spatial Strategy – protection of key environmental interests in Surrey
Policy MC12 – Oil and gas development
Policy MC14 – Reducing the adverse impacts of mineral development
Policy MC17 – Restoring Mineral Workings
Policy MC18 – Restoration and Enhancement
Guildford Borough Local Plan 2003
Policy G1(3) – Protection of Amenities Enjoyed by Occupants of Buildings
Policy G1(6) – Flood Protection
Policy G1(8) – Light Pollution
Policy NE3 – Local and Non-Statutory Sites

81. Whilst the NPPF recognises the benefits of mineral development on the economy, it does state at paragraph 144 bullet point three that in granting planning permission for mineral development, that there are no unacceptable, adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/ or from a number of sites in a locality. Paragraph 1.39 of the SMP2011 2011 reflects a similar position saying that for production from gasfields, there "*is some flexibility in the siting of these facilities and a solution where any environmental impacts can be mitigated to an acceptable level will be required*".

82. There can be a wide range of potential environmental impacts associated with mineral development. Policy MC14 of the SMP2011 states that mineral development will be permitted only where a need has been demonstrated and the applicant has provided information sufficient for the mineral planning authority to be satisfied that there would be no significant adverse impacts arising from the development. The policy sets out a number of criteria which, when determining a planning application for minerals development, should be considered in terms of any potential impacts. The criteria in the policy relevant to this planning application are: i) noise, dust, fumes, vibration, illumination; ii) water quality and land drainage; iii) the appearance, quality and character of the landscape and any features that contribute to its distinctiveness; iv) the natural environment and biodiversity; v) sites of archaeological interest and structures of historic interest and their setting; vi) the rights of way network; vii) the use of land and soil resources; vii) the need to manage the risk of bird strike; and ix) cumulative impacts arising from the interactions between mineral developments, and between mineral and other forms of development.

83. With regards to oil and gas development and specifically the production phase, para 5.39 of the SMP2011 recognises that specific issues on the location of well heads are likely to have been considered in relation to the earlier phases, but what is more critical at this stage are the additional above ground facilities that are associated with production. The para goes on to state that some flexibility in order to mitigate any environmental impacts to make the development acceptable, may have to be considered. Policy MC12 is clear that for oil and gas production phases that a proposed site must have been selected to minimise adverse impacts on the environment and such sites will only be permitted where it has been demonstrated that the facilities are the minimum required and there are no significant adverse impacts associated with extraction and process and from the transport of the product.

84. The GBLP2003 has a number of environmental and amenity policies covering the natural environment, heritage and other environmental issues. These are referred to under the individual issue headings later in the report.

85. The proposal relates to the compression of natural gas on site to produce CNG which is proposed to be transported by tanker off site. The proposal would involve the bringing in and erection of plant and equipment associated with the production of CNG. The considerations in terms of environmental and amenity impacts are therefore in relation to the bringing in and positioning of the plant and equipment and the process of compression itself. The nPPG at para 112 of the 'Minerals' section is clear that there are some issues that may be covered by other regulatory regimes but may be relevant to mineral planning authorities in specific circumstances. Mineral planning authorities should assume that these regimes will operate effectively and to rely on the assessment of other regulatory bodies. The para goes on to state that however, before planning permission Mineral Planning Authorities will need to be satisfied that these issues can or will be adequately addressed by taking advice from the relevant regulatory body.

Environmental Impact Assessment

86. The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (referred to here as the EIA Regulations) implement the European Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment which was adopted in 1985 and amended several times.

87. The EIA Regulations include Schedule 1, which identifies the types of project for which EIA is mandatory, such as large scale thermal and nuclear power stations and Schedule 2 identifies the types of development for which EIA may be required. The EIA Regulations provide information about the issues that the planning authority needs to consider when determining whether a project needs EIA including thresholds and criteria that indicate whether a given project is more or less likely to give rise to significant environmental impacts. In addition to the thresholds and criteria, there are other circumstances that may trigger EIA such as location within or very close to a 'sensitive area'. The EIA Regulations define 'sensitive areas' as including nature conservation sites with national or higher level designations (e.g. Sites of Special Scientific Interest), Special Protection Areas, Special Areas of Conservation and Ramsar sites, Areas of Outstanding Natural Beauty, National Parks, World Heritage Sites and Scheduled Monuments. Nevertheless it does not automatically follow that a project located in, or affecting, a sensitive area would require EIA.

88. The applicant did not seek a Regulation 5 Screening Opinion from the County Planning Authority in relation to this proposal. Consequently the Environmental Assessment Team assessed the proposal in accordance with Regulation 7 of the EIA Regulations. The Environmental Assessment team considered the proposed development in the context of Schedule 2 and based on the information submitted was of the opinion that there would not likely to be any significant impacts on the environment in terms of the meaning of significant in the EIA Regulations. The proposal was therefore considered not to be EIA development. The Screening Opinion was adopted on 23 November 2015.

Climate Change

89. Concern has been raised within representations as to how this proposal aligns with the Government's commitment to tackling climate change. The NPPF does not specifically set out how the consideration of greenhouse gas emissions from a proposal should be balanced in the decision making process and instead looks to new development to be designed in a way that is resistant to climate change and to incorporate renewable or low carbon energy. There are no relevant policies within the SMP2011 and the GBLP2003 on this matter. Within the emerging Local Plan, it seeks to manage the risks of climate change in relation to flooding and adaptation measures in new development in draft Policy D2.

90. The Government's Annual Energy Statement 2014 states that the UK has committed to reducing greenhouse gas emissions through both reducing the demand for energy and making the transition to lower carbon sources of energy. The Climate Change Act 2008 introduced a legally binding target to reduce greenhouse gas emissions by at least 80% below the 1990 baseline by 2050. It also introduced a system of carbon budgets which set the trajectory to ensure the targets in the Act are met. These are legally binding limits on the total emissions permissible across the UK over five year periods. The Energy Statement 2014 para 32 states that the UK met its first carbon budget (which covered 2008 to 2012) and is currently on target to meet its second and third legislated carbon budgets with current planned policies.

91. The Government also met as part of the 2015 Paris UN Conference where a climate change agreement was reached to seek to reduce carbon emissions by setting out a clear long term goal of net zero emissions by the end of the century signalling a shift to a low carbon economy. The agreement included a system for reviewing and for working in

a global way. DECC is clear, however, that moving from an energy mix which is predominantly fossil fuelled based to one comprised solely of renewable and low carbon energy sources is a big challenge . DECC do state that to meet the UK's demand for energy, using clean and low carbon energy sources if required to combat climate change, and moving from coal to gas would be a 'bridge' to a low carbon future. This is in relation to all onshore indigenous gas reserves.

92. Clearly there is a move towards renewable energy but such a fundamental change will not happen overnight and the need for gas will remain to maintain the demand for homes, schools and places of work to be heated. Therefore proposals to husband proven oil and gas fields is still required. As stated above, one of the energy challenges for the UK is that indigenous supplies of gas have declined to the point where the UK is now a net importer and it is necessary to secure the reliability of energy supplies. Officers recognise the proposal is for the extraction and production and consequently use of, natural resources. However as highlighted above and by Government, there is a need for a 'bridging' process as a move is made towards renewable energy of which gas is identified as one of these means.

Lighting

93. The impact of artificial lighting on the night sky is an issue in rural areas and the application site is located in an area which would be considered intrinsically dark. This section assesses the impact of lighting in terms of local amenity. The impact of lighting on the AONB will be considered as part of that section of the report.

94. Criteria i) of Policy MC14 of the SMP2011 requires no significant adverse impacts from illumination from minerals development proposals. Policy G1(8) (Light Pollution) of the GBLP2003 states that external lighting should be designed to minimise glare and the spillage of light from the site.

95. The Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light, 2011, outlines that the two main issues with regard to residential amenity associated with the design of floodlights are a) the amount of Sky Glow produced from the site and b) Light into windows experienced by local residents. The ILP guidance identifies a number of Environmental Zones and suggests limits to the light pollution from each in terms of Sky Glow (measured in ULR % - Upward Light Ratio) and Light into windows (measured in lux). The four Zones identified are as follows: E1 – Intrinsically dark areas (National Parks, AONBs etc); E2 – Low district brightness areas (Rural or small village locations); E3 – Medium district brightness areas (Small town centres or urban locations); and E4 High district brightness areas (Town/City centres). Albury wellsite falls within the zone E1: intrinsically dark landscapes.

96. The ILE advises that specifically designed lighting equipment should be used to minimise the upward spread of light near to, or above the horizontal and that luminaires should be chosen to reduce spill light and glare to a minimum. The ILE outlines that higher mounting heights allow lower main beam angles which can assist in reducing glare and that in areas with a low ambient lighting level, extra care should be taken when positioning and aiming lighting equipment. The ILE also goes on to state that in sensitive rural areas the use of full horizontal cut off luminaries installed at 0o uplift will, in addition to reducing sky glow, also help to minimise visual intrusion within the open landscape.

97. The application proposes lighting for both the construction/ workover phase and the operational phase. The application site is currently not lit and the applicant does not propose to install lighting on the perimeter fence. With regards to the construction/ work over phase, the applicant has confirmed that the workover rig would require some limited lighting for health and safety reasons. The rig would be less than 31m in height so would not require an aircraft warning light. The workover operations would be of restricted

duration, with working taking place between 08:30 – 17:00 hours Monday – Friday; and 08:30 – 13:00 hours Saturdays. As such there would be very limited times when any workover operations may take place during darkness and only then if operations were undertaken during the winter months. The applicant states that should any working be requiring during the hours of darkness, temporary lighting would be used and would be angled to shine directly down to illuminate the stacking platform.

98. During the production phase the site would be operational 24 hours a day and therefore to meet health and safety regulations lighting would be necessary during the hours of darkness. Lighting would be confined to the wellsite only. The applicant proposes to install 12 horizontal florescent lights to be installed 2m above ground level with the light output downwards to avoid any unnecessary sky glow. These would be mounted on the plant, around the tanker parking area and the wellhead. In addition to this, task specific lighting is proposed in the form of one of two lights close to the site office/ entrance which would be controlled by presence detection with a manual override. This would allow the safe switching off of all lighting prior to the last member of staff leaving the site. All plant that is housed in containers would have internal lighting. The lighting can be seen on the attached plan ALB-14A. All tanker movements and maintenance and operational works would be carried out during the daytime.

99. The proposal is for 24/7 working at the application site to compress natural gas. However this does not mean that lighting would be required to be on at night. The processes would be controlled remotely meaning that lighting would not be required at night due to members of staff needing to be present or for operational reasons. The application does state that whilst there would be every intention to carry out maintenance checks and works during the daylight hours this may not always be possible so if such works are required at night, two lights would need to be on. The applicant states that these lights would be on an as needed basis. As outlined above, the closest residential property to the wellsite is Keepers Cottage, which is situated approximately 190m to the north west. There are also residential properties approximately 214m and 230m south west and south east of the wellsite respectively. The wellsite is well concealed from public views from all directions by existing dense woodland. As outlined above, the applicant has confirmed that all lighting would be downward and inward facing and as a result it is not envisaged that light spill would extend beyond the boundary of the site and light trespass (into windows) at residential properties would be negligible.

100. The County Lighting Consultant has reviewed the proposed lighting scheme and comments that it is fairly minimal and would not expect there to be any issues with light pollution. The scheme and information as submitted is typical for this type of site. The County Lighting Consultant raises no objection to the proposed luminaires.

101. The Surrey Wildlife Trust have commented that the lighting should be ‘bat friendly’, used to a minimum and screened/ directed to avoid illumination of woodland edges which are likely to be used by foraging bats which can be disturbed by artificial lighting. The Bat Conservation Trust have produced their own guidelines on external lighting to ensure that no adverse impact on bat activity in the locality occurs. Lighting that falls on bat roosts creates disturbance in terms of deserting the roost or delaying bats emerging from the roosts and thereby reducing the amount of time available for foraging. The Bat Conservation Trust guidelines on external lighting recommends that where external lighting is needed that low or high pressure sodium lamps are used instead of mercury or metal halide lamps, that lighting should be directed to where it is needed and light spillage avoided, that lighting columns be as short as possible, that the light level be as low as possible; and the timing of the lighting to be used should be limited to provide some dark periods.

102. The proposed lighting is mercury based which the Bat Conservation Trust advise against. However the applicant proposes that the lights be fitted with UV filters to offset this and ensuring this is carried out can be enforced by condition. Officers consider as

that as lighting proposed is to be directional focused upon the application area and shrouded, that the lighting is only to be used when necessary at night through the use of manual switches to turn the lights on and would not be on constantly throughout the night; and that any poles that may be required for the lights would be 2m in height that the proposed lighting would not have a significant adverse impact on bat roosts that may be in the locality of the application site. The County Lighting Consultant raises no concerns with regards to bat roosts.

103. With regards to the lighting proposed for the workover rig, Officers recognise that the applicant has stated that the intention is for the operation of the rig would be during daylight hours. Furthermore, the rig would only be on site for a very short, limited duration. However, Officers recognise the application site lies within an area of intrinsic darkness and any lighting on the rig could impact upon this through sky glow generated by the upward light illuminating the rig. Consequently, Officers propose that a condition be imposed requiring the submission of a scheme of lighting specifically for the rig should any lighting during the hours of darkness be required. The County Lighting Consultant concurs with this approach.

Conclusion on Lighting

104. The proposal has been designed to meet the ILE E1 zone requirements for lighting in intrinsically dark areas and the proposal meets this requirement. The lighting would be directional focusing downwards and inwards. The lighting would be fixed onto the plant or equipment at 2m in height or on poles at 2m in height and would be below the tree line. The County Lighting Consultant has raised no objection to the proposal. The lighting would be switched on only when necessary and the County Lighting Consultant recommends a condition that there are two lights that have trigger sensors with a timer to ensure they are switched off after 9pm. As the proposed temporary workover rig may require some form of lighting during darkness Officers propose a condition requiring that such information is submitted for approval in writing prior to installation.

Air Quality

105. The proposal would generate HGV movements along the forestry track alongside and the local highway network giving rise to traffic related pollutant emissions. In addition the plant and process would case stack emissions from the flare. The NPPF states decisions should take into account the presence of Air Quality Management Areas (AQMAs) and the cumulative impacts on air quality from individual sites in local areas. The application site does not lie within an AQMA therefore there are no exceedences of PM_{10} or Nitrogen Dioxide. As outlined above, criteria i) of Policy MC14 of the SMLP2011 requires potential impacts from dust and fumes to be considered in the determination of a planning application. Policy G1(3) states that the amenities enjoyed by occupants of buildings should be protected from unneighbourly development in terms of dust. The applicant has provided as part of the planning application a Dust Impact Assessment alongside information on traffic emissions arising from the development, and subsequently amplifying information on emissions to air from the flare and gas engine.

106. The EPUK/IAQM 2015 "*Land Use Planning and Development Control: Planning for Air Quality"* recognises that all new development will have emissions associated with them and therefore will have the potential to have associated adverse impacts. It is these impacts that require quantification and evaluation in the form of an Air Quality Assessment alongside the ability to assess the significance of those impacts. Para 6.2 of the document advises that where a development requires an Air Quality Assessment this should be undertaken using an approach that is robust and appropriate to the scale of the likely impacts.

Dust

107. The Institute of Air Quality Management (IAQM) "Guidance on the assessment of dust from demolition and construction" 2014 identifies the risk of dust emissions from a demolition/ construction site causing loss of amenity and/ or health or ecological impacts is related to the activities being undertaken, the duration of the activity, the size of the site, the meteorological conditions, proximity of receptors to the activities, mitigation measures in place; and the sensitivity of the receptor to dust. The guidance states that adverse impacts are more likely to occur downwind of the prevailing wind direction and/ or close to the site but that local conditions such a topography or natural barriers e.g. woodland could reduce airborne concentrations.

108. The guidance outlines that a detailed assessment will normally be required to accompany a planning application where there is a human receptor within 350m of the boundary of the site. The assessment should assess what the risk of dust impacts with no mitigation is by combining the scale and nature of the works and the sensitivity of the area to dust impacts. The applicant has submitted a Dust Impact Assessment with the proposal which has identified receptors sensitive to deposited and suspended dust within 350m and has considered the potential risk of dust impacts during the site upgrading works, the operational phase and restoration.

109. With regards to the site upgrading works, the dust assessment outlines that the construction and earth works would be minimal and the risk of dust impacts is negligible. The County Air Quality Consultant agrees with this conclusion. For the operational phase, no construction, demolition or earthwork is required and the dust assessment concludes the dust impact would be low. The County Air Quality Consultant agrees that the residual effects of this phase would not likely to be significant. With regards to the restoration phase, the bulk of this phase would involve earth moving however the activities would take place over one to two months. The dust assessment concludes the risk of dust impacts is medium but with mitigation measures this would reduce the impact to negligible. Mitigation measures outlined within the Dust Impact Assessment include the use of a road sweeper, the use of site speed limits, ensuring materials are in a damp state prior to being moved and use of water sprays. The County Air Quality Consultant agrees that the residual effects are not likely to be significant. The County Air Quality Consultant raises no objection to the proposal with regards to dust.

Flaring and Electricity Generation

110. Flaring is carried out usually at the exploratory and appraisal stage during the testing of whether gas is present. This is normally carried out for short periods of time. During this flow testing there is not enough gas to warrant the expense and disruption of making a connection to the gas grid but too much to be used on site. This gas needs discarding and is done by flaring as it is safer than directly venting it into the atmosphere. During the production phase, flaring is only required in emergencies or maintenance as it is not in the operators interest to burn the gas they intend to sell. The control of flaring and any potential components within the gas is controlled by DECC and the HSE. The local authority is only required to monitor gas flares in relation to odour and noise and to ensure they do not breach local air quality standards. The Environment Agency would also monitor the flare in terms of pollution control and substances emitted from the flare. As such, detail of the flare and how substances would be controlled from the flare, would fall within the remit of the Environmental Permit.

111. As part of this proposal, a temporary enclosed ground flare with a flame shroud to minimise noise and light emissions, would be installed close to the wellhead for a temporary period of 7 days as part of the work over process, to burn off any minor volumes of gas produced as the well is upgraded and brought back into operation. The flare would be used on a 24 hour basis for those 7 days, i.e. a maximum of 168 hours. The applicant states that the temporary flare would be air assisted to ensure a smokeless burn and would include a flame shroud to minimise noise and light emissions. Following testing the flare would be removed.

112. In addition to this, gas would be combusted in a 1 Mw gas fired engine to generate power. Any additional power generated over and above the site demand would be exported into the local grid. The applicant states that the process contribution levels of carbon dioxide, carbon monoxide and nitrogen dioxide are below the relevant short and long term Environmental Assessment Levels.

113. The short term Air Quality Strategy objective and the EU Limit Value for NO_2 is set as no more than 18 hourly mean concentrations per calendar year to be above 200µg.m-3. As the flare could be operational for more than 18 hours, there is the potential for the objective/ limit value to be exceeded. The applicant stated within the original planning application document that the air quality impacts associated with the flare are not likely to be significant however the CAQC requested information to see justification for this. Furthermore, concern has been raised within 20 of the letters of representation that the use of a flare at the site could have an impact on health and environment of landowners, that the methane is smelly, noisy and causes headaches, dizziness, weakness, nausea, vomiting and loss of coordination; that there is no detailed analysis of the flare; and there is a need for an assessment of the emissions from the gas engine.

114. The applicant has submitted a document entitled “Technical Note” which sets out the modelling and assessment work of emissions from both the temporary flare during the site workover and also the gas engine during production on a continuous basis. The modelling predicted the pollutant concentrations at a number of locations where relevant exposure to the local population could occur, including residential properties, commercial sites and public rights of way near to the main compound boundary. The note outlines that the modelled work should determine the Process Contribution (PC) which is the change in concentration that would occur due to the operation of the facility; and the Predicted Environmental Concentration (PEC) which is the sum of the baseline plus the PC.

115. With regards to the temporary flare, the note sets out that the largest increase in both the 1-hour NO_2 concentrations, 8-hour CO concentrations and the 1-hour benzene concentrations would occur to the north east of the flare on footpath 239. However, the changes to the concentrations of all these pollutants, when taking the background concentration of both NO_2. 8-hour CO and benzene into account, are well below the air quality objective of 200µg/m3 for NO_2, 10mg/m3 for 8- hour CO and 195 mg/m3 for benzene respectively.

116. With regards to the gas engine and generating electricity, the note sets out that the largest increase in both the 1-hour NO_2 concentrations, the annual mean NO2 concentrations and the CO concentrations would occur to the north east of the flare on footpath 239. However, as with the temporary flare, when taking the background concentrations of 1-hour NO_2, annual NO_2 and CO into account, all receptors are well below the air quality objective for all three objectives. Consequently the technical note concludes that for both the temporary flare and the gas engine, there would be no risk of 1-hour concentrations and annual mean concentrations of NO_2, 8-hour concentrations of CO; and 1- hour concentrations of benzene at any of the selected receptor locations.

117. The HSE have raised no objection or comments on air quality or the flare. Public Health England also raise no objections or concerns with regards to air quality, the flare or the gas engine and comment that they will be involved in the Environmental Permitting stage.

118. The CAQC has reviewed the technical note dated May 2016 and the assessment work contained in it. The CAQC comments that the document correctly identifies the Environmental Assessment levels required for the proposal. The CAQC states that in each case, the applicant has demonstrated that a further assessment of the air quality impacts can be screened out for the purposes of the Environmental Permit applications;

and on that basis, the impacts on the surrounding area can be considered insignificant. The CAQC comments that the proposal can be considered an appropriate use of the land from a planning perspective in terms of air quality. The CAQC requires no further work for this proposal and raises no objection and is satisfied that the proposal, including the flare and the gas engine, would not have a significant adverse impact in relation to air quality from the pollutants associated with the flare and the gas engine.

119. As outlined in the Ecological section of this report, the Albury Park SNCI was designated for its ancient semi-natural woodland, epiphytic species of lichen and diversity of vascular plants. The ancient trees support a number of rare lichen species some of which are county and regionally rare, there are also some nationally rare species present. It is therefore important to be able to fully assess the impact of the development on the features of interest in terms of impact from emissions. Lichens are known to be very sensitive to air pollution, in particular sulphur dioxide and as such are used as environmental indicators. If permission were granted, the flaring of gas would take place over a 7 day period during the workover period. It is therefore important that the applicant can demonstrate that any emissions from the flare would not have a detrimental impact on the lichen interest in Albury Park.

120. When planning application GU08/04783 was considered, the matter of emissions from flaring and the potential impact on lichens was addressed. At that time, a letter from Natural England's Lichen Specialist detailed he was concerned about any emissions that contained sulphur dioxide or ammonia which might have an adverse impact on the lichen flora of Albury Park SNCI. However, as neither the flaring or the gas engine would have sulphur dioxide or ammonia; and NOX emissions have relatively little impact on lichens and given the low modelled levels, the County Ecologist has commented that the proposed emissions from the flare and the gas engine would be unlikely to have an impact on the lichens. The County Ecologist raises no objection on ecological grounds in terms of air quality matters.

Traffic Emissions

121. The highest number of movements each phase would generate would be 20 LGV movements and 10 HGV movements per day during construction and restoration phases, per day. The EPUK and IAQM published guidance "*Land-Use Planning & Development Control: Planning for Air Quality"* states that outside an AQMA the annual average daily criteria threshold for HGVs triggering the need for an air quality assessment as part of a development proposal is 100. As this proposal is below 100 HGV movements, the CAQC has confirmed that an assessment on traffic emissions is not required and the air quality impacts are not likely to be significant.

Conclusion on Air Quality

122. There are three elements in relation to air quality that this proposal could result in significant adverse impacts: dust, emissions from the flare and the gas engine; and emissions from the traffic accessing the application site. With regards to dust the applicant has outlined the potential dust sources for the proposal and also mitigation measures for these sources. The CAQC is satisfied with the assessment and the proposed mitigation measures and raises no objection. With regard to traffic emissions, given the number of HGVs accessing the site as an annual average would be below the EPUK and IAQM threshold of 100, the CAQC is satisfied the impact from this component would not be significant.

123. With regards to the flare and the gas engine that would be on the site, the applicant has provided further amplifying information to that originally submitted in the form of two scenarios having been modelled to demonstrate that the levels of 1-hour concentrations and annual mean concentrations of NO_2, 8-hour concentrations of CO; and 1- hour concentrations of benzene not be above the air quality strategy objectives and that the

levels of these pollutants would not have a significant adverse impact on the modelled receptors (these receptors being the closest residential and business properties alongside the rights of way network). The CAQC has reviewed the submitted information for this aspect of the proposal and is satisfied that the modelled work demonstrates that emissions from the flare and the gas engine on site, would not result in impacts that would be significantly adverse. Officers are satisfied that the proposal does not involve an adverse material change in relation to air quality in terms of both human and ecological receptors and that the proposal meets the requirements of Policy MC14(i) of the SMP2011.

Noise

124. Whilst the application site has already been constructed and would not involve any physical expansion to it, the proposal would involve three phases which could have implications for noise. These being: construction including the use of a workover rig and bringing on to site the plant and equipment; operational phase including the use of plant and equipment; and then decommissioning and restoration. As outlined in paragraph 3 above, the closest residential property is Keepers Cottage which is situated approximately 190m to the north west on the side of a valley some 15m below the level of the wellsite. Further northwest of the application site is Albury Park Mansion, a Grade II* Listed Building with the Grade I listed Church of St Peter & St Paul further to the north. To the south approximately 220m from the wellsite curtilage is a residential property called The Bungalow. Further residential properties lie to the south of Park Road with the closest of these approximately 230m south east of the site.

125. Furthermore the application site is located within the AONB. The AONB is valued for its peace and tranquillity and background noise levels in rural areas like Albury Park are normally low. Tranquillity (as defined by the Forestry Commission) is a term used to describe the relative sense of peace, quiet and 'naturalness' of the countryside and it is an important contribution to the value many people obtain from living in or visiting the countryside. Both the Forestry Commission and CPRE refer to tranquillity being affected by noise and intrusion from industrial processes and housing. It is therefore essential that the Authority is clear that the construction, production and then finally the decommissioning phases can achieve appropriate noise levels, particularly in terms of night-time noise. Consideration also needs to be given to the character of the noise generated by a development at the same time as looking at the actual noise level.

126. The long term overarching vision of Government noise policy is set out within the Noise Policy Statement for England. This seeks to promote good health and a good quality of life through the management of noise. The document differentiates between noise impacts on health (sleep disturbance, stress etc) and noise impacts on quality of life (amenity, enjoyment of property etc). In assessing whether a development should be permitted, there are four questions in the document that should be answered with reference to the principles of sustainable development and whether the development would result in:

a) A significant adverse impact to health
b) A significant adverse impact to quality of life
c) An adverse impact to health; or
d) An adverse impact to quality of life

If the answer to questions a or b is yes then the guidance steers that the development should be viewed as being unacceptable. If the answer is yes to c or d then the guidance steers that the impact should be mitigated and minimised.

127. Unwanted sound can have a significant effect on the environment and on the quality of life enjoyed by individuals and communities. The NPPF at para 123 sets out bullet points that state that planning decisions should aim to:

- avoid noise from giving risk to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value of this reason

128. Para 144 more specifically in relation to noise from minerals development proposals states that when determining planning applications, local planning authorities should ensure that unavoidable noise is controlled, mitigated or removed at source. The nPPG sets out further guidance on the consideration of noise when determining planning applications. Para 003 states in decision taking this should take into account the acoustic environment and in doing so should consider whether or not a significant adverse effect is occurring or likely to occur; whether or not an adverse effect is occurring or likely to occur; and whether or not a good standard of amenity can be achieved.

129. Para 006 recognises that some types and level of noise will cause a greater adverse effect at night than if they occurred during the day or because there is less background noise at night; that noise may be more noticeable if it is non-continuous and may have a tonal nature to it. The para additionally notes that the local topography should also be taken into account and the cumulative impact of more than one source.

130. The nPPG also includes guidance specifically on noise emissions from minerals development. Para 019 states that those making mineral development proposals should carry out a noise impact assessment which should identify all sources of noise and, for each source, take account of the noise emission, its characteristics, the proposed operating locations, procedures, schedules and duration of work for the life of the operation and its likely impact on the surrounding neighbourhood. Para 020 goes on to state that in determining planning applications for minerals development, the mineral planning authority should take account of the prevailing acoustic environment and determine whether the proposal would give rise to a significant adverse effect. The nPPG sets out in para 021 what are considered to be appropriate noise standards for mineral operators for normal operations being a noise limit that does not exceed the background noise level[3] by more than 10dB during normal working hours with a total noise from the operations not exceeding 55 dB(A) LA eq[4], 1h. For night time noise limits these should not exceed 42dB (A) LAeq, 1h at a noise sensitive property.

131. Para 022 of the nPPG recognises that there may be particular noisy short term activities such as soil stripping or the construction of soil storage mounds. In these cases, a temporary daytime noise limit is recommended of 70dB(A) LAeq 1h (free field) for periods of up to 8 weeks in a year and be specifically for these forms of activities. The paragraph goes on to state that where work is likely to take longer than 8 weeks a lower limit over a longer period can be considered.

132. These points are echoed within the "Guidelines for Noise Control: Minerals and Waste Disposal" (Surrey County Council 1994). Within these guidelines is a specific section for oil and gas related development which as above, recognises that there would be a period of site preparation work involving the use of heavy construction plant and sets out noise limits for such preparatory work as follows:

	Max free field LAeq (1/2 hour) dB(A) Ground Flood Level	Max LA01 dB(A) free field
Monday – Friday 0800 – 1700	70	75
Monday – Friday 0700 – 0800	60	65

[3] The LA_{90} noise level taken at the assessment location in the absence of the noise source under assessment
[4] LAeq – specific noise level produced by the noise source in question at the assessment location

1700 – 1830		
All days 1830 – 0700 Saturday to 0730	45	50
Saturday 0730 – 0900 Saturday 0900 – 1300 Saturday 1300 – 1830	60 65 60	65 70 55
Sundays and Bank Holidays 0730 – 0900 0900 – 1300 1300 – 1830	 50 55 50	 55 60 55

133. For the permanent installation of plant, the guidelines recognise that these are likely to be working continuously and therefore noise control would be of the utmost importance to prevent a deterioration in the local environment. The guidelines state at para 29 that the requirement is that any plant that is in operation at night should not be heard at the nearest noise sensitive location and that the new noise on its own produce a LAeq value 5 dB(A) below the existing night time LA90 and that the new noise does not exhibit any tonal or impact characteristics. The guidance advises that in the setting of the night time noise level, occasional noise sources such as aircraft, animals or passing cars should be excluded. The guidelines recognise that in some parts of Surrey the night time noise levels can be very low (<20 dB(A)) and this may present a particular problem but that the mineral planning authority should seek compliance with the criteria set out in para 29 as discussed above.

134. For any plant that would only work during the daytime, the guidelines state that the noise levels will be assessed using BS 4142:1997 and the development will be expected to use the quietest possible means of carrying out the required activity and the new noise should not cause the LAeq noise level to exceed the prevailing LA90 by more than 5dB(A).

135. Policy MC14 of the SMP2011 requires consideration of noise in the determination of minerals development applications. Para 6.10 of the Plan recognises that factors such as proximity of the proposed development to housing, schools or other sensitive land uses and the topography of the site and surrounding area alongside the location of plant on site, should be taken into account. Policy G1(3) of the GBLP2003 states that the amenities enjoyed by occupants of buildings are protected from neighbourly development in terms of noise.

136. Albury Wellsite is situated in a rural area and the AONB where the background noise levels are normally very low. Drilling was identified as one of the main sources of noise from the appraisal development and to mitigate against this an acoustic barrier was erected around the rig mast which brought noise levels down to below levels set out within the advice within the now superseded MPS2. This proposal also involves bringing onto site a rig but also plant and equipment which have not been brought or used on the site previously during the appraisal or exploration aspects of the wellsite.

137. The application has been supported by a Noise Impact Assessment which has been assessed by the County Noise Consultant (CNC). The noise assessment describes that the noise generating plant from the proposal would consist of a gas drier, the compressor and its associated low level cooling fans. The development would also involve the generation of electricity with the plant remaining the same as modelled within the previous LNG noise assessment being a generator and cooling fans being the noise generating plant. The plant would operation on a 24/7 basis all year round for a 15 year period. In addition to this, there would be four daily HGV movements associated with the production phase.

138. The construction period at the application site would take 3-4 months. This would involve most of the equipment arriving on site in containers/ HGVs and being connected and

tested. There would be no changes to the existing appraisal wellsite compound or access track. The construction period would involve bringing onto site and using a workover rig and temporary flaring. However the noise assessment acknowledges that because of the site's sensitive location the operations would be restricted to the daytime only with no working on Saturday afternoons, Sundays or bank/ public holidays. The noise assessment outlines that it is not known at this stage which workover rig would be used however the assessment has been based on a candidate rig typical of the type which could be used, a BDF Rig 29, consisting of a lorry mounted platform and draw-works. The equipment would be diesel powered and treated to reduce noise levels, including the use of attenuators, exhaust silences and acoustic enclosures.

139. The noise assessment undertaken for the proposal used three noise monitoring locations: Keepers Cottage, The Bungalow and Tagai from the centre of the wellsite to represent the closest receptors used the collection of background noise levels. The submitted noise assessment shows background noise levels within and immediately surrounding the application site as 22 LA90 which is a low level but not unprecedented in Surrey. Background noise levels in the wider area are fairly consistent at night and are primarily dominated by distant traffic and noise from wildlife with occasional local traffic. During the daytime the background noise levels are higher (37 – 41 dB LA90) influenced by local traffic.

140. For the construction and workover rig phase, the noise assessment outlines that for the proposed rig that might be used, a sound power level of 105 dBA has been used. This is based on noise survey reports relating to that rig. The sound power level for the temporary flare used is 110 dBA.

141. For the production/ operational phase, the noise assessment outlines source power levels for each of the noise generating equipment. These being:

Item of plant		**Source Power Level dBA**
Generator	Generator radiator	81
	Exhaust	81
	Outlet	77
	Air intake	76
Compressor	Unenclosed	114
	Enclosed	79
Air cooler		76

142. The CNC has reviewed the noise assessment and comments that the background and ambient sound levels adopted are considered appropriate and robust for the purposes of the assessment. The noise source levels have been determined from data supplied by equipment manufacturers of similar equipment with assumptions that acoustic mitigation is implemented. The CNC raises no concerns with regard to the source levels proposed.

143. The noise assessment first conducted an exercise which demonstrated that the predicted noise levels with no mitigation for any of the above items would not be acceptable due to the quiet prevailing background noise levels. Consequently the noise assessment was then undertaken assuming that additional mitigation measures would be installed. These mitigation measures include the equipment being containerised utilising acoustic insulation on the inside of the sides and roof; any air intakes and outlets would be silenced using attenuators or acoustic louvers; doors and windows would be airtight; quiet fan blades and slower speeds for the fan units; and acoustic lagging of external pipework with low noise control valve trims.

144. Paragraph 29 of the Surrey Noise Guidelines which is for permanent installation of oil and gas related development states the general intention is to keep noise at night essentially inaudible and to achieve this a LAeq noise limit of 5 dBA below the 25 percentile of background noise level is suggested. Paragraph 32 of the Guidelines recognises that "*in some parts of Surrey night time noise levels can be very low (<20*

dB(A)) and these areas might present a particular problem. It is the intention of the planning authority to preserve these rare areas of very low noise levels by seeking compliance with the criteria in paragraph 29 above".

145. The background noise level for the area is 22 LA90. This gives a criterion of 17 LAeq for any bedroom window at night according to the Surrey Noise Guidelines requirements. With mitigation measures proposed, the applicant states that the level of noise from the proposed plant would be 26 dB LAeq at the nearest properties which is within the limit set out within noise conditions for the LNG proposal and historic permissions at the site. During the night-time, the development would result in a 1 dB increase in ambient (LAeq) noise and a 4-5 dB increase in background noise. The noise assessment assessing this as being of minor to moderate impact being below the World Health Organisation (WHO) and BS8233 (Sound insulation and noise reduction for buildings) guideline limits for avoidance of sleep disturbance which is 40 dB(A).

146. With regards to the impact of the operational development on people using the local area for amenity purposes, the application site is on private land with the closest public right of way being some 200m from the wellsite. As the footpath and area would predominantly be enjoyed during the daytime, the noise report states that noise levels around the site in the daytime are affected by the impact of local and distant traffic alongside exposure to the application site being for a short time, the noise report concludes that any noise from the site would not result in an adverse effect on the amenity of members of the public using the footpath.

147. The CNC recognises that given the very low background noise level for the site that meeting the Surrey Noise Guidelines criterion for the permanent installation of plant at night at this location would be very difficult. The CNC notes that the noise limit within conditions on the LNG permission exceed those indicated by the SCC Guidelines but that the noise limit contained in those conditions is low and is considered appropriate to minimise the impact of noise as noise sensitive receptors. The CNC comments that there would be no material benefit to noise sensitive receptors from adopting a lower noise criterion than that contained in Condition 11 of the LNG permission (26 LAeq). The CNC comments that they concur with the conclusion of the Noise Assessment that the proposal would not result in significant adverse impacts on human health or on the quality of life of residents or the community using the surrounding area for amenity purposes.

148. There could be concern that the proposal could result in a particular type of sound or intermittent sounds that would cause harm to both human health, amenity and the environment. The Surrey Hills AONB Officer has raised this point commenting that there were problems in 2010 that the low whirring noise at night time from the working well caused local residents some distress because of the ambient noise level being so low. The noise assessment states that the noise from the site would be broadband[5] and steady in nature. The CNC states this is a plausible assumption. Conditions would cover this point as it requires that the specific sound should not contain any noticeable tonal or other noticeable characteristics. The AONB officer, however, notes that the proposal states that noise levels may rise by 1dB at night time and 4-5dB during the day time and whilst these levels would be below the WHeO guidance limits on avoidance of sleep disturbance, the AONB officer raises concern about the impact this could have on the tranquillity of the AONB. Surrey Hills AONB Management Plan 2014-2019 Policy LU3 identifies the impact on tranquillity as being a matter needing to be given particular attention in the consideration of development proposals. The AONB officer raises concerns that the noise levels in reality could be higher than those predicted within the noise assessment.

[5] Broadband noise is noise whose energy is distributed over a wide section of the audible range which has no discreet or dominant tones. Examples of broadband noise are gas fired burners or jet engines

149. The CNC is satisfied with the information and conclusions within the assessment and recommends that the conditions be imposed that protect the amenity of local residents and to ensure that noise effects are no greater than those predicted in the noise assessment. The CNC has assessed the proposal and reviewed the noise assessment and has commented that the noise assessment indicates that the sites can operate within the noise limits that were placed on the LNG planning permission.

150. With regard to traffic movements generating noise, the proposal would involve a construction period of some 3 – 4 months generating some 30 movements per day (20 light vehicles and 10 HGV movements) to bring the plant and equipment on to site. Once operational the proposal would generate four HGV movements per day. The construction period would be a temporary development with activities taking place during the daytime. The Surrey Noise Guidelines have a section which deals with site preparation works for oil and gas related development giving a maximum of 70 dB(A) Laeq for these activities between 0800 – 1700 hours and 60 dB(A) Laeq for week end hours. The County Highway Authority have assessed the construction phase of the proposal. Given the numbers proposed, they do not think it reasonable to limit the times when the construction HGVs would visit the site during this phase, on the basis of the number of HGVs on the highway network in the locality already. The site has been used for construction traffic before and given the relatively short construction period the construction noise associated with traffic movements would comply with the Surrey Noise Guidelines.

151. Given the number of HGVs predicted for the short duration proposed and the very minor number of HGVs proposed for the operational phase of the proposal, Officers consider that given the relatively short construction period that noise from construction traffic would not have a significant adverse impact on the environment or amenity.

AONB and Recreation

152. As the application site is located within the AONB, consideration of the potential for noise impacts on the tranquillity of the AONB should be considered. The NPPF is clear at paragraph 123 bullet point 4 that areas prized for their tranquillity should be protected from any potential increases in noise. There are no formal rights of way crossing, adjacent to or very close to the site. Public footpath 239 is the closest running some 200m to the north west of the site. There are also some informal tracks that run around the whole area. The CNC is satisfied that with the proposed mitigation measures that with regard to walkers and amenity, given the distance of the closest public footpath and that most walkers would be carrying out this activity during the daytime, any impact on amenity would only be slightly affected when quite close. Additionally walkers would create their own noise and this would be greater in terms of noise impact than the noise levels proposed for the application. Given this, Officers do not consider the proposal would have an adverse impact on amenity or the enjoyment of the AONB.

Conclusions on Noise

153. As outlined above the NPPF at paragraph 123 sets out 4 bullet points which decision makers should take into consideration when determining proposals that may have a noise impact. The CNC is satisfied that with the proposed mitigation measures that the proposal would not result in a significant adverse impact on health and quality of life given the low noise levels proposed and that noise levels of 26 dB(A) would be experienced. The CNC considers this impact would not be noticeable on the nearby residents to significantly adversely impact on health or quality of life. The applicant has outlined mitigation for the proposal in the noise assessment. A condition would be imposed on this proposal similar to that imposed for the LNG application that noise levels from the plant at night should not exceed 26 Laeq to ensure noise levels from the proposal do not impact on health and quality of life. Officers are aware the application site is located within an AONB which is prized for its tranquillity however given the

mitigation measures proposed and the noise levels predicted, Officers are satisfied that the proposal would not have any significant adverse impact on the AONB or its tranquillity. Officers consider the proposal meets the requirements of the NPPF paragraph 123.

154. Additionally, as outlined in para 126 above, there are four requirements within the Noise Policy Statement for England. The noise assessment concludes that the proposal, without mitigation measures, would not have a significant adverse impact but that it would have a minor – moderate adverse impact. Consequently, mitigation measures are proposed and the applicant states that the workover rig would also have limited hours of operation to offset any harm. The CNC is satisfied that with the mitigation measures proposed, the proposal meets the requirements of the Noise Policy Statement for England.

155. As the acceptable noise levels can be achieved and can be maintained by planning condition it is considered that the proposal would not conflict with the Noise Policy Statement for England, NPPF, the nPPG, Policy MC14 of the SMP2011, Policy G1(3) of the GBLP2003 and the Surrey County Council Guidelines for Noise Control Minerals and Waste Disposal 1994.

Biodiversity and Ecology

156. The NPPF para 109 requires the planning system to contribute and enhance the natural environment by minimising impacts on biodiversity and providing net gains to biodiversity where possible. Paragraph 118 states that when determining planning applications a number of principles should be considered in order to conserve and enhance biodiversity. These principles, which are relevant to this proposal, include if significant harm from a development cannot be avoided or mitigated then the proposal should be refused; opportunities to incorporate biodiversity in and around development should be encouraged; and that planning permission which would result in irreplaceable habitat, ancient woodland and veteran trees being lost should be refused.

157. The nPPG para 016 states that an ecological survey will be necessary in advance of a planning application if the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or where protected species may be present. Para 017 goes on to say biodiversity enhancements can take the form of habitat restoration, re-creation and expansion; improved links between sites; buffering of existing important sites; new biodiversity features; and securing management for long term enhancement. Para 018 outlines the mitigation hierarchy for biodiversity which includes avoidance, mitigation and compensation which if a development cannot satisfy these requirements it should be refused.

158. As outlined above, Policy MC14 of the MLP2011 requires consideration to be given to the natural environment including biodiversity. GBLP2003 has policies that seek to protect the natural environment with Policy NE3 requiring justification for development which is likely to materially harm an SNCI either directly or indirectly. Policy NE4 seeks to protect species or animal and plant or its own habitat that are protected under British Law.

159. The Albury wellsite is not covered by, or in close proximity to, any national or higher level nature conservation designations. It does, however, fall within a Site of Nature Conservation Important (SNCI) and within Albury Park itself, where there are three areas of woodland included within the Surrey Inventory of Ancient woodland. The wellsite is located within an areas of Albury Park that has an important lichen interest that largely relates to the 25 to 30 veteran oak trees and ancient sweet chestnut trees. Many of these trees are of historical, landscape and ecological value in addition to the lichens they support. Additionally this part of Albury Park is where the original nature tree cover has been felled and replaced by planted stock of coniferous or broadleaf tree species or

a mixture of the two. Areas such as this are known as Plantations on Ancient Woodland Sites (PAWS) or ancient replanted woodland. As described above, there are other SNCIs within the local of the application site including Laceys Field, Albury Warren, Albury Heath and Kiln Rough SNCI all of which are found to the west across New Road approximately 200-450m from the application site.

160. The application site consists of an existing wellsite where the application area has been clear felled already and an access track from New Road to the wellsite has been constructed. The issues to consider with regard to ecology, biodiversity and woodland are whether in permitting this application which would see the wellsite area retained for a further 15 years rather than it being restored would have an adverse impact. In addition the County Planning Authority should consider whether since planning permission was granted for the wellsite there have been any changes ecologically with the site that would be impacted upon by the proposal. During the 3 – 4 month site preparation and upgrading of the application site the activities which could potentially impact on the identified receptors would be the localised cutting back of vegetation to provide clear sightlines at the access, the widening of a section of the access road to allow parking either side of the roadway and the visual and noise disturbance from increased activity at the site involving plant and vehicles. During the 15 year operational phase potential impacts would revolve around visual and noise disturbance from vehicles accessing the site and lighting. The decommissioning and restoration phase would have a similar impact to the initial construction.

161. The applicant has submitted an Ecological Appraisal with the planning application undertaken in September 2015 and includes a desk study and field study of the application site. Surrey Wildlife Trust have commented that the Ecological Appraisal provides sufficient information to be able to assess the potential status of protected and important species on the proposed development site and the likely effect of the development on them.

162. The Ecological Appraisal outlines that the previous planning permission approved for this site in 2013 for the LNG production, was subject to a number of ecological conditions including:

- avoidance of vegetation clearance or cutting during nesting season
- restriction of construction/ operation to the defined area of the site – avoidance of encroachment on surrounding woodland
- replanting any trees felled or dying
- re-survey between decommissioning and restoration
- covering of any open excavations.

Fauna

163. The ecological appraisal confirms that the application site has no structures or buildings suitable to support roosting bats and is of very low value to foraging bats in comparison to the surrounding habitat. As the conditions on the application site have remained unchanged since previous bat surveys the ecological appraisal states that the baseline remains reliable. The Ecological Report identifies that the site is surrounded by a perimeter drain which in 2009 was found to support smooth and palmate newt populations but no great crested newts. The drain was emptied in 2009 and the newts translocated.

164. The Ecological Report outlines that the application site is unsuitable for reptiles, badgers, dormice, hedgehog and invertebrates. However, whilst the Ecological Report states that badger presence could be likely, there would not be any value to badgers with the application site therefore the report concludes that adverse impacts are not likely as a result of the proposals.

165. Following a faunal appraisal the Ecological Report sets out mitigation measures. These include:

- Bats – without mitigation measures there could be impacts on bats from noise and lighting. However, plant and equipment are to be acoustically housed to mitigate against noise and proposed lighting is to be manually controlled and area specific with a restriction of all non-emergency operations to daylight hours, with lighting directed into the site through the use of louvers/ hoods and have UV filters. Should any trees require removal or significant tree works, these should be informed by a further bat survey.
- Amphibians – the perimeter drain would require annual emptying. This should be carried out between September – November to avoid the amphibian breeding season. Good practice would also be used to ensure no chemicals or effluent waste should be discharged into the perimeter ditch.
- Birds – that any significant vegetation clearance should be undertaken outside of the breeding bird season 1 March – 31 August

166. In addition to these measures the Ecological Appraisal outlines that an ecological survey should be carried out at the restoration phase to re-assess the site and determine whether there are any ecological constraints and to identify the potential for enhancement at that time. Having reviewed the proposal and the proposed mitigation measures, the County Ecologist raises no ecological objections but recommends that the previous conditions imposed on the LNG application are still appropriate and should be imposed on this application. The County Ecologist recommends that a re-survey should be carried out in the year preceding the final decommissioning to ensure that surveys are carried out during the recommended survey period. Natural England make no comments on national ecological designations or protected species. Surrey Wildlife Trust recommend that the conditions as listed above, should be imposed on any permission granted for this proposal as this will help prevent adverse effect to legally protected species resulting from the proposed development works and help to offset adverse effects to the biodiversity value of the site resulting from the proposed development.

Lichens

167. As outlined in the paragraphs above in the Air Quality chapter of this report and in the above paragraphs, Albury Park contains a number of veteran trees, which are the most likely to sustain the lichen species of interest. Lichens are known to be very sensitive to air pollution, in particular sulphur dioxide. Officers recognise that as the proposal would involve a period of flaring, there could be the potential to impact upon the lichens. However, as outlined above, the air quality assessment work provided demonstrates that emissions from the flare would not contain sulphur dioxide. Furthermore the emissions predicted from the flare would also be of such a low level that they would not cause significant adverse harm to the lichen. The County Ecologist has reviewed the air quality information against historic advice received from Natural England's Lichen Specialist which stated that he considered that it was unlikely that the Albury wellsite would have a significant effect on the lichen communities in the Albury Park SNCI; and raises no objection or concerns with regards to the proposal and lichens.

Ancient Woodland

168. As described above, some of the access track to the well site would go through an area of ancient semi natural woodland as classified in the Ancient Woodland Inventory. The remainder of the track and the wellsite are not located within the ancient semi natural woodland. The proposal would see the widening of the existing access track, which is used as part of the existing logging practices carried out on the Albury Estate, by approximately 4m both to the north and 4m to the south in order to accommodate parking for light vehicles. The ancient woodland in question extends to some 35340 square metres in size and this can be seen on the attached plan. This area of ancient woodland lies to the west of Keepers Cottage and the wellsite separating it from a larger area of ancient woodland which extends eastwards.

169. Woodland classed as ancient is irreplaceable. Ancient woodland is not just valued for the woodland itself but also the soils, wildlife and cultural value alongside its contribution to the landscape. Ancient semi natural woodland is any wooded area that developed naturally and has been wooded continuously since at least 1600 AD. Natural England and the Forestry Commission's Ancient Woodland Guidance October 2015 is that development should be refused where it would lead to a deterioration of irreplaceable habitats unless the need for, and the benefits of, the development outweigh the loss. The Guidance outlines that the impact on ancient woodland can include damaging or destroying trees or woodland, damaging roots and soils as well as the understorey, polluting the ground; and changing the woodlands watertable. This can be done through compacting the soils, breaking up the connections between woodlands and other habitats, increasing disturbance, pollution and changing the landscape character of the area.

170. Para 118 bullet point 5 of the NPPF states that loss or deterioration of irreplaceable habitats such as ancient woodland, has to be shown to be clearly outweighed by the need for and benefits of, development in that location. So whilst seeking to protect ancient woodland, para 1187 allows for circumstances where the loss can be outweighed by other considerations. The approach in the nPPG is that consideration of minimising harm through effective mitigation arise after it is demonstrated that significant harm cannot or wholly or partially be avoided. Compensation is regarded as a last resort in the event of significant residual harm.

171. Natural England have commented that the proposal has the potential to adversely affect woodland classified on the ancient woodland inventory. The Forestry Commission have commented that it is Government policy to discourage development that will result in the loss of ancient woodland unless the development offers overriding public benefits. The Forestry Commission and Natural England have produced an assessment guide to assist in demonstrating if the development proposal would be harmful to ancient woodland. Officers have undertaken this assessment and this is discussed below.

172. The widening of the existing access track would be within ancient woodland and would harm the ancient woodland. The access track already exists and is currently a mix of mud and gravel. The access track is used in association with the logging activities of the forest. The widening itself would equate to approximately 529m along the length of the track which is within the ancient woodland designation (both to the north and south of the access track). This would equate to approximately 1.49% of the Ancient Woodland.

173. As discussed above this widening would be to accommodate 20 parking spaces for light goods vehicles during the construction and decommissioning phase and also to allow for some minor track re-alignment for HGV passing. During the operational phase the applicant states that they would need this width retained to provide space in case there is a need for two tankers to pass each other when accessing the site to collect CNG. The location of the parking has not altered since parking spaces were originally considered as part of planning application GU08/0483 for the retention of the wellsite for appraisal of the well and also as part of GU12P/01585. Turning to the need for the widening of the access track to be in the location proposed, the widening to accommodate parking spaces is wholly ancillary and directly connected to the proposal for the wellsite. The wellsite is in this location as minerals can only be extracted where they are found and there is no other access to the wellsite from the road network. The widening would allow for space should two tankers need to pass each other so that a tanker would not be waiting on the public highway. The parking spaces would be as were used previously for GU08/0483. From this Officers conclude there is a need for the widening of the existing access track in the location proposed. That alone does not override the harm caused but requires the need for the development in this location and its benefits to be additionally weighed into the balance.

174. The next stage is to assess the extent to which the scheme's design and other measures would minimise the adverse effects identified. The parking spaces and the widening of the track would not be beneath any tree canopy and consequently not be on any root protection zones. The access and parking plan (ALB-13A) shows that this widening would not result in the loss of any trees and in fact plan ALB-13A shows how the parking would take place around the retained trees and that parking spaces would not be beneath the tree canopy. The area identified for the parking spaces is already used for the storage of felled trees which are stacked and can be seen in the photograph in Figure 3. Provision of the parking spaces would not require the felling of any trees.

175. Officers recognise that the widening of the track to accommodate a parking area for light goods vehicles would take place within an area of ancient woodland. However, the areas identified for the parking areas are already used for the storage of felled logs as part of the logging regime within the woodland therefore activity already takes place on these areas of woodland floor. The parking would be a temporary activity linked to the operation of the proposal after which the parking areas would be restored by being sown with a seed mixture of common bent or a similar shade tolerant species; and tree planting would take place. The parking areas, whilst being within ancient woodland would not be beneath any tree canopies and therefore would not be on any root protection zones. There is a condition proposed that would restrict any further activity taking place beyond area identified for the widening of the access track to ensure no further encroachment or damage to the ancient woodland.

176. Officers recognise that the proposal would result in a loss of the ancient woodland. However, Officers recognise that this area is already in use for the storage of logs. The proposal provides mitigation measures which would prevent further damage during the phases of the proposal and the proposal provides for restoration including the planting up and seeding of this area, on cessation of operations. However there would be harm and this should be balanced in the conclusion. The County Ecologist raises no objection to this aspect of the proposal.

Conclusion

177. The County Ecologist and Surrey Wildlife Trust have both reviewed the proposal and raise no ecological objections but state that given the sensitive location of the application site that previous conditions imposed on the LNG application are still appropriate and should be applied to this application. Both Natural England and the Forestry Commission raised concerns about the trackway being within ancient woodland and Officers have followed the Assessment Guide to reach a conclusion that whilst an area of ancient woodland would be lost due to the proposal, this would be temporary and the area would be restored. Officers will consider the Ancient Woodland vis a vis the benefits of the development in the balancing exercise below.

Restoration

178. The importance of securing a good quality restoration is central to the consideration of mineral working and associated proposals. The provision of timely restoration and aftercare at mineral sites is sought by paragraph 144 of the NPPF which states that such activities should be carried out at the earliest opportunity to high environmental standards through the application of appropriate conditions.

179. Policy MC17 of the SMP2011 states that "mineral working will be permitted only where the mineral planning authority is satisfied that the site can be restored and managed to a high standard". The policy goes on to require restored sites to be sympathetic to the character and setting of the wider area and capable of sustaining an appropriate after-use. The policy requires restoration to be carried out at the earliest opportunity. Policy MC18 requires restoration to deliver benefits such as enhancement of biodiversity

interests, improved public access and provision of climate change mitigation such as greater flood storage capacity.

180. The applicant has provided details of restoration for the wellsite and for the access track and parking area. These are as follows:

181. Wellsite: the applicant has stated that on completion of production activities at the application site all site fixtures and plant would be removed and any services to the site such as telecommunications and water supplies would be severed and made safe. With regard to wellhead abandonment, the wellhead would be severed and capped in accordance with best practice in force at the time. Current best practice involves the permanent cementing of the well, followed by the removal of the well head and surface valve arrangements. The well casing is then cut off not less than 1.8m below the finished ground level, a metal plate welded on top and a concrete cap placed on top of the plate.

182. All plant and above ground hardware such as valves and pipes would undergo general cleaning by a specialist contractor and would be removed from site. Any further potentially hazardous materials would be disposed of appropriately and all pipes, cables, ducting and similar items disconnected and removed. Concrete installations would be broken up and removed along with the aggregate surfacing the operational area. Where practical the applicant states that any lifted materials would be recycled. The underlying membranes and impermeable linings would be removed and disposed of to an appropriately licensed facility. Any cables and pipes remaining below the lining level would be removed and voids in-filled with soils recovered from the site bunds which shall be laid in layers of not more than 200mm. The applicant proposes that prior to the placement of soils an appropriate land quality investigation.

183. Once all stone, concrete and other imported materials are removed, the remaining subsoil surface would be ripped with winged tines to 450mm depth at one metre intervals. The area would be regraded with subsoil that has been stored in banks on site, to the original contours. Once regraded the subsoils would be ripped again to avoid compaction. It is not proposed to import topsoil to the application site but use topsoil that has been stored in bunds around the site. Owing to the permeable nature of the underlying strata the applicant does not propose to install any artificial drainage however shallow ridges up to 500mm high and 6m wide would be incorporated into the final landform to ensure surface drainage and to limit rain scour/ gully erosion.

184. On completion of soil works the area would be enclosed by a rabbit fence or deer proof fence and planted with forestry transplants in the first available planting season with 60% hybrid of Japanese larch, 40% mixed broadleaves at 2m centres. Broadleaves would also be protected with 1.2m tree shelters. The applicant also proposes to install two bird boxes and two bat boxes.

185. Car parking area: this is an area either side of the access road which leads from New Road to the wellsite compound. The access road is used not only by the applicant for access to the wellsite but also for access to the telecommunication masts and also for the forestry operations. Artificial surfaces would be removed and prior to the laying of soils the area would be examined by an ecologist to ensure the substrate is sufficiently prepared for restoration. Topsoil that had been removed from this area and stored beside the access track would be replaced back on to the car parking area. Trees would then be planted the following planting season with the remaining areas grass sewn.

186. The planning application sets out the aftercare period for the site would be five years after which it is proposed the Albury Estate who is the landowner, would take on responsibility for the aftercare. The applicant outlines that for the first two years newly planted trees would be kept free of weeds by the application of herbicides with trees being inspected by an appropriately qualified ecologist to assess their health. Any

planting losses that occur would be replaced. Following this the site would be inspected at regular intervals.

187. The County Landscape Architect has reviewed the proposal and has commented that the provision for 40% mixed broadleaf, the provision of bat and bird boxes; and the provision of a woodland edge and ride habitat in the car parking area meets the requirements for landscape and biodiversity enhancements. However ,the County Landscape Architect, the County Enhancement Officer and County Ecologist did comment that more detail would be required for the restoration planting scheme to include information on the species or species mix, stock size, location or area, numbers or densities, planting specifications, details of tree planting pits and/ or planting operations and maintenance for 5 years. The consultees also commented that all of this information should be provided within one document. The County Enhancement Officer and the Surrey Wildlife Trust had also commented that the proposal could look to provide more hardwoods as part of the restoration planting scheme which could be managed for commercial purposes, is likely to increase the biodiversity value of the site post development.

188. Following this the applicant submitted further information on the restoration scheme for the application site. This included a more detailed planting plan for the restoration and aftercare of the access track including the number of trees proposed and how they would be handled alongside detail of what aftercare activities would be undertaken in what season; alongside a new Restoration and Aftercare document (April 2016). This document confirms that an ecological survey would be carried out the year immediately preceding the final restoration of the site as discussed above in para 162. The document states that following this, all plant and infrastructure would be removed with restoration works to take between 12 – 24 months to complete. All trees would be native grown and would be sourced as locally as possible.

189. The applicant has taken on board the comments of using native hardwoods within the scheme. Accordingly the proposal now reduces the percentage of larch from 60% to 20% increasing the hardwood species mix and including a range of native hardwood species reflective of the surrounding woodland. This includes hybrid larch, sitka spruce, scots pine, silver birch, beech, hazel, sweet chestnut and pendunculate oak.

190. The County Landscape Architect has reviewed the submitted Restoration and Aftercare document, the proposed revised planting mix and the revised restoration plans with the additional detail. The County Landscape Architect comments that she has no objection to the proposals as now submitted. No further comments have been received from the County Ecologist or Principal Enhancement Officer. There have been no technical objections from other statutory consultees with regards to the restoration of the application site back to forestry therefore Officers are satisfied that the proposal would offer restoration of the site back to forestry use corresponding with the surrounding land use and would comply with the requirements of the Development Plan.

Hydrogeology, Surface Water Drainage and Flooding

Flood Risk Assessment

191. The application site lies within Flood Zone 1 and as it is greater than 1ha, a Flood Risk Assessment was submitted as part of the planning application. The application site does not lie within a Groundwater South Protection Zone. As outlined above, criteria ii of Policy MC14 of the SMP2011 is relevant in the consideration of this proposal with regards to flooding, surface water and groundwater. Policy G1(6) of the GBLP2003 states that areas of floodplain are safeguarded from development that would increase the risk to people or property from flooding. Draft Policy P4 states that all proposals should demonstrate that they will not result in an increase in surface water run-off with

sustainable urban drainage features included unless it can be demonstrated that they are not appropriate.

192. As set out in the NPPF, the main principle with regard to flood protection is that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk using the Sequential Test. The NPPF also states at para 100 that development proposals should not increase flood risk elsewhere. Para 102 of the nPPG notes a site specific FRA should "*demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall"*. As the proposal is for minerals working and processing (but is not sand and gravel) it would be classified as less vulnerable as outlined in Table 2: Flood Risk Vulnerability Classification in the NPPG. Consequently in accordance with Table 3:Flood risk vulnerability and flood zone 'compatibility' of the NPPG which sets out what development is acceptable within flood zones 1,2,3a and 3b; the proposal is acceptable in Flood Zone 1.

193. The applicant has submitted a FRA with the application which sets out the objective to assess the flood risk to the existing development and to demonstrate the proposal would not increase flood risk elsewhere. The FRA identified that the key area of flooding would be from surface water runoff with all other forms of flooding (fluvial/ tidal/ groundwater and artificial drainage systems) being of low risk to the proposal. With regards to surface water flooding and runoff, this would be dealt with by the existing drainage system at both wellsites.

194. The FRA sets out that there are no potential flooding sources from fluvial flooding, tidal flooding, high groundwater, artificial drainage or infrastructure failing to the application site. However the FRA sets out that there is the potential for flood risk from surface water flooding due to poor permeability. Water from the application site currently discharges to the perimeter ditch which can be seen in Figure 6. This ditch manages the surface water runoff for the site and there is no history of surface water flooding at the site. The site is already hard surfaced and covered with loose chippings. The application site is also sealed and lined with an impermeable membrane. As such currently surface water runoff from the site goes into the perimeter drainage ditch from which it is tankered away from the site as required. The proposal does not seek to increase the impermeable area and as such the application proposes to continue to manage surface water runoff in the same manner.

195. The Government has strengthened planning policy on the provision of sustainable drainage systems (SUDS) for 'major' planning applications from April 2015. Para 103 of the NPPF states "*when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere"*. Para 079 of the nPPG recognises that SUDS may not be practicable for some forms of development but that the aim should be to discharge surface run off into the ground, to a surface water body, to a surface water sewer or to a combined sewer.

196. The application site is covered with an impermeable membrane. This is standard practice for oil and gas sites to ensure that if any spillages were to occur on site they are contained and dealt with in the most appropriate manner. The Lead Local Flood Authority have reviewed the proposal and have commented that as there is no change to the sites impermeable area or the existing surface water drainage system, they have no comments to make on the proposal. The County Geological Consultant has reviewed the FRA and commented that it is satisfactory and is appropriate for the nature and scale of the development proposed. The CGC also notes that the proposal does not change the surface water regime for the application site and continues to use the perimeter drainage ditches and considers this acceptable subject to the Environment Agency's comments.

197. The Environment Agency have raised no objection to the proposed surface water drainage scheme for the site but do request a condition is imposed requiring the submission of further details regarding the drainage ditches.

Hydrogeology and Pollution

198. Policy MC14 of the SMP2011 criteria (ii) water quality and (x) any other matter relevant to the planning application requires consideration in the determination of this application. Policy G1(3) of the GBLP2003 states the amenities enjoyed by occupants of buildings are protected from pollution. Para 120 of the NPPF states that to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location and the effects of pollution on health, the natural environment or general amenity should be taken into account.

199. The application site is located directly on the Lower Greensand Group, a group of sandy formations that form the Surrey Hills. At this location, the Lower Greensand Group comprises aquifers with differing vulnerability classifications including the Folkestone Formation (principal), the Sandgate Formation (secondary), the Bargate Formation (principal), the Hythe Formation (prinicipal) and the Atherfield Clay (non-productive). Below this Group there is then a considerable depth of Weald Clay Formation (non-productive) which acts as a natural geological barrier between the vulnerable aquifers and deeper groundwater bearing units and the rocks containing hydrocarbons. The Environment Agency state that it is important to protect the groundwater within these sandstone aquifer units as it provides the baseflow to the local springs and streams, including the Tillingbourne to the north of the application site and the Law Brook to the south. There is no Source Protection Zone in the immediate vicinity of the site but the Environment Agency are aware that Source Protection Zones around drinking water supplies exist at a greater distance from the site, above the main hydrocarbon field.

200. The Environment Agency have commented that at present there is some site infrastructure that dates back to the 1980s alongside the well originally being installed at that time and they have some concerns about the integrity and the degree of groundwater protection it can provide. This is predominantly linked to the Health and Safety Executive requirements although the Environment Agency state that it is also required to establish the protection of the environment, particularly the groundwater environment. The Environment Agency go on to state that the future/ on-going aspects of this can be picked up in the Environmental Permit but any existing information for the well integrity should be collated and provided to the County Planning Authority. The Environment Agency request further information on the well integrity and trajectory to be provided pursuant to a condition in relation to groundwater protection by condition. The Environment Agency also comments that the site currently does not have an Environmental Permit and one would be required. The Environment Agency no objection to this proposal subject to the imposition of the above conditions.

201. The principal risk of pollution associated with the proposed development would be a spillage from plant and equipment on site. The applicant states that all site operations which have the potential to lead to contamination of the surrounding environment would take place within the compound and the plant has been designed to minimise the risk of contamination and the operational area of the development site is underlain with an impermeable membrane. The applicant states that there would be no hydrocarbon storage facilities on the site and any lubricants/ fluids required during maintenance of hte plant would be stored within appropriate containers.

202. The County Geological Consultant has commented that as a mobile crane and excavation plant would be brought on to site as part of the proposal there could be a risk of a potential breach to the impermeable membrane. As such the CGC recommends the imposition of a condition that requires the operator, in the event of a breach of the impermeable membrane, to immediately stop work and prepare a verification plan for the

repair of the membrane setting out how it would be repaired; and that all works cease until such a report is approved. The Environment Agency also wish for information to be submitted on the membrane integrity. Officers propose that a condition be imposed that an Operational Management Plan be submitted prior to the commencement of development outlining this information. The CGC raises no objection subject to the imposition of this condition. Furthermore, standard contamination conditions are proposed to ensure that any oils or chemical storage on site is held on impervious bases and surrounded by a bund such that if a spillage were to occur, the contaminant would be contained and then suitably disposed of.

Conclusion

203. The proposal seeks to continue using an existing perimeter ditch at the site for the discharge of surface water. Any water collected within the perimeter ditch would be tankered away from site for disposal. The site does not lie within an area likely to flood from rivers or groundwater. On cessation of use, the site would be restored back to forestry removing all hard surfaces. The proposal does not seek to increase any hard surface areas at the application site for the duration of CNG operations or for restoration. The FRA demonstrates that the proposal would not create a flood risk. With regard to hydrology the applicant has said that there is an impermeable membrane at the site which if it is breached would be replaced to ensure there is no contamination of the groundwater. Statutory consultees are satisfied with the proposal with regard to flood risk and the water environment subject to the imposition of conditions that information on the membrane integrity, the well head and the drainage ditches is provided. Officers consider the proposal meets the requirements of Policy MC14 of the SMP2011.

Historic Assets

204. The proposal does not seek to expand or extend the wellsite area or the physical area as considered by planning permission GU08/0483. As such Officers do not consider that archaeological matters are pertinent to this application as the ground has historically been disturbed. Policy MC2 of the SMP2011 states that mineral development that may have a direct or indirect significant adverse impact on nationally important heritage assets including listed buildings and registered parks and gardens, will only be permitted if the following criteria are met:
i) It has been demonstrated to be in the public interest, and
ii) The applicant can establish that development and restoration can be carried out to the highest standard and in a manner consistent with safeguarding the specific relevant interests

205. Policy MC14 of the SMP2011 requires information sufficient for the mineral planning authority to be satisfied that there would be no significant adverse impact arising from the development on the historic landscape, sites or structures of architectural and historic interest and their settings, and sites of existing or potential archaeological interest or their settings. Policy HE12 of the GBLP2003 states that planning permission will not be granted for development which would detract from the character or appearance of a park or garden of special historic interest. Draft Policy D3 seeks to conserve and enhance the historic environment in a manner appropriate to its significance. The policy goes on to state that any development proposals that would harm a heritage asset or its setting will not be permitted without a clear justification to show the public benefits of the proposal considerably outweigh the harm to the significance or special interest of the heritage asset in question.

206. The NPPF states at para 128 that "*local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting*". The NPPF recognises that such a description should be proportionate to the assets importance and *"no more than is sufficient to understand the potential impact of the proposal on their significance".* With regards to archaeology, the

NPPF requires that where a site has the potential to include heritage assets with an archaeological interest, a desk based assessment should be submitted and, where necessary, a field evaluation. Para 129 of the NPPF requires local planning authorities as part of the determination process, to identify and assess the particular significance of any heritage asset that may be affected by a proposal including the potential to affect its setting. This assessment should then be taken into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

207. Para 132 goes on to state that "*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting".* The paragraph goes on to state that harm or loss should require clear and convincing justification with substantial harm or loss of a grade II listed building, part of garden being exception; and substantial harm or loss of designated heritage assets of the highest significance should be wholly exceptional.

208. Para 133 outlines that "*where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss".* Para 134 outlines that "*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal".* Para 135 deals with non-designated heritage assets stating these should be taken into account in determining planning applications that may affect directly or indirectly such assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

209. Para 139 seeks to provide protection of non-designated heritage assets of archaeological interest by stating such assets that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

210. The nPPG provides guidance on the assessment of heritage assets when considering planning applications. Para 009 states that heritage assets may be affected by direct physical change or by change in their setting. The paragraph goes on to state that being able to properly assess the nature, extent and importance of the significant of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals. Para 017 states that what matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset which derives not just from its physical presence but also its setting. The paragraph goes on to state that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.

211. Historic England has published a series of guidance notes to assist in the determination of planning applications that could have an impact on heritage assets. These are Good Practice Advice in Planning:2 "Managing Significance in Decision-Taking in the Historic Environment" and Good Practice Advice in Planning: 3 "The Setting of Heritage Assets". Advice note 3 para 4 recognises the extent of a setting cannot have a fixed boundary and may alter over time due to changes in circumstance. Para 5 recognises that views can contribute to setting of heritage assets e.g. viewing points or where a view is a fundamental aspect of the design of the asset or where assets were meant to be seen by one another for aesthetic, functional, ceremonial or religious reasons.

212. Advice note 2 para 4 outlines that the first step is to understand the significance of any affected heritage asset and, if relevant, the contribution of its setting to its significance.

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The significance of a heritage asset is the sum of its archaeological, architectural, historic and artistic interest.

Listed Buildings and Registered Park and Garden

213. The application site is located within Albury Park, a Grade I registered park and garden which extends to some 99ha and includes the plantation area to the south of the park containing the wellsite. Albury Park also includes a scattering of residential properties including some which are listed. These are all between approximately 500m – 900m to the north of the application site and include: Albury Park Mansion (formerly the Manor House) a Grade II* listed building; the Albury Park Manson walls and gateway Grade II listed; the old parish church of St Peter and St Paul including a Tupper Vault 1 Yard west of the old church which are Grade I and Grade II listed respectively; the Bath House Grade II* listed; the Catholic Apostolic Church Grade II* listed; Grange Cottages Grade II listed; and Cooks Place Grade II listed. Outside of Albury Park there are four residential properties to the south of the application site on Park Road which are Grade II listed. These are Parkside, the Old House, Talgai and Heath Lodge.

214. Planning (Listed Buildings and Conservation Areas) Act 1990, Sections 16(2) and 66(1) require Local Planning Authorities to "have special regards to the desirability of preserving the building or its setting". The proposal would not result in the altering or destroying of any of these listed buildings themselves. As such, in accordance with para 132 of the NPPF which states that significant can be harmed or lost though alteration or destruction of the heritage asset (which is not the case here) or development within its setting; it is appropriate to assess whether this proposal would harm the setting of any of the listed buildings and thereby affect their significance.

215. There are three key impacts from the proposal: the wellsite during operations, the workover rig and flare; and the trackway. During the operational phase, there should be no impact directly on the registered park or listed buildings as the proposal does not involve the expansion of the wellsite and all of the plant & equipment would be below the treeline so would not be visible. Whilst the trackway would be widened during the operational phase, this would be within the envelope of the woodland and would only be seen immediately at the site entrance so would not affect any listed buildings beyond this.

216. Officers recognise that during the construction phase there would be the potential for harm to the setting of the listed buildings within the vicinity due to the height of the rig being brought onto site plus the use of a flare. However the rig is no taller than the telecommunication masts so it would not introduce an element greater than an item already there. Furthermore the rig would only be on site for 4 weeks so its duration is temporary and limited. After which it would be removed. The flare being used for a limited period of 7 days. Officers consider the incredibly short timescale of this aspect of the proposal would result in less than substantial harm to any historic asset or its setting.

217. As such for all three elements the proposal would not directly affect any listed buildings. With regards to the setting of the listed buildings, the setting of the listed buildings mainly comprises woodland and/ or parkland setting. The listed buildings around the manor house also have an agricultural setting with some fields surrounding these buildings. Again, as the proposal would be beneath the treeline of the existing dense woodland, Officers do not consider the woodland; parkland and agricultural setting of any of the listed buildings would be affected as these landscapes would remain unaffected. The setting would also not be affected by activities at the site in the form of noise, traffic, lighting or air quality as the proposal involves the use of acoustic buildings to house the plant and equipment, directing all lighting inwards and to be used minimally; a limited number of HGV movements associated with the proposal.

218. With regard to the setting of the registered park and garden the proposal would have an impact on the garden and its setting by its mere presence. However this is outweighed by the limited duration of the proposal and that the site would be restored to forestry use on cessation of operations. The proposal would impact on a small area 1% of the overall park and garden (circa 140 ha).

219. Historic England raise no objection to the proposal with regards to heritage assets or setting. The Historic Buildings Officer (HBO) comments that the setting of the nearby listed buildings is addressed within the planning application. The HBO concurs with view set out in the application that the setting of the listed buildings identified would not be affected by the proposal including the temporary rig. The HBO is satisfied that this addresses the special attention required to give to this matter by section 66 of the Planning (Listed buildings and conservation areas) Act 1990. The HBO goes on to state that in his opinion, the temporary rig and flaring would be in place for such a short time he does not consider it material to the setting of the listed buildings identified and the heritage policies in the NPPF are satisfied.

220. With regards to conservation areas, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires "*special attention be paid to the desirability of preserving or enhancing the character or appearance of that area"*. Albury Conservation Area covers the village of Albury some 855m north west of the application site. Officers consider that given the application site is surrounded by heavy woodland that the application site is sufficiently well screened so not to negatively impact on either the visual amenities or the setting of the Albury Conservation Area.

Conclusion

221. Officers are satisfied that the operational and restoration phases of the proposal would not indirectly harm or destroy any listed buildings within the vicinity nor have any impact on the setting of these listed buildings due to the location of the development from the buildings and their setting, the limited height of the plant and structures to be on site being below the tree line, the planting proposed; and the minimal amount of plant being proposed. Officers do recognise that during the construction phase there could be some limited and temporary harm to setting of these heritage assets from the workover rig. However this element would be on site for a very limited period of time, 4 weeks. As such Officer consider that whilst there could be harm the temporary and reversible nature of the impact would not amount to any significant effect.

222 Officers consider that the proposal would not harm the setting or significance of heritage assets within the vicinity of the application site and meets the requirements of Development Plan policy with regards to Policy MC14(v) and Policy HE12 of the GBLP2003; alongside the requirements set out in Historic England's good practice guide.

HIGHWAYS AND ACCESS

Surrey Minerals Plan Core Strategy 2011
Policy MC15 – Transport for Minerals

223. The NPPF at paragraph 32 requires all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and decisions on development proposals should take into account that safe and suitable access to the site can be achieved for all people; and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

224. Policy MC15 of the SMP2011 states that applications for minerals development should include a transport assessment of potential impacts on highway safety, congestion and

demand management. The policy sets out criteria which should be met if the minerals development proposal involves the transportation by road. These criteria are: - there is no practical alternative to the use of road-based transport; the highway network is of an appropriate standard for use by the traffic generated by the development or can be suitably improved; and arrangements for site access and the traffic generated by the development would not have any significant adverse impacts on highway safety, air quality, residential amenity, the environment or the effective operation of the highway network.

225. There is no relevant transport policy within the GBLP2003. Draft Policy I3 (Sustainable transport for new developments) sets out a number of criteria by which new development proposals should adhere to however these criteria are more relevant to new housing development proposals. Underneath the criteria the policy states that it expects new developments to demonstrate provisions for mitigation including cumulative impacts of the proposal on the safe operation and performance of the local road network and strategic road network; and for environmental impacts such as noise and pollution, amenity and health.

226. The number of vehicles proposed as part of this application is set out in paragraph 16 above. The applicant has submitted a Traffic Management Plan with the planning application as was submitted with the LNG application in 2012 but with an updated traffic count. The County Highway Authority (CHA) have reviewed this document and comment that the traffic generation of this proposal is too low to require a transport statement or assessment and concur with the submission of the Traffic Management Plan.

227. Access to the application site is from New Road (D194) which links with the A248 Albury Street/ Sherbourne to the north and the B2128 to the south. The vehicle access from New Road to the wellsite is gated and decreases in width from 7m at the gate to 4m to the wellsite. In order to facilitate the appraisal well development the access was widened for the first 25m beyond the gate to 6m in width and to provide 20 parking spaces for operatives clear of the road. The intention is to use the access road and parking as part of this proposal. On leaving the site HGVs would turn right on to New Road and then turn right on to the A248 to access the wider highway network via the A25.

228. The most vehicle movements are to be associated with the construction phase of the proposal which anticipates 20 light vehicle/ car movements and 10 HGV movements per day. During the operational phase of the proposal this is expected to generate 4 HGV movements per day – two inbound to collect the CNG and two outbound from the site. The applicant has provided traffic data from September 2015 on New Road to demonstrate the number of vehicles already on the highway network. The traffic flows for an average weekday traffic count on New Road is around 3546 vehicles with 231 HGVs. The County Highway Authority have commented that given these vehicle movements for the local highway network, the proposed vehicle and HGV movements are insignificant.

229. As outlined above the construction phase would generate the most vehicle movements associated with the proposal. For the construction of the plant, there would be an approximate increase in HGVs of less than 1% of all traffic and around 4% of HGVs using New Road. This would be managed by the traffic management measures in the Traffic Management Plan including unlike other HGVs on the road network:-

- the retention of the widened access track and parking spaces either side of the access road for the duration of the LNG process
- erection of a sign before the gate requesting HGV drivers to stop and call for assistance prior to proceeding into the site – this is to ensure that the remainder of the access road is clear before the inbound HGV continues
- HGV drivers to avoid peak times on the highway network where possible
- The applicant to be responsible for informing Surrey County Council Highway Authority prior to unusually high levels of HGV movements entering and existing the site for any phase of the development

In terms of the operational phase, the 4 additional HGV movements will account for a 1.7% increase in HGVs on the road network.

230. The CHA have commented that the measures proposed for the construction phase are acceptable and have no objection to the proposed number of HGVs for this phase on the public highway. Given the number of HGVs associated with the production phase, the CHA have commented that this aspect does not need separate traffic management measures. As there is no information about the number of vehicles that would be associated with the decommissioning and restoration phase of the proposal, the CHA have recommended a condition be imposed that a traffic management plan be submitted for this specific phase prior to the commencement of that phase. With regard to keeping the public highway clean the applicant has stated that there would be an on call road sweeper who can come out as and when necessary and sweep the road during the set up works and again if conditions require when the CNG plant is in operation. Additionally the manager overseeing the set up work would regularly inspect New Road and the access track during each day and if it is observed that the weather or access track conditions require a road sweeper to come out, one would be. The CHA have reviewed this information and have raised no objection to this aspect subject to the imposition of a condition setting out these requirements.

231. A number of representations have been received on this application raising concerns with regards to the number of HGVs proposed and the local highway network in accommodating these vehicles. As outlined above, the number of HGVs proposed during the operational phase would be very small at 4 movements per day (approximately 1.7% of the total number of HGVs on the local road network). During the construction phase this would increase to 4.6% of the total number of HGVs on the local road network. As such, these HGV movements would be minimal. Concern has also been raised about the use and width of New Road for this proposal. However as outlined above, New Road was surveyed as part of the traffic count and was found to carry a large number of HGVs on a daily basis. As such, given the low numbers of HGVs proposed by the development proposals both the CHA and Officers consider the proposal would not lead to a significant adverse harm as raised by representations. The AONB Officer also comment that they do not consider the level of lorry movements would be so disturbing on the roads in question as to warrant refusing permission.

Conclusions on Traffic

232. The proposal seeks to retain and use an existing access from the public highway to the application site which has been in use for some time and has suitable visibility splays to the public highway. The application site is not located near to or next to any alternative form of transportation other than the public highway so the use of alternatives to road based options is not possible. New Road is a classified road and currently carries HGVs upon it and the CHA have not objected to the 4.6% increase in HGVs that would use New Road for the limited 3-4 month construction period which would generate the most HGV activity. The CHA have raised no objection subject to the imposition of conditions. Officers consider that given the limited number of HGVs associated with the operational period and the limited period of the construction phase the proposal would not have any significant adverse impacts on highway safety, air quality, residential amenity, the environment or the effective operation of the highway network. Officers consider the proposal meets the requirements of the NPPF and Policy MC15 of the SMP2011.

AREA OF OUTSTANDING NATURAL BEAUTY, LANDSCAPE CHARACTER AND VISUAL IMPACT

Surrey Minerals Plan Core Strategy 2011
Policy MC2 – Spatial strategy – protection of key environmental interests in Surrey

Policy MC14 – Reducing the adverse impacts of mineral development
Guildford Borough Local Plan 2003
Policy RE4 – Areas of Outstanding Natural Beauty
Policy PE6 – Areas of Great Landscape Value
Policy G1(8) – Light Pollution

233. The existing wellsite is on level land surrounded by woodland within an area designated as both Area of Outstanding Natural Beauty (AONB) an Area of Great Landscape Value (AGLV). The land falls away towards the north towards a valley containing Albury Mansion and the remains of the old village of Albury, before rising again towards the north downs. To the south the land falls away towards Brook Village. The Surrey Hills AONB covers about a quarter of Surrey.

234. The prime purpose of the AONB designation is to protect and enhance the natural beauty of nationally important landscapes. The Surrey Hills AONB was one of the first AONBs to be designated back in 1958. Within an AONB, major development is only allowed where it can be demonstrated to be in the public interest. Therefore the application falls to be considered as contrary to the provisions of the Development Plan. The NPPF at paragraph 115 places great weight on conserving landscape and scenic beauty within AONBs which "*have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and heritage are important considerations in all these areas"*.

235. The SMP2011 Policy MC2 sets out criteria by which minerals development that may have a direct or indirect significant adverse impact on the AONB must meet for the proposal to be permitted. These are:
    i) It has been demonstrated to be in the public interest
    ii) The applicant can establish that the development and restoration can be carried out to the highest standard and in a manner consistent with safeguarding the specific relevant interest

236. Paragraph 3.31 of the SMP2011 is explicit in stating that the primary purpose of the AONB designation is to conserve and enhance natural beauty. The paragraph recognises that this is not only what the landscape looks like but also includes the features, habitats and heritage that contribute to the distinctiveness of the area. The paragraph goes on to state that public bodies have a duty to take account of the need to conserve and enhance the natural beauty of landscapes designated as AONBs. Major minerals development in these areas are to be subject to the most rigorous examination in accordance with the public interest test. Paragraph 3.33 recognises the importance of the AGLV saying this setting should also be safeguarded.

237. Paragraph 3.35 recognises that there are potential hydrocarbon resources beneath the Surrey Hills AONB and specifically refers to the Albury gasfield. The SMP2011 paragraph 5.40 states that whilst there are Government licenses for exploration within the Surrey Hills AONB, gas development within this area should be confined to sites where impacts on the character of the countryside, other environmental interests, local community or wider community interests such as recreation, are capable of suitable mitigation.

238. Policy MC14 states mineral development will be permitted only where a need has been demonstrated and the applicant has provided information sufficient for the mineral planning authority to be satisfied that there would be no significant adverse impacts on the appearance, quality and character of the landscape and any features that contribute to its distinctiveness arising from the proposed development.

239. Guildford Borough Local Plan Policy RE5 seeks the most rigorous protection of the AONB and states that development that is inconsistent with the aim of conserving the existing landscape character will not be permitted. Policy RE6 states that development

within the AGLV should be consistent with the intention of protecting the distinctive landscape character of the area. Draft Policy P1 states that the AONB will be conserved and enhanced to maximise its special landscape qualities and protect it against inappropriate development. The draft policy sets out five criteria that it states all proposals will be considered against including: conserving and/ or enhancing the AONB setting and its views; conserving wildlife and historic assets within the AONB, promoting enjoyment by visitors to the AONB, supporting the rural economy; and maintaining public access to the AONB. The draft policy makes reference to both the Surrey Hills AONB Management Plan and the exception test within the NPPF.

240. National policy set out in the NPPF para 109 looks to the planning system to contribute and enhance the natural and local environment by protecting and enhancing valued landscapes. The NPPF states at paragraph 116 that planning permission should be refused for major developments in AONBs except in exceptional circumstances and where it can be demonstrated they are in the public interest. The paragraph goes on to state consideration of planning applications within the AONB should include an assessment of the following:

i) The need for the development including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy
ii) The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
iii) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

241. This test within para 116 removes the presumption in favour of sustainable development as set out in para 14 footnote 9 of the NPPF. The test in para 116 is more restrictive if a proposal in the AONB is defined as 'major'.

242. No definition of 'major development' is defined in the NPPF and case law establishes that the decision as to whether or not a development was 'major development' was a matter of planning judgement. Case law also establishes that the NPPF militates against importing the definition of 'major development' in the Development Management Procedure Order but to take a common sense approach[6]. Whilst the Town and Country Planning (General Development Procedure)(Amendment)(England) Order 2010 SI 2184 is useful in providing some guidance as to the meaning of 'major development' ("*the winning and working of minerals or the use of land for mineral working deposits"* and also "*development carried out on a site having an area of 1 hectare of more")* when taking a common sense approach Officers consider that given the length of time the proposal would be operational and the nature of the proposal, that this proposal falls into the category of major development[7]. The applicant does not disagree with this approach.

243. The Surrey Hills AONB Board have produced the Surrey Hills AONB Management Plan 2014 - 2019. Whilst this document does not form part of the Development Plan it is a material consideration in the decision making process for planning application proposals within the AONB. Para 1.6 of the Management Plan outlines that natural beauty of the Surrey Hills AONB is not just the look of the landscape but includes the landform and geology, plants and animals, landscape features and human history of settlement. No part of the Surrey Hills AONB is natural in the wild sense but rather it is less intensively managed compared with other parts of Surrey. The management plan recognises that some development may need to take place in response to the needs of society, both local and wider, and that the role of local planning authorities is to ensure the features that make the Surrey Hills AONB designation special and worthy are protected.

[6] R. (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin)
[7] Inspectors decision para 33 of APP/B3600/A/11/2166561 for Bury Hill Wood, Coldharbour Lane, Holmwood "*criteria for 'major development' it is not clear that they are intended to apply to exploratory works as opposed to the recovery and operational stages"*

244. The Management Plan sets out a number of policies which aim to meet the objectives of the plan. Policy LU1 states *that "in balancing different considerations associated with determining planning applications and development plan land allocations, great weight will be attached to any adverse impact that a development proposal would have on the amenity, landscape and scenic beauty of the AONB*". Policy LU2 requires development to respect the special landscape character of the locality of the AONB giving particular attention to potential impacts on ridgelines, public views, tranquillity and light pollution. Policy LU5 states "*development that would spoil the setting of the AONB, by harming public views into or from the AONB, will be resisted"*.

245. The Surrey Landscape Character Assessment (LCA) 2015 is a comprehensive assessment of the landscape character of the county and replaces the 1997 character assessment "The Future of Surreys Landscapes and Woodlands". The application site lies within the Godalming to Sutton Abinger Open Greensand Hills landscape character area in the assessment, with the Tillingbourne and Pipp Brook Greensand Valley landscape character area immediately to the north. The LCA recognises that the Greensand Hills landscape character area lies towards the centre of the county which boundaries based on change in land cover to the wooded greensand hills to the south and in the change in topography to the north. The Open Greensand Hills LCA is characterised by:

- Rolling countryside underlain by Folkestone, Hythe and Sandgate Formation Sandstones
- A predominantly pastoral landscape diversified by areas of mixed woodland, arable farming and remnant heathland
- A varied field pattern with a mix of semi-regular and medium to large regular fields bounded by hedgerows and some hedgerow trees
- Open views across the central pastures to the unsettled wooded hills to the south and west
- Network of rural roads and lanes cross the area from the north to south
- Moderate density settlement with scattered farmsteads
- Part of the Grade II registered gardens of Albury Park are within the northern part
- A rural landscape with open views to the unsettled wooded hills beyond

Landscape and Visual Impact

246. The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) to accompany the planning application. This document sets out its scope and methodology, landscape planning context, baseline condition, assessment of affects, mitigation measures and conclusion. The LVIA followed the guidance set out in 'Guidance for Landscape and Visual Assessment' 3rd edition. The tallest element of the proposal would be the workover rig at some 31m tall and the flare at some 12m in height however these two elements would be for a temporary period of 4 weeks. During the production period the tallest element on site would be the generator at some 3m in height. The trees that surround the application site are some 12m in height.

247. The LVIA sets out an assessment of effects for the construction, operation and restoration phases of the proposal. Within this, it concludes that for the Surrey Hills AONB and AGLV given the scale, size and nature of the proposals that it would result in no significant effects to the landscape character of these designated landscapes. The LVIA recognises that during the construction phase that the associated activities such as the increased number of lorries and the use of the rig and flare would be inconsistent and detract from the local character but that these impacts would be local in level. Consequently the LVIA concludes that whilst the designated landscapes are judged to have a high sensitivity and medium-low magnitude of change, due to the duration of the impact being small that the during the construction stage the development would have a slight-medium adverse level of effect.

248. With regards to the operational phase the LVIA recognises that the activities would be out of character and result in a low magnitude of change, as the activities would not be readily apparent within the area the level of effect would be slight adverse.

249. In addition to assessing the proposal on the LCAs, the LVIA assesses the impact on the public rights of way and specific viewpoints including from New Road and from higher ground such as Newlands Corner. With regards to the closest right of way, footpath 239, the assessment concludes that whilst the footpath has a high value given it traverses the registered park of Albury Park which is valued for its tranquillity, given the dense woodland as a buffer to the application site any views and the setting would remain unaltered. Consequently the LVIA concludes the level of effect is negligible. With regards to longer distant views from footpaths, such as the North Downs Way, the LVIA considers that the most instructive element would be the workover rig during the construction phase. However the rig would be comparable in size and structure to the existing telecommunications mast and would also be short term. Once the site is operational the plant and equipment would not be visible as a result of the woodland surrounding the compound. Consequently the LVIA concludes for medium and long distance views from rights of way, these would be slight adverse – negligible.

250. For receptors along New Road the LVIA recognises that the main magnitude of change would be the number of HGVs accessing the site as the workover rig would not add significantly to a change in the view. During the operational phase, however, the number of HGVs and LGVs would reduce to 4 tanker movements and 6 vans respectively over a 24 hour basis. The compound is set back from the main road and is obscured by existing woodland and no element of the operational phase would be taller than the existing woodland. LVIA recognises there may be a requirement for lighting to be switched on manually for the site during hours of darkness in the winter and concludes the effect of the proposal would be slight adverse.

251. The LVIA concludes that the overall impacts of the proposed development are considered to have negligible to slight adverse effects although these will vary depending upon viewpoint location and the stage of the operations. The LVIA comments that visual impacts of the proposal are limited by the location of the site within dense woodland although distant views of the workover rig may be possible however this would be temporary in nature. Mitigation measures include the mitigation measures for lighting, use of the existing access routes, keeping all plant and equipment within the existing compound; and restoration of the site on completion of works. A perimeter fence is already in place and this would be retained.

252. The County Landscape Architect has reviewed the LVIA and agrees with its findings and raises no concerns with regards to the level of landscape or visual effects as a result of the proposal based on the use of a previous clearing within the woodland. the Surrey Hills AONB Officer agrees with the conclusions of the submitted LVIA that the overall effects upon the landscape character would be localised.

253. The Surrey Hills AONB officer comments that having reviewed the current proposal that it would be no worse than the LNG proposal permitted in 2013 and that the determination of that application took into account the AONB concerns raised by the AONB officer in November 2012. The AONB officer comments that their previous concerns raised in 2012 about maintenance of the tree screen around the application site not being in the control of the applicant, has been addressed within this current submission by the applicant stating that some 25-30m of woodland from the edge of the compound will be under the control of the applicant and will be retained throughout the 15 year lifetime of the development. The AONB officer requests this is shown within the blue line boundary (under the applicants control) so that it can be conditioned. Officers can confirm that this tree screen boundary is shown by a wider blue line around the compound area on drawing ALB-10A “Site Location Plan” and a condition was placed on the previous permission, Condition 24, that stated should any tree positioned within the applicants

control be felled or naturally fall during the lifetime of the operations, it shall be replaced with three saplings to ensure tree cover surrounding the site is retained.

AONB and AGLV

254. The Surrey Hill AONB officer disagrees with the applicants comments on the application stating that the proposal would be industrial development with heavy lorry movements and noise and that it "*cannot reasonably be argued to conserve the scenic and landscape beauty that NPPF Plan Policy RE5 where 'development inconsistent with the primary aim of conserving the existing landscape will not be permitted'"*. The assessment of the proposal on the AONB and AGLV will take into consideration these points.

255. The amenity and light pollution issues are considered in the more details section on light found above at paragraphs 93 -104 earlier in the report, however consideration is given here to the visual impact of lighting on these designated landscapes. As described above, the whilst the proposal is for 24/7 operation, the lighting required will be site specific such that because of remote monitoring of the site it will only be switched on as necessary and then it would be directional. All lighting would have to meet the ILP guidance for intrinsically dark landscapes. Additionally all of the lighting is to be positioned at a maximum of 2m in height either on poles or on the buildings/ structures themselves. This is below the surrounding tree line therefore views of the poles and luminaires should not occur as they would be screened by existing mature vegetation. The applicant has noted that lighting could be required for on top of the rig but at this stage it is unknown. Officers therefore consider that if such a requirement is needed, that the specific details of such lighting should be submitted to and approved in writing by the CPA prior to the installation and use of the workover rig.

256. The character of the AONB centres not only on the visual qualities of the landscape but also reflects its relative peace and quiet. As outlined above, the AONB officer concludes that the proposal is clearly contrary to development plan policies and raises concerns about noise, even if it is very low, could be discernible from the proposed site activity and would be likely to draw attention to the application site. Officers recognise that the value of designated landscapes such as the Surrey Hills AONB is that the public can enjoy the relative tranquillity and that its public rights of way and other paths provide the public the opportunity to enjoy the relative peace and quiet of largely unspoilt and attractive countryside.

257. As discussed above in the noise section of this report, the County Noise Consultant has reviewed the proposal with regards to noise for both constructional and operational phases i.e. that the proposal would not have a significant adverse effect on account of noise to the amenity purposes of the area in terms of recreational enjoyment or sleep disturbance either by day or night. This is because the equipment is housed in acoustically designed structures providing mitigation measures. The Surrey Hills AONB Officer raises concern regarding noise that may emanate from the equipment, plant, drilling and flare being potentially harmful to the relative tranquillity of the AONB due to the low baseline noise levels of the area. The AONB Officer recognises that the majority of the noise generating equipment would be within acoustically enclosed, high specification enclosures but wishes for the CPA to be satisfied on this point.

258. The County Noise Consultant has commented further on this point stating that the conditions proposed have very low noise limits and are considered appropriate to minimise the impact of noise at the nearest noise sensitive receptor potentially affected by the proposed development; and that this is commensurate with the requirements of national planning policy and guidance. With regards to abnormal noises or a hum, the County Noise Consultant has commented that providing a rating level within the Condition provides appropriate consideration of tonal and/ or impulsive acoustic features in the specific sound. This would also be the case for the workover rig that any noise

emanating from it would have to comply with the conditions imposed as it formed part of the noise assessment submitted.

259. The woodland surrounding the application site is open access land and consideration should be given to the potential for visual impact on the recreational element of the AONB. As described above, whilst there is footpath 239 and forest tracks in proximity to the application site, views of the application site are limited due to the dense mature woodland planting that is present and would be maintained during the operational period of the proposal. Views from public viewpoints (such as Newlands Corner) of the operational phase of the proposal would also be limited given the plant and equipment are lower in height than the tree line and long distance views are dominated by this tree line. During the construction phase, Officers recognise that the workover rig could be visible given its height, to such viewpoints, however the rig would be temporary in nature (4 weeks) and would be no greater in height or more prominent than the existing telecommunication mast present adjacent to the application site. Given the duration that the workover rig would be present on site; and given for the operational phase both short, mid and long distance views to the application site from public view points is limited, Officers consider the impact of the proposal on the recreational aspect of the AONB would not be significantly adverse to affect the recreational enjoyment of this designation. The Surrey Hills AONB Officer does not raise concern on this aspect.

NPPF Required Assessment for Proposals in the AONB

260. As referred to above at paragraph 236, the NPPF at paragraph 116 sets out criteria for assessment for major development proposals in the AONB. This assessment is set out below.

261. **Point (i)** covers the need for the development and national considerations. These issues were discussed in paragraphs 63 - 84 above. The Surrey Hills AONB Planning Advisor draws attention to the recent Appeal decision for oil and gas appraisal at Coldharbour where the inspector attached weight to the national interest to explore energy and mineral resources by the uncertainty of whether the hydrocarbons would be discovered and by the relatively small scale of the estimated resource. The Surrey Hills AONB advisor recognises that the energy resource has already been demonstrated at Albury wellsite but does comment that the reserve is only small and questions whether the proposed development is worth causing the environmental harm to such a sensitive location.

262. As outlined above in paragraphs 63 - 80, national energy policy is such that the recovery of onshore non renewable energy reserves should be maximised. The Government's policy statement on "Energy Security Strategy" (November 2012) emphasises the importance of maximising economic production of the UK's oil and gas reserves. Paragraph 5.5 of the policy statement states "*it is important that the UK maximises economic recovery of our indigenous hydrocarbon reserves both from an energy security and an economic perspective"*. Based on this, there is a national need for the husbanding of indigenous gas resources, and also a need for the development which would therefore be in the public interest nationally.

263. **Point (i)** also refers to the impact of permitting or refusing the application on the local economy. The application site is situated within a rural area, some 5km south east of Guildford. The issues surrounding this point are similar to those considered as part of planning application GU12/P/01585 which was for the production of the gas and liquefying it for transportation purposes. During the period of construction and installation of the plant and equipment, workers would be at the site and this could provide additional support to local services, such as petrol stations, local shops and other services. During the operational phase of the proposal the site would be predominantly unmanned. However there would be a period during each day when two HGVs would visit the site to collect the CNG to transport off site therefore the applicants personnel would be on site

when this would occur. There would also be periods of maintenance at the site during this period and again the applicants personnel would be on site for this. During the deconstruction of the plant and equipment and the restoration period for the site, again this would involve more workers. The numbers involved would not be large and therefore any change would be relatively small and short lived. Nevertheless it could be described as potentially positive in terms of the local economy. As with planning permission ref: GU12/P/01585 no shift in population would result from the proposal and therefore it should not lead to any impacts on the housing structure or an increased burden on local public services. The socio-economic effects of permitting the development are therefore potentially positive in terms of further economic support for local services. The effect of refusing the application would result in a 'do-nothing' scenario as the site would be restored in accordance with the requirements set out in planning permission ref: GU12/P/01585 and the considerations given then.

264. **Point (ii)** The Albury wellsite is situated within the AONB and AGLV in an area that has few urbanising influences. As a consequence, the overall inherent landscape and visual sensitivity is high. Ideally, the well site would not be located in such a visually sensitive area. Nevertheless there are other issues that have to be balanced alongside the landscape sensitivity. The issue of the cost of, and scope for developing outside the AONB requires consideration. As set out in paragraph 79 above, the applicant has provided information as to why there are no other economically viable alternatives for husbanding the gas resource from the application site.

265. As with planning application GU12/P/01585, to develop a CNG facility beyond the AONB, would require finding a site beyond the AONB boundary and providing a connecting pipeline between the wellsite and any receiving site. To find a site beyond the AONB would mean, for example, a site to the north around Clandon (some 3.5km) or to the west near Chilworth (some 2.7km) or to the south west near Wonersh (some 2.5km). It is worth noting these sites are all within the Green Belt and the pipeline would have to be constructed through the AONB. The applicant has stated that estimated economic cost of constructing such pipelines would be in the region of £430,000 per kilometre therefore a pipeline to the nearest point beyond the AONB in Clandon would cost just over £1.5million and to Chilworth and Wonersh around £1million. The applicant states that not only would there be the cost of the construction of the pipeline there would also be the added economic cost of leasing or buying the land for the addition CNG site of around £0.5million.

266. In addition to this, treatment plant and pigging (pipeline cleaning) equipment would still need to be installed within the wellsite compound at the Albury wellsite. These costs and the cost in managing the two sites and a pipeline the applicant states would see project costs increase overall by at least £2.5-£3million making any CNG project unviable in economic terms. In addition to the economic cost of locating the CNG facility beyond the AONB, there would also be significant environmental (landscape, ecological, historic environment) and social costs (amenity impact to local communities through which the pipelines passes and recreational impact in terms of footpaths that the pipeline would be constructed close to) with regard to the construction of a pipeline.

267. As stated above, for a pipeline to be laid from the wellsite to an alternative site beyond the AONB, it would have to be laid within the AONB and any pipeline would require a working width of some 15-26m along the route and a temporary construction/ pipeline storage site would be needed. Additionally, any route would need to pass through or close to Silent Pool or Newlands Corner and avoid local SNCIs and any ancient and semi natural woodland. The applicant states in order to mitigate adverse impacts to these important or designated areas any pipeline route would not be direct but need to zigzag which would significantly add to the length of the route.

268. Officers recognise that CNG can be produced elsewhere using another proven reserve. However, Officers consider that the information supplied by the applicant demonstrates

that the proven resource at Albury is only viable as an CNG source where the adaptation from natural gas is achieved on site.

269. **Point (iii)** covers the effect on the environment and recreational opportunities. With regard to any detrimental effects on the environment, sections on lighting, noise, ecology, flooding, hydrology, contamination, traffic and air quality are covered above. Each subject has been considered in terms of the potential for any detrimental impact from the construction, operational and restoration phases and the extent to which that could be moderated through design and/ or conditions. Each subject has concluded that with mitigation measures there should be no significant adverse impact on these environmental considerations from the proposal.

270. With regard to landscape impact this is also covered above. The LVIA concludes that the site is well screened from local views and given the height of the trees, the plant and equipment would be screened from mid and long distance views. With regard to recreational opportunities and the operational phase, the plant and equipment would be contained within a compound area. With regards to the construction phase the LVIA recognises that the workover rig would be greater in height that the tree line but no greater than the existing telecommunications mast. The workover rig would also be short term and temporary in nature. Matters of noise and the potential for impact on recreational activities are also discussed above and the County Noise Consultant has commented that given the proposed mitigation measures the application should not give rise to significant adverse impacts on enjoyment of the parkland.

Conclusion on AONB/ AGLV and Visual Impact

271. The above paragraphs identify the harm to the AONB and therefore the proposal would conflict with Local Plan Policy RE5 and RE6 in that it seeks to conserve the visual quality or distinctive character of the AONB. However it is acknowledged that weight arises in favour of the proposal from the site being well screened and the access to the site and the compound itself would not be obvious or intrusive in the landscape even during the winter period. Officers recognise that a workover rig would be brought in during the construction period and this would be some significant height of 31m. However the time the workover rig would be in place would be limited to 4 weeks therefore the harm would be temporary and limited. The AONB officer has noted that the current application would involve production plant and generating equipment which would be significantly smaller than those permitted as part of the LNG application in 2013 and that this is a factor in favour of the current application. Officers are satisfied that the proposal has been considered in accordance with the NPPF paragraph 116, specifically that: the need for husbanding of a known resource at the wellsite has been demonstrated in the context of national considerations and this carries significant weight; that the applicant has provided sufficient information to demonstrate that the transportation of gas to an LNG plant outside of the AONB is not economically viable; and that alternative options for husbanding the resource are also not viable. Therefore, Officers consider ‘exceptional circumstances’ have been demonstrated.

272. Officers accept that the development would have some detrimental effect on the landscape and would not enhance the natural beauty of the AONB during its either the construction or operational period. Nevertheless given its temporary nature and the limited degree of impact, Officers do not consider that the proposed CNG plant and equipment as a whole would have a significant impact on the conservation of the natural beauty of the landscape. The harm to landscape character and the AONB and AGLV is nevertheless contrary to policy and planning permission can only be granted if it has been demonstrated that exceptional circumstances exist and the development is in the public interest in accordance with the NPPF. This is address below in the conclusion.

7

GREEN BELT

Surrey Minerals Plan Core Strategy 2011
Policy MC3 – Spatial strategy – mineral development in the Green Belt
Guildford Borough Local Plan 2003
Policy RE2 – Development within the Green Belt

273. Albury wellsite is located within the Metropolitan Green Belt where policies of restraint apply. The NPPF states at paragraph 79 that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence". Paragraph 80 goes on to state that Green Belt serves five purposes. These are:
• To check unrestricted sprawl of large built-up areas
• To prevent neighbouring towns merging into one another
• To assist in safeguarding the countryside from encroachment
• To preserve the setting and special character of historic towns; and
• To assist in urban regeneration

The most relevant for this planning application is to assist in safeguarding the countryside from encroachment.

274. Green Belt policy guards against inappropriate development. The NPPF states at paragraph 87 that "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances". The NPPF requires at paragraph 88 that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm other Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

275. Paragraph 90 of the NPPF sets out certain forms of development that are not considered to be inappropriate development in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. One of these forms of development is mineral extraction. Whilst this proposal does include mineral extraction in the form of extracting gas from the wellsite, it also includes the processing of the mineral by compressing the gas, and would therefore not fall into this category and can be considered inappropriate development. Furthermore, para 89 states that new buildings should be considered inappropriate development unless they fall within the list of exceptions set out in the paragraph. Of the exceptions listed, those relevant to this proposal are the following as a number of buildings are proposed:
- "*the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*" and
- "*the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces*".

276. The nPPG sets out guidance for the determination of mineral and oil and gas development proposals. Para 101 states *"the production phase normally involves the drilling of a number of wells. This may be wells used at the sites at the exploratory and/or appraisal phases of hydrocarbon development, or from a new site. Associated equipment such as pipelines, processing facilities and temporary storage tanks are also likely to be required"*. This proposal does not require the drilling of any further wells significantly reducing the potential impact of the development.

277. Para 103 of the nPPG outlines that the life of production sites can be up to 20 years and, on the cessation of extraction, the facilities should be dismantled and the site restored to its former use.

278. The SMP2011 recognises that nearly three quarters of Surrey is designated as Metropolitan Green Belt and that almost all workable mineral deposits in Surrey are

within the Green Belt. The Minerals Plan recognises that mineral extraction need not be inappropriate in Green Belts as it is a temporary operation, however proposals for other forms of mineral development in the Green Belt will need to identify very special circumstances. This is reflected in Policy MC3 of the SMP2011 which states that proposals in the Green Belt for mineral development other than extraction and primary treatment, will only be permitted where the applicant has demonstrated that very special circumstances exist to outweigh the harm by reason of its inappropriateness and any other harm.

279. Policy RE2 of the GBLP2003 states that new building within the Green Belt will be inappropriate unless it is for the six purposes identified. Within the supporting text it is recognised that certain forms of development may be appropriately located in the Green Belt, although these will be strictly controlled to minimise their impact. Draft Policy P2 seeks to protect the Green Belt against inappropriate development and will not be allowed except unless very special circumstances are demonstrated. The policy sets out criteria by which some development proposals would need not be inappropriate of which this proposal does not fall within any of the categories.

280. Given the above points with regards to the gas being compressed not being appropriate development in the Green Belt, Officers consider, in light of relevant case law relating to Green Belt (*Kemnal Manor Memorial Gardens Ltd. v The First Secretary of State & Anor [2005] EWCA Civ 835 (14 June 2005) and Timmins & Anor, R (On the Application Of)v Gelding Borough Council [2015] EWCA Civ 10 (22 January 2015*).), that the correct approach on such applications is to treat the whole development as a single development and consequently the whole single development is considered to be inappropriate development. The application is assessed below in accordance with this approach.

Harm

281. The proposal seeks to install plant and equipment at the wellsite compound so that the natural gas from the wellhead can be compressed into CNG. The compound area already exists alongside the wellhead, water tank, HV switch room and transformer. These elements can be seen on attached plan ALB-12A. The proposal would include the installation of the following new plant and equipment: a knock out pot, the CNG equipment (a compressor, a low level air cooler and a gas dryer), a pump dispenser for transferring the compressed gas into HGVs, a gas generator for generating on site electricity, a low level cooler, a generator control room, a site office, a WC and CCTV on two 6m high camera poles. In addition to this, there would be 2 parking areas for HGVs (tankers) and there is an existing concrete pad area. The site is already surrounded by fencing and there are no proposals to change this. This would bring onto the compound structures amounting to approximately 339m2 in surface area development compared to the existing structures amounting to some 235m2 in surface area. The harm caused to the openness of the Green Belt must be considered as a worst case against a well restored site, although the potential for natural gas extraction remains a possibility and so a material consideration.

282. In addition to surface area there is a need to consider the height of the structures within the Green Belt. The tallest structures would be the temporary workover rig at 31m in height and temporary flare stack at 12m in height. After this, the tallest structure for the duration of the operations would be the generator at some 3m in height. All the other structures (both existing and proposed) would be a similar height or lower.

283. Officers consider that the built form of the proposal amounts to significant harm to the Green Belt by virtue of inappropriateness and the loss of openness and may only be permitted where very special circumstances are demonstrated which clearly outweigh the harm caused. In line with policy the applicant should seek to demonstrate that there

are factors which amount to very special circumstances which justify the grant of planning permission.

Very Special Circumstances

284. The applicant has put forward what they consider to be factors that amount to very special circumstances to clearly outweigh the harm caused by the proposal by reason of inappropriateness and any other harm. The factors put forward are:

- The UK has relatively small, but nevertheless important onshore deposits of hydrocarbons in the form of oil and gas and, following exploration and appraisal, it has been confirmed that the Albury field contains recoverable deposits of natural gas
- Gas forms an integral part of the UK's energy mix, helping to maintain energy security and affordability
- Reserves of hydrocarbons are decreasing, resulting in an increased reliance on gas imports from outside the UK and Europe
- UK Government policy on energy is such that we should exploit indigenous of oil and gas as this helps the UK achieve a security of supply within potentially volatile and competitive international markets. Although of a relatively small scale, schemes such as the proposal can combine to achieve significant contributions to the UK's overall energy supply and is considered to be in the national interest.
- Albury wellsite is already in existence and the proposal does not require additional land take. The proposal involves no storage facilities.
- The proposal provides the opportunity to recover this reserve prior to the existing wellsite being restored. If the reserve is not recovered now, when the wellsite exists, any future attempt to exploit the reserve would be from a position to re-establish a wellsite in the vicinity which would be economically and environmentally more costly
- The development is temporary in nature of 15 years after which the site would be restored to forestry and the temporary nature of the proposal would mean the Green Belt characteristics of the site for the long term would be secured.
- The larger LNG plant and its associated impacts have been permitted as being acceptable by Surrey County Council and the proposal would require less plant which would have less impact
- Overall vehicle movements would remain low
- The site is remote and well screened with the nature and characteristics of the site and surrounding area meaning that any environmental and amenity impacts are minimal, can be mitigated and are restricted to the immediate vicinity of the site
- The Metropolitan Green Belt covers a significant percentage of the land area of the county. There is a lack of feasible alternative locations beyond the Green Belt and to do so would be uneconomic and potentially lead to significant environmental and amenity harm either in constructing the pipeline through the Surrey Hills AONB or exportation of natural gas (uncompressed) off site in tankers.
- The proposal does not conflict with the essential characteristics of the Green Belt of openness and permanence nor the five purposes of the Green Belt
- The proposed production method is the most sustainable method possible with the lowest impacts possible which is outweighed by its wider benefits in terms of maximising production of indigenous energy reserves and benefit to the UK energy economy.
- Minerals can only be worked where they are found and this is the same for energy minerals

Conclusion on Green Belt

285. Officers recognise the proposal would encroach on the openness of the Green Belt by virtue of the plant and equipment proposed. Whilst there is a compound in place at present which has the wellheads and plant, these structures are much less in square footage than the structures being proposed. Height wise, whilst the rig and flare would be much taller than existing structures on site, these would only be temporary in nature, being present for a maximum of 4 weeks, therefore once removed the structures would

be of a similar height as existing plant. Furthermore, the compound is a temporary development so the proposal should be considered against the backdrop that there should be no plant or equipment on the site.

286. The applicant considers that the proposal does not conflict with the characteristics of the Green Belt these being openness and permanence. Officers consider the proposal does conflict with the openness of the Green Belt as the proposal seeks to install a new plant which would bring on to the application site structures greater in size and massing than the existing compound structures. Officers accept that whilst the proposal does not seek to increase the compound size beyond its current size, the proposal would cause encroachment on the Green Belt by virtue of occupation of the compound. However as the compound, under planning permission GU08/0483, should be restored on cessation of appraisal activities, the proposal would therefore cause encroachment on the Green Belt.

287. With regard to the other purposes of including land in the Green Belt, Officers consider the proposal would not cause sprawl of large built up areas, would not cause neighbouring towns to merge into one another, would not impact on the setting or special character of historic towns; and as no impact on influencing urban regeneration. Consequently Officers concur that the proposal does not conflict with these purposes of the Green Belt. With regard to permanence, Officers consider that as the proposal is for a temporary period the proposal would not result in a permanent loss of the qualities of the land to which it is designated for Green Belt. Given the site would be restored to a use compatible with the Green Belt, Officers consider the proposal would not impact on a loss of permanence in the Green Belt.

288. The applicant has stated that a factor amounting to very special circumstances is that minerals can only be worked where they are found. Minerals development, unlike other forms of development, is governed by geology. As the Green Belt covers 75% of Surrey, consequently large mineral reserves will be situated within this designation. However, whilst mineral extraction may need to take place where the mineral deposit is located, the processing of the mineral could take place on land beyond the Green Belt. The applicant has also stated as a factor contributing to very special circumstances that the natural gas cannot be transported by pipeline to a site beyond the Green Belt as this would be uneconomically viable. As outlined above, whilst the border of the Green Belt is some 4.1km north west at Merrow, 8km south west at Godalming and 7km south at the Green Belt boundary's edge, these areas are predominantly residential in nature. Furthermore the applicant has stated that the pipeline would have to go to transmission point of which the closest one is at Ripley which is some 10km from the application site. The applicant states this is uneconomical for the reserve. Additionally construction of such a pipeline would cause significant environmental and amenity harm within the Green Belt through the construction of the pipeline itself (the width of the pipeline being around 26m) and its required maintenance.

289. In the corner of the site there is currently a transformer and switch room associated with connection to the electricity grid. The applicant proposes to use some of the gas harnessed from the site to generate electricity for on-site use. However, with regards to why the natural gas could not be transported directly from site via the existing transformer and switch room to the grid, the applicant has stated that the current connection would not be of sufficient capacity to allow all the gas reserve to be used in the generation of electricity to be exported from the site. Furthermore, to properly enable this, this would require further plant and equipment over and above that being proposed and would require a much longer timescale than being proposed. In addition to this, there is considerable uncertainty regarding the economic viability of any scheme which would rely solely upon electricity generation. There would also be high emissions from the production of electricity as a by product of the combustion process.

290. In addition to the above, it should be borne in mind that the applicant has stated that previous planning applications considered alternative locations for drilling, appraisal and associated gas infrastructure beyond the AONB and this work concluded the existing wellsite would cause the least impact and was the most appropriate. Whilst this information does not relate directly related to the current planning application, Officers consider that it does demonstrate that there are limited alternatives to husbanding the gas beyond the Green Belt and that some weight can be attached to this point.

291. The temporary nature of the development does not constitute a factor which contributes to very special circumstances. Whilst Officers are satisfied that the harm to Green Belt has been minimised and the site can be restored to a good standard, the limited duration of the development cannot amount to a benefit. Nevertheless, the provision for restoration is an overall material consideration in determining the planning application and development cannot be permitted without appropriate provision for restoration.

292. Officers consider that none of the factors identified in the application and considered above can, on their own or collectively, be considered to constitute very special circumstances and clearly outweigh the harm to the Green Belt and any other harm referred to above. However, Officers consider that there are other factors which amount to very special circumstances which include: the need for the energy resource; the sustainable nature of the product; the lack of realistic alternative methods to husband this resource which would not cause environmental or amenity harm. Officers attach significant weight to the need for the CNG resources and strong weight to the nature of energy produced and its sustainable nature. As such whilst this proposal is contrary to the Development Plan Officers consider that planning permission can be granted as an exception to Green Belt policy subject to addressing other harm. Officers will consider any harm to the AONB, ancient woodland, landscape and amenity as part of this balancing exercise.

HUMAN RIGHTS IMPLICATIONS

293. The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.

294. In the case of this application it is recognised that there would be a short term slight adverse impact in terms of visual disturbance from the activities on site including the workover rig and flare alongside traffic during the construction period and this has been discussed within the report. It is also recognised that due to the industrial nature of the proposal during the operational phase that the proposal would have a slight adverse impact particularly in terms of the AONB and this is also discussed in the report. Nevertheless, it is the Officers view that the scale of any potential impacts are not considered sufficient to engage Article 8 or Article 1 and that potential impacts of the development can be mitigated by planning conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

295. The application was advertised as a Departure from the provisions of the Development Plan and may only be permitted as an exception to policy. The proposal seeks to extract natural gas from the Albury wellsite where a known reserve is situated and compress it through gas driers and compressors to create CNG, natural gas which is compressed to enable it to be transported by considerably fewer HGVs than if the gas transported from site uncompressed, to market.

296. There is strong Government policy to encourage the husbanding of indigenous gas supplies within the UK so to reduce the reliance on imports from gas from Europe. This

is set out within current Government strategies. This proposal would play an important part in meeting this national need which even though in comparison to offshore gas reserves would be small, would make a valuable contribution. Officers are satisfied there is a need for husbanding this reserve and attach significant weight to this point.

297. In terms of ecology, noise, air quality, heritage, restoration, flooding, hydrology and lighting, the views of technical consultees have been reported under individual issues earlier in the report. There is no reason to believe that high environmental standards cannot be maintained during the period proposed. Consideration has been given to whether any adverse environmental impacts can be suitably mitigated and Officers consider that the planning conditions recommend relating to the protection of the environment are suitable. To enable the site to be developed to its full potential, loss of part of the ancient woodland is unavoidable. The harm would be mitigated by measures and conditions and offset by the restoration of the application area on cessation of operations that would enable the woodland to be managed for the future. Officers consider, and having regard to the mitigation hierarchy, the loss of part of the ancient woodland would be clearly overcome by the social and economic benefits of husbanding the indigenous natural resource.

298. The site lies within a particularly attractive part of the AONB and although the site compound is well screened and is not obvious or intrusive in the landscape, the placement of a temporary workover rig and flare alongside production plant and equipment would have some impact in this landscape. With regards to the workover rig and flare, Officers recognise the workover rig would be visible above the tree line and would be a large structure. The flare would be below the tree line. However, Officers also recognise that both of these elements are both very temporary in nature, 4 weeks, therefore whilst the level of harm would be high this would be balanced by a very short duration.

299. With regards to the operational phase, none of the plant or equipment elements would be visible above the treeline and a condition is proposed to ensure the treebelt surrounding the compound would be maintained for the duration of the proposal. However there would be harm to the AONB in terms of character, visual intrusion and infringement of the prevailing tranquillity. This reflects the high level of policy protection evinced by the NPPF and Development Plan policy and the AONB Management Plan policy. However, given the existing treebelt and the temporary time the workover rig and flare would be on site, and the wholly reversible nature and the provision for restoration, Officers do not consider that the proposal would cause unacceptable or permanent harm and accordingly Officers consider the impact on the AONB is minor adverse. Officers are also satisfied that there is need for the development in the context of national energy policy and that significant weight can be attached to this point. Officers accept the evidence of cost submitted by the applicant and consider there are reasonable grounds to argue that the development would not be viable if based beyond the AONB. Officers also accept that there are likely to be significant environmental impacts associated with alternative options for energy recover from the application site and that these compare less favourably with the proposal. Officers therefore conclude that the proposal meets the exceptional circumstances test set out within paragraph 116 of the NPPF and consider the proposal meets the requirements of being in the public interest given the objectives of national energy policy.

300. Whilst the proposal is minerals development Officers consider the aspect of extracting the natural gas and processing it to make CNG can be likened to an industrial process. As such Officers are of the view that the proposal is inappropriate development and factors should be put forward to demonstrate there are very special circumstances to outweigh any harm caused by the reason of inappropriateness and any other harm. Officers are satisfied that there is a national need for extracting and utilising the natural gas. Officers are satisfied based on the evidence put forward by the applicant that there are no other viable alternatives to transport the gas from the application site. There is a

known gas resource at Albury wellsite which if not removed would remain in situ should the application site be restored in accordance with previous planning permissions. As such given the significant weight to be attached to need and lack of alternatives, Officers consider the application demonstrates there are factors that clearly outweigh the harm to Green Belt by virtue of its inappropriateness and any other harm including the impact on the AONB identified above and limited harm to Ancient Woodland.

RECOMMENDATION

The recommendation is to **PERMIT** subject to conditions

Conditions:

Pre-commencement

1. Prior to the commencement of the development hereby permitted, an Operational Management and Monitoring Plan shall be submitted to the County Planning Authority for approval in writing. The Operational Management and Monitoring Plan shall include:
a) details of how the drainage ditches would be managed in the event of consecutive rainfall events or a delay in tanker arrival following heavy storms this should include detailed calculations showing that the 1 in 100 year + CC storm event will be contained safely on site
b) details of how the drainage system will cater for system failure or exceedence events, both on and offsite
c) details of who will own and maintain the sustainable drainage features and the maintenance regime for each drainage feature
d) details of a scheme for the inspection of the existing membrane and drainage system, and proposals for membrane integrity testing, revisions and up-grading including measures for the repair of any tear or damage that jeopardises the membrane's integrity.
e) Details of pollution measures at the site to protect groundwater quality

   The integrity of the membrane and the adequacy of the drainage system shall be demonstrated to the written approval of the County Planning Authority and Environment Agency before commencement of the development hereby permitted. The Operational Management and Monitoring Plan shall then be implemented as approved.

   Approved Documents

2. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:
ALB-08A "Site Location and Sub-surface Extent" 8 Sept 2015
ALB-09A "Site Location Plan" 8 Sept 2015
ALB-10A "Site Location Plan" 8 Sept 2015
ALB-11A "Aerial Photograph" 8 Sept 2015
ALB-12A "Existing Site Layout" 8 Sept 2015
ALB-13A "Access Layout and Parking" 8 Sept 2015
ALB-14A "Proposed Site Layout" 19 August 2015
ALB-15B "Elevations – Existing and Proposed" 11 May 2016
ALB-16B "Wellsite Restoration Plan" 8 April 2016
ALB-17B "Access Restoration" 8 April 2016
SK04 rev B "Proposed Parking Layout" 7 May 2008

   Commencement

3. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission. The applicant shall notify the County Planning Authority in writing within seven working days of the commencement of the implementation of the planning permission.

Time Limits

4. The development hereby permitted shall cease no later than 15 years from the date of the implementation of the planning permission referred to in Condition X above or the depletion of the reservoir, whichever is the sooner. All buildings, plant and 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 and the site shall be fully restored to a condition suitable for forestry in accordance with the details set out in Conditions X and X. Notwithstanding this, any plant or equipment required to make the site safe in accordance with DECC requirements at the time and agreed with the County Planning Authority, may remain in position.

Displaying Site Notice

5. From the date that any works commence in association with the development until the cessation of the development/ completion of the operations to which it refers, a copy of this permission including all documents hereby approved and any documents subsequently approved in accordance with this permission, shall be kept on site and available to the site manager, and shall be made available to any person(s) given the responsibility for the management or control of operations.

Hours of Operation (exlcuding extraction and processing plant)

6. a) With the exceptions of the CNG plant and CNG tanker movements and loading, no lights shall be illuminated, nor shall any operations or activities authorised or required by this permission including access by HGVs, take place other than during the hours of:
0800 - 1800 hours Monday - Friday
0800 - 1300 hours Saturday

Apart from the exceptions referred to above and in b) below, there shall be no working at any time on Sundays, Public Holidays, Bank Holidays and National Holidays. This condition shall not prevent emergency repairs, engineering works and floodlighting being on for maintenance reasons.
b) The gas flaring as described in Section 5.3 of the Planning Statement “Upgrading/ Plant Installation – Well Workover and Flaring” shall take place for a one off period of no longer than seven (7) days on a twenty four (24) hour basis.

7. No construction operations or activities authorised or required by this permission be carried out except between the following times:
0800 – 1800 hours Monday – Friday
0800 – 1300 hours Saturdays

There shall be no working on Sundays, Public Holidays, Bank Holidays or National Holidays.

General Permitted Development Order

8. Notwithstanding any provision to the contrary under Part 17 (Class A, B, C, L & M) of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent Order,

a. No plant, building or machinery whether fixed or moveable shall be erected on the application site without the prior written approval of the County Planning Authority in respect of the location, design, specification and appearance of the installation, such details to include predicted levels of noise emission and their tonal characteristics;
b. No waste materials shall be deposited at the site without the prior agreement in writing of the County Planning Authority;
c. No external lights or fences other than those permitted by this application shall be installed or erected at the application site.

Well Trajectory and Integrity

9. Prior to the commencement of the development hereby permitted, a plan shall be submitted to the County Planning Authority in writing showing the well trajectory (route and depth) of the borehole. The plan shall include details of the surface expression of the below ground route; and a cross section (to give depth).

Highways

10. The visibility splays to New Road of 2.5m by 152m in the leading traffic direction (right) and by 215m in the trailing traffic direction (left) shall be maintained for the duration of the planning permission and kept clear of any obstructions.

11. For the duration of the works, all vehicles accessing the site shall enter and leave the public highway in forward gear.

12. The traffic management measures contained in the Traffic Management Plan dated 18th April 2012 shall be implemented during the construction phase to manage the deliveries and HGV access to the site.

13. There shall be no means of access to the site, either vehicular or pedestrian, other than the existing access to New Road as identified in drawing number ALB-10A

14. Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, a road sweeper shall be made available as agreed with the County Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The road sweeper shall be retained on site and used whenever the said operations are carried out

15. There shall be no HGV movements to and from the site between the hours of 07:30 – 08:45 hours each school morning; and between 15:00 – 16:00 hours each school afternoon.

16. Prior to the decommissioning and restoration of the site, the traffic management plan shall be updated, submitted and approved in writing by the County Planning Authority to manage HGV movements to and from the site. The decommissioning and restoration phase of the development hereby permitted shall be carried out in accordance with the updated traffic management plan.

Drainage

17. Prior to the operation of the development hereby permitted, a verification report carried out by a qualified drainage engineer, shall be submitted to the County Planning Authority for approval in writing. The verification report shall demonstrate that the Drainage System has been constructed to the agreed scheme.

Contamination

18. Oil or chemical storage tanks shall be sited on impervious bases and surrounded by a liquid tight bunded compound; the bunded areas must be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges should be enclosed within its curtilage

19. If, during development or operation of the development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a remediation and verification strategy to the County Planning Authority detailing how this unsuspected contamination shall be dealt with. Written approval shall be obtained from the County Planning Authority and the remediation strategy shall be implemented as approved and the verification report submitted.

20. Following the decommissioning and removal of the structures at the site, associated hard-standings and the impermeable membrane, the exposed natural subgrade shall be subject to a programme of inspection, sampling and testing for contamination before any of the restoration soils are placed. The programme of work shall be carried out by a suitably qualified and experienced contaminated land specialist in accordance with a Method Statement that shall be submitted to the County Planning Authority for written approval before commencement of the work. The programme of work shall include inspection of the exposed natural sub-grade, random sampling and testing for an agreed suite of contaminants, and focussed testing of any areas where there is evidence of suspected contamination present or where the membrane is found to be damaged. A risk assessment report shall be carried out and if necessary a remediation strategy prepared and approved by the County Planning Authority. The sources of any imported materials used for restoration shall be checked by the specialist and documentary evidence provided to demonstrate that it is suitably clean and inert for the proposed end use. On completion of the inspection, any necessary remedial work and the restoration, a verification report describing and documenting in full the work undertaken shall be prepared and submitted to the County Planning Authority for approval within 3 months of the date the work is carried out.

Dust

21. The dust control and mitigation measures set out in Section 3 of the Dust Impact Assessment dated October 2015 shall be implemented throughout the duration of the development.

22. No activity hereby permitted shall cause dust to be emitted so as to adversely affect adjacent residential uses and/or other sensitive uses and/or the local environment. Should such an emission occur, the activity shall be suspended until, as a result of different methods of working, the addition of additional dust suppression measures or changed weather conditions, it can be resumed without giving rise to that level of dust emissions.

Noise

23. The rating level of the noise from the development during operation, determined in accordance with British Standard 4142:2014 ‘Methods for rating and assessing industrial and commercial sound’, should not exceed 26 dB LAr,Tr between the hours of 23:00 and 07:00 hours. The noise should not contain any noticeable tonal or other noticeable character tics. It will be necessary to measure at locations closer to the development and predict noise at the sensitive locations by means of standard acoustic calculation methods, allowing for any non-site noise.

24. For temporary operations such as site preparation and final restoration, the level of the specific sound arising from any operation, plant or machinery on the site, determined in accordance with British Standard 4142:2014 ‘Methods for rating and assessing industrial

and commercial sound', should not exceed 60 dB LS between 08:00 and 18:00 hours Monday to Friday and 08:00 and 1300 hours on a Saturday.

25. All plant and machinery shall be adequately maintained and silenced in accordance with the manufacturer's recommendations at all times.

Lighting

26. The florescent luminaires, as shown on plan ALB-14A "Proposed Site Layout" dated 8 September 2015, shall be set horizontal and shall be fitted with UV filters.

27. The two lights nearest the site entrance as shown on plan ALB-14A "Proposed Site Layout" dated 8 September 2015, shall be controlled by motion detection.

28. The lighting as shown on plan ALB-14A "Proposed Site Layout" dated 8 September 2015, shall be fitted with a photocell operation with timeclock which turns all luminaires off at 21:00 hours and with a manual override on.

29. The lighting hereby permitted shall be constructed and maintained such that at no time it exceeds the limitations for Environmental Zone E1 given in the Institute of Lighting Professionals (ILP) Guidance notes for the Reduction of Obtrusive Light 2011. These are:

Sky glow ULR [Max%]	Light intrusive (into windows) Ev [lux]		Luminaire intensity 1 [candelas]		Building luminance pre-curfew
	Pre 2300 hours	Post 2300 hours	Pre 2300 hours	Post 2300 hours	Average L (cd/m2)
0	2	0 (1*)	2,500	0	0

30. No external lighting shall be installed or used on the rig to be brought in and used as part of the development hereby permitted unless and until details of the proposed lighting strategy for use of lighting on the rig have been submitted to and approved in writing by the County Planning Authority. The submitted scheme shall include:
a) The location, type, mounting, lighting controls and luminance of the proposed lighting by means of submission of Isolux plans and drawings of the proposed scheme
b) Any measures to minimise the impact of the lighting
c) Details of how the impact of lighting on bats has been minimised
d) Details of how the lighting would comply with Environmental Zone E1 given in the Institute of Lighting Professionals Guidance notes for the Reduction of Obtrusive Light 2011.

The development shall be carried out strictly in accordance with the approved details.

Ecology

31. No removal or cutting of vegetation including trees and shrubs shall be carried out between the 1 March and 31 August inclusive in any year

32. No operation of machinery, storage, temporary storage or car parking shall take place except within the site area shown on Drawing ALB-10A “Site Location Plan” dated 8 Sept 2015

33. Should any trees positioned within the applicants control be felled or naturally fall during the lifetime of the operations proposed, the tree shall be replaced with three feathered standards that are of a native broadleaf species and are planted close to where the original tree was lost and as soon as practically possible

34. Should any trees positioned within the applicants control require felling or any significant tree works, prior to their felling or tree works a bat survey shall be carried out by a suitably qualified ecologist to establish the presence of bats. Should bats be found to be roosting, a scheme of mitigation will be submitted in writing to the County Planning Authority for approval. There shall be no felling or tree works until the scheme of mitigation is approved in writing by the County Planning Authority.

35. No later than twelve months prior to the decommissioning of the CNG plant and equipment, an Ecological Survey shall take place to check for the presence, or otherwise, of any protected species within the site boundary and immediately outside the site boundary. The survey shall include checking for those species identified in the Brooks Ecological Appraisal dated September 2015. The survey and measures for the protection of and minimisation of disturbance during the decommissioning phase shall be

submitted to the County Planning Authority for approval in writing. The decommissioning shall be implemented strictly in accordance with the approved details of protection

36. There shall be no widening of the access track between the end of the car parking as shown on plan ALB-13A and the wellsite.

37. During site preparation works, all open trenches, pits and excavations shall be covered outside working hours so that any transiting fauna that falls into the earthworks can escape.

38. The perimeter drain surrounding the application site shall only be cleared and drained between the months September to November inclusive in any year

Soils

39. All topsoil and subsoil shall be permanently retained on the site for subsequent use in restoration. No soils or soil making material for use in the restoration shall be brought onto the site.

40. Soils shall not at any time be stripped, stockpiled nor used for the purposes of restoration unless they are in a suitably dry and friable condition to prevent compaction; neither shall any of these operations be undertaken during the months of November to March. Soil shall only be moved when in a dry and friable condition.

41. All soil and soil forming materials shall be handled in accordance with MAFF's Good Practice Guide for Handling Soil 2000, Sheets 1 – 4 (handling soil using excavations and dump trucks). Soil compaction arising as a result of restoration shall be remediated in accordance with Sheet 19 of the above guidance (soil decompaction by bulldozer drawn tines). Plant or vehicle movements shall be confined to clearly defined haul routes or to the infill surface and shall not cross areas of topsoil or subsoil except for the express purposes of soil stripping or replacement operations.

Restoration

42. Restoration of the application site shall be undertaken in accordance with the "Restoration and Aftercare" document (April 2016) and drawings ALB-16B and ALB-17B

43. All planting shall be carried out within the first available planting season (November – March) from the completion of soil restoration works.

Aftercare

44. The land shall be brought to the required standard for forestry use. The applicant shall notify the County Planning 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 applicant, the owners or their successors in title and the County Planning Authority, to monitor the success of the aftercare. There shall follow an annual site meeting in November of each year (or at a time to be agreed) for a period of five years from the commencement of aftercare.

Reasons:

1. In the interest of the local environment and amenity and in order to ensure the drainage design meets the technical standards to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14

2. To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity and that the site is restored to a satisfactory condition in accordance with the terms of Surrey Minerals Plan Core Strategy 2011 Policies MC3, MC14, MC17 and MC18; and Guildford Borough Local Plan 2003 Policies RE2, RE5 and HE12.

3. To accord with the provision of Section 91(1) of the Town and Country Planning Act 1990 (as amended) and to enable the County Planning Authority to exercise control over the development and monitor the site to ensure compliance with the planning permission

4. To enable the County Planning Authority to exercise control over the site and ensure the prompt and effective restoration of the site and to comply with Schedule 5 paragraph 1 of the Town and country Planning Act 1990

5. To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration.

6. To protect the amenities of local residents in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC14

7. To protect the amenities of local residents in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC14

8. To protect the amenities of the locality in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Guildford Borough Local Plan 2003 Policy RE5

9. To protect the underlying principal aquifer and other controlled waters from pollution and so that the relationship to the groundwater aquifers and the Source Protection Zones can be established and assessed.

10. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC15

11. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC15

12. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC15

13. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC15

14. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC15

15. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC15

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16. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC15

17. To ensure an acceptable Sustainable Drainage System and to comply with the Surrey Minerals Plan Core Strategy 2011 Policy MC14

18. To prevent pollution of groundwater and to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14

19. To prevent pollution of the water environment in accordance with Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy and Policy G1(3) of the Guildford Borough Local Plan 2003

20. To prevent pollution of the water environment in accordance with Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy.

21. In the interests of local amenity and to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14

22. In the interests of local amenity and to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14

23. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Guildford Borough Local Plan 2003 Policy G1(3)

24. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Guildford Borough Local Plan 2003 Policy G1(3)

25. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14

26. To reduce the impact on the visual amenities of the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Guildford Borough Local Plan 2003 Policy G1(8)

27. To reduce the impact on the visual amenities of the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Guildford Borough Local Plan 2003 Policy G1(8)

28. To reduce the impact on the visual amenities of the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Guildford Borough Local Plan 2003 Policy G1(8)

29. To reduce the impact on the visual amenities of the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Guildford Borough Local Plan 2003 Policy G1(8)

30. To reduce the impact on the visual amenities of the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Guildford Borough Local Plan 2003 Policy G1(8)

31. To ensure that breeding birds are not disturbed by the removal of habitat, to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Guildford Borough Local Plan 2003 Policy NE4

32. In order to protect the surrounding SNCI in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Guildford Borough Local Plan 2003 Policy NE3

33. To enable the County Planning Authority to exercise control over the development and in the interests of the local environment and amenity to retain tree cover and screening in accordance with the NPPF paragraph 109 and Surrey Minerals Plan Core Strategy 2011 Policy MC14.

34. To enable the County Planning Authority to exercise control over the development and in the interests of the local environment and amenity to retain tree cover and screening in accordance with the NPPF paragraph 109 and Surrey Minerals Plan Core Strategy 2011 Policy MC14.

35. To enable the County Planning Authority to exercise control over the development and in the interests of the local environment and amenity to retain tree cover and screening in accordance with the NPPF paragraph 109 and Surrey Minerals Plan Core Strategy 2011 Policy MC14.

36. In order to protect the surrounding ancient woodland in accordance with the NPPF paragraph 118 and Surrey Minerals Plan Core Strategy 2011 Policy MC14

37. To protect species of conservation concern in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Policy NE4 of the Guildford Borough Local Plan 2003

38. To avoid the amphibian breeding season in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Policy NE4 of the Guildford Borough Local Plan 2003

39. To enable the County Planning Authority to adequately control the development and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with Surrey Minerals Plan Core Strategy 2011 Policies MC17 and MC18

40. To enable the County Planning Authority to adequately control the development and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with Surrey Minerals Plan Core Strategy 2011 Policies MC17 and MC18

41. To enable the County Planning Authority to adequately control the development and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with Surrey Minerals Plan Core Strategy 2011 Policies MC17 and MC18

42. To enable the County Planning Authority to adequately control the development and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with Surrey Minerals Plan Core Strategy 2011 Policies MC17 and MC18

43. To enable the County Planning Authority to adequately control the development and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with Surrey Minerals Plan Core Strategy 2011 Policies MC17 and MC18

44. To comply with the terms of the application and enable the County Planning Authority to exercise control of the operation so as to secure restoration to the required standard and assist

in absorbing the site back into the local landscape in accordance with Surrey Minerals Plan 2011 Core Strategy Policies MC3 and MC17.

Informatives:

1. The proposal hereby permitted is for conventional oil and gas development and does not involve unconventional methods (e.g. fracking).

2. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.

   Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.

3. The applicant's attention is drawn to the Environment Agency's letter dated 9 February 2016 which outlines that an Environmental Permit will be required for this site. Please consult with the National Permitting Service. The applicant's attention is drawn to the potential need to modify the existing Environmental Permit for the site prior to the commencement of any works with attention being drawn to air quality matters relating to the temporary flare.

4. The applicant's attention is drawn to the County Rights of Way Team's letter dated 1 December 2015

5. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Control Division of Surrey County Council.

6. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority Local Transportation Service before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

7. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Transportation Service.

8. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

9. For soils containing more than 18% clay the criteria for determining dry and friable shall be based on a field assessment of the soils wetness in relation to its lower plastic limit according to the following test. 'An assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean plain glazed tile (or plate glass square) using light pressure from the flat of the hand. If a long thread of less than 3mm diameter can be formed, the soil is wetter than the lower plastic limit and soil moving should not take place until the soils have dried out. If the soil crumbles before a long thread of 3mm diameter can be formed, then the soil is dry enough to move. This assessment shall be carried out on representative samples on each major soil type. For all soil types

((including sand loams, loamy sands and sands) no soil handling should proceed during and shortly after significant rainfall, and/ or when there are any puddles on the soil surface'.

10. Any works to be carried out which will affect the flow or storage of water within, or which place or alter a structure/obstruction within an ordinary watercourse will require Ordinary Watercourse Consent. These can include permanent or temporary structures or works. An 'ordinary watercourse' is a watercourse that is not part of a main river and includes rivers, streams, ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows. Consent within Surrey is issued by the Sustainable Drainage and Consenting Team within Surrey County Council. The team can provide information on the requirements for consent and the application procedure and is contactable by email on SuDS@surreycc.gov.uk. Please note consent cannot be issued retrospectively. Works affecting designated Main River require consent from the Environment Agency.

11. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

CONTACT

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BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

Government Guidance

National Planning Policy Framework 2012
Planning Practice Guidance

The Development Plan

Surrey Minerals Plan Core Strategy 2011
Guildford Borough Local Plan 2003

Other Documents

Department for Energy and Climate Change (DECC) – statements to Parliament
"Shale gas – an inconvenient truth for the anti-fracking lobby", Minister of State statement, DECC, September 2015
"Annual Energy Statement", DECC, 2014
"Onshore Oil and Gas" Mineral Planning Factsheet, British Geological Society, 2011
"Gas Generation Strategy" , DECC, 2012
"Meeting the Energy Challenge" DECC, White Paper, 2007
"Energy Security Strategy", DECC, 2012
Shale gas and fracking", Briefing Paper, House of Commons Library, January 2016
Lord Bourne's Speech on Investing in Green Innovation, DECC, February 2016
"The Unconventional Hydrocarbon Resources Britain's Onshore Basins – Shale Gas", DECC, 2013
"Planning practice guidance for onshore oil and gas", DECC, 2013
"Surrey Minerals Plan Non-aggregate minerals background report", Surrey County Council, November 2009
"The Guildford borough Proposed Submission Local Plan: strategy and sites", June 2016
Officer report for planning application GU12/P/01585 reported to the March 2013 Planning & Regulatory Committee
Officer report for planning application GU08/0483 reported to the July 2008 Planning & Regulatory Committee

The Town and Country Planning (Environmental Impact Assessment)(England) Regulations 2011
“Land Use Planning and Development Control: Planning for Air Quality”, EPUK/IAQM, 2015
“Guidance on the assessment of dust from demolition and construction”, The Institute of Air Quality Management, 2014
“Managing Significance in Decision Taking in the Historic Environment: Historic Environment Good Practice Advice in Planning:2”, Historic England, 2015
“The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning:3”, Historic England, 2015
“Ancient woodland and veteran trees: protecting them from development”, Natural England and Forestry Commission, 2015
“Guidance for the Reduction of obtrusive light”, Institute of Lighting Professionals, 2011
“Bats and Lighting in the UK”, Bat Conservation Trust, 2009
“Guidelines for Noise Control Minerals and Waste Disposal”, Surrey County Council, 1994
“Surrey Hills AONB Management Plan 2014-2019”, Surrey Hills Board, 2014
“Surrey Landscape Character Assessment”, Surrey County Council, 2015
Appeal Decision APP/R3650/W/15/3129019