

7 February 2017

Delivered by e-mail

Rob Murfin
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Dear Mr Murfin

LAND ADJACENT TO BRAMLEYMOOR LANE, NEAR MARSH LANE

REQUEST FOR SCREENING OPINION UNDER REGULATION 5 OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011 (AS AMENDED)

Thank you for your letter (dated 23 January 2017) relating to our Request for a Screening Opinion under Regulation 5 of the Town and Country Planning (EIA) Regulations 2015. We appreciate your detailed consideration of our submission and have accepted your request for an extension of time. We look forward to your screening opinion by the 14th February 2017.

Whilst we consider the submitted Screening Report sufficient, we have provided some further information in relation to the two topics specifically noted in your letter to further inform your Screening Opinion.

Natural England Impact Risk Zones

Thank you for notifying us that you will be consulting with Natural England (NE) in relation to the Impact Risk Zones (IRZ) for the Sites of Special Scientific Interest (SSSI) to the north of the proposed site. The following assessment reflects our consideration of the proposal development against the description associated with oil and gas exploration/extraction development in the Natural England IRZ Guidance¹:

¹ *SSSI Impact Risk Zones User Guidance, March 2016, Appendix 3 Attribute data*

<i>NE reasons for concern related to Planning applications for quarries – including new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. Oil & gas exploration/ extraction.</i>	<i>Consideration against the Core Well Application submitted for an EIA Screening Opinion</i>
These types of development often involve water abstraction, which can affect local water supplies that designated sites depend on.	The proposals do not include water abstraction. Water required for drilling will be transported to site.
Waste drilling fluids that are returned to the surface may contain gases and other contaminants, which may be treated and discharged either to the ground to filter away from the site, or into a nearby watercourse.	<p>The proposals are self-contained. Surface water would be retained within the site surface water drainage network and disposed of off-site by a licensed waste contractor. Drilling waste would be stored in bunded tanks on site and disposed of by licensed waste contractors. Drilling mud and rock cuttings would be collected in tanks located on the concrete pad and transported from the site by road for disposal at an authorised waste disposal facility.</p> <p>No discharges from the site would go to surrounding watercourses.</p>
If the treated water flows towards a SSSI, it has the potential to impact on water quality sensitive features.	As noted above the site is self-contained.
Site activities and spoil generation can create dust or particles, which can physically smother leaves or be toxic to habitats and species on SSSIs.	It is assumed this concern predominantly relates to quarrying activities. There will be earthworks during site preparation and development and abandonment and restoration, but this would be managed through standard construction practices to minimise dust. Dust is considered highly unlikely to have a smothering effect within the SSSIs which are, at their closest, approximately 2 km of the site.
Flaring may give rise to local elevated levels of particulates, local ozone formation and NOx emissions.	There would be no operational flaring or venting during the proposed activities.
The development footprint and site activities can result in loss or fragmentation of greenspace and loss or disturbance to functional habitat, which birds depend on for feeding.	The site is an existing agricultural field and is not considered to affect this concern due to the scale of the site (<1 ha plus access road), its condition and characteristics, and its distance from the SSSIs, at approximately 2 km from the SSSIs.
Vibration from drilling can affect geological features.	The site is approximately 2 km from the SSSIs. It is expected that vibration will be imperceptible at distances of greater than 20 m.

Noise Assessment and Approach

As you will appreciate the noise assessment for the planning application is an ongoing process. The assessment is also an iterative process as the detailed modelling and analysis and mitigation design is developed to confirm that the project achieves regulatory thresholds (below which significant impacts are not considered to occur).

As this stage we can provide you with an indication of the assessment outcomes to date and the actions and activities we can introduce so that the project can proceed without the likelihood of significant environment impacts in relation to noise. We hope this gives you the confidence that a robust and effective assessment of noise matters will be available to the MPA in considering noise as a material matter in the planning application, and that assessment will conclude that no significant impacts arise.

1) Defining the noise assessment criteria.

Within the submitted Screening Report, INEOS has committed to undertaking a detailed noise assessment. INEOS can confirm that this will be undertaken following well established assessment criteria:

- Site development and establishment stage noise against the criteria set out in British Standard 5228: 2009 +A1:2014 “code of practice for noise and vibration control on construction and open sites.”, and specifically the use of the A, B and C categorisation method.
- Drilling and coring stage noise against the criteria set out in the Planning Practice Guidance (PPG) on Noise from Mineral Extraction.

The PPG guidance reads as follows:

“Mineral planning authorities should aim to establish a noise limit, through a planning condition, at the noise-sensitive property that does not exceed the background noise level (LA90, 1h) by more than 10dB(A) during normal working hours (0700-1900). Where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable. In any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field). For operations during the evening (1900-2200) the noise limits should not exceed the background noise level (LA90, 1h) by more than 10dB(A) and should not exceed 55dB(A) LAeq, 1h (free field). For any operations during the period 22.00 – 07.00 noise limits should be set to reduce to a minimum any adverse impacts, without imposing unreasonable burdens on the mineral operator. In any event the noise limit should not exceed 42dB(A) LAeq, 1h (free field) at a noise sensitive property.”

The above guidance is considered to represent an approach by which significant impacts are shown to be avoided. That is, adherence to these criteria demonstrates a less than significant effect.

2) Gather baseline data

Noise surveys have been undertaken at the site between 23rd January and 30th January 2017. This includes both unattended and attended noise surveys. The 1 hr attended noise surveys were undertaken on night of Monday 23rd January and morning of Tuesday 24th January at a location north of West Handley (on the triangular road junction) and agricultural land to the west of Bramley Road, off Lightwood Road, east of Bramley Moor Road.

The unattended monitoring was undertaken on agricultural land to the west of Bramley Road, off Lightwood Road, east of Bramleymoore Road. This was completed over seven days to allow for a sufficient time lapse of data gathering and to account for possible variations in climatic conditions, and to include weekday and weekend samples where possible.

Initial analysis of the data acquired shows that a robust baseline data set has been achieved and that the baseline noise levels represent that of a quiet rural location. It is expected that in relation to construction noise assessment, this site is most likely to be a category A site and need to achieve the most stringent 65dB LAeq criteria for construction noise.

In relation to night time noise the focus will be on achieving the minimum noise effect and not exceeding 42dB(A) LAeq,1h (free field). The daytime and evening baseline plus 10 dB(A) threshold will be the assessment target, with recognition that not exceeding 55 dB(A) LAeq, 1h (free field) is an upper regulatory limit. Clearly achieving the night time noise limit and the consistent nature of the noise emissions from the site provides confidence that the 55 dB(A) LAeq, 1h (free field) will be readily achieved.

3) Undertake detailed noise modelling

SoundPLAN software, as common for planning applications such as this, will be used to model the noise effects associated with the proposed development. The modelling will be a conservative estimate based on reasonable worst case data associated with:

- Sound power emissions from the elements of the drilling rigs (based on industry and supplier information);
- Site topography and surrounding land uses; and
- The site layout proposed. The model will distribute the drilling phase noise sources (consistent with those incorporated in other UK planning applications), in their respective locations and consider their dimensions and layout within the site.

The modelling will include embedded mitigation, such as the surrounding site bunding and site accommodation cabins being stacked two cabins high in certain locations to provide additional screening mitigation (as identified in the EIA Screening Report). Such mitigation will be prioritised to site boundaries that best reduce the effects to surrounding receptors.

4) Applying additional mitigation

Should the modelling identify effects above the criteria set out in the PPG, additional mitigation will be identified and incorporated into the design of the proposals submitted for planning. Options available for mitigation include the following:

- maximising the site layout to reduce noise impacts including the orientation and height of cabins and bunds;
- orientating noisy equipment away from receptors;
- specification of low noise equipment (i.e. generators);
- enclosing equipment to minimise noise emissions at source (i.e. enclosing drilling mud pumps); and
- additional screening around the site boundary

INEOS recognise and expect that the planning application submitted will show how the proposals can achieve the PPG criteria, taking in to account embedded mitigation. INEOS will be targeting the lowest possible noise emissions that achieve compliance whether it is daytime, evening or night time.

5) Final assessment and reporting

The outcomes of the fully mitigated scheme, as would be implemented on the ground, will be the subject of the final assessment submitted to the Mineral Planning Authority (MPA) for consideration.

Based on industry precedent and current understanding of the site, INEOS is confident that the development will meet the regulatory thresholds and therefore have no significant noise impacts. The outlined process above will provide the MPA with the necessary information to assess this aspect of development.

We hope the above information is useful to your consideration of our Screening request. We look forward to receipt.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bell', with a stylized, cursive script.

Stephen Bell
Office Director

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