



Appeal Decision

Site visit made on 11 January 2023

by B J Sims BSc (Hons) CEng MICE MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 February 2023

Appeal Ref: APP/P3800/W/21/3282246

Lower Stumble Exploration site, off London Road, Balcombe, Haywards Heath, RH17 6JH.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant temporary planning permission.
 - The appeal is made by Mr George Lucan - Angus Energy Weald Basin No 3 Limited - against the decision of West Sussex County Council.
 - The application Ref WSCC/045/20, dated 20 August 2020, was refused by notice dated 10 March 2021.
 - The development proposed is exploration and appraisal comprising the removal of drilling fluids and subsequent engineering works with an extended well test for hydrocarbons along with site security fencing and site restoration.
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Decision

1. The appeal is allowed and planning permission is granted for exploration and appraisal comprising the removal of drilling fluids and subsequent engineering works with an extended well test for hydrocarbons along with site security fencing and site restoration at Lower Stumble Exploration site, off London Road, Balcombe, Haywards Heath, RH17 6JH, in accordance with Application Ref WSCC/045/20, dated 20 August 20, and subject to the conditions set out in the Schedule appended to this decision.

Procedural Matters

2. The description of the proposed development above is taken from the refusal notice as appropriately describing the operations proposed.
3. The application was refused contrary to the advice of Council officers which compared the present proposal with a previous application. This appeal is determined on an entirely fresh and independent appraisal of all factors for and against the present proposal on its individual merits.
4. Balcombe Parish Council consider that the level of public engagement concerning the appeal development was insufficient. However, the Appellants evidently maintain correspondence with the local community and there is no evidence that due process was not followed. In any event, this appeal now provides an appropriate forum for all points of view to be taken fully into account.
5. The Council and the Appellants have agreed without prejudice, subject to minor corrections, a Schedule of Suggested Conditions and these are taken into account below.

Main Issue

6. It is common ground that the appeal proposals amount to major development within the High Weald Area of Outstanding Natural Beauty (AONB). The main issue for consideration in this appeal is whether the proposed development is justified by exceptional circumstances or the public interest, taking into account: its effects on the landscape of the AONB, and on amenity and other environmental interests; the level of need for the development; the availability and cost of alternatives to the proposal outside the AONB; and any economic benefit to the community.

Reasons

Description

7. The 0.58ha appeal site encompasses the existing Balcombe 2Z hydrocarbon borehole which was sunk in 2013 following previous exploration work dating back to 1986. The wellbore extends through surface Wadhurst Clay and the underlying silt-sand Ashdown Beds to a depth of some 820m vertically and 520m laterally, into the Lower Strumble geological formation of the extensive Kimmeridge layers. These are regarded by the Appellants as having potential and technical suitability for hydrocarbon extraction.
8. Vehicle access to the site is via a private track off the B2036 London Road about 0.8Km south of Balcombe village and Conservation Area. The site is fenced off within a predominantly rural area within the AONB and is bounded by the B2036 to the west, an area of forestry storage to the north and by the access track to the south and east. The London-Brighton railway line passes a little further to the east. The site is surrounded by Lower Stumble Wood and Lower Beanham Wood, both designated ancient woodlands. There are no public rights of way over or close to the site. The site is within Flood Zone 1 of low risk and within a Drinking Water Protection Area for surface water but the nearest groundwater source protection zone is 2.3Km distant to the north west.
9. The nearest residential properties are: the Grade II Listed Kemps Farmhouse and Grade II* Listed Kemps House, about 310m to the north west; Bowder's Cottage about 530m to the south east; Unitroy Cottages about 630m to the east, adjacent to Haywards Heath Road; and Pilstye Cottages and Pilstye Farm Cottage, about 660m to 700m to the south west.
10. Currently the site is non-operational with the wellbore suspended. Only an area of hardstanding is visible above the location of the borehole, with a storage unit accommodating monitoring equipment.
11. The exploration and appraisal works proposed are intended to be undertaken under a temporary planning permission over 30 months, in four phases briefly described as follows:
 - 11.1 Phase 1 – initial pumping: this cleaning operation to remove wellbore fluids is anticipated to take up to four weeks and require minimal surface equipment comprising a pump, storage tanks and ancillary equipment enclosed within a bund.

- 11.2 Phase 2 – civil engineering works: after an interval to provide for analysis and design, if the pumping phase has proved to be successful, works would be undertaken to upgrade the containment of the wellbore with a pad membrane over the active site area. This would involve earthmoving equipment for about two months.
- 11.3 Phase 3 – Extended Well Test (EWT): this would take up to 12 months, depending on results, again involving only surface tanks. A single flare unit would be used for gas combustion.
- 11.4 Phase 4 – plugging and restoration: this would be carried out over some two months on completion of the EWT if future site production could not be achieved or separate planning permission for longer-term, commercial hydrocarbon extraction could not be obtained.
12. All phases of the operation, including transport by heavy good vehicles (HGVs), would be limited to 0730-1830 hours from Monday to Friday and 0800-1300 hours on Saturdays, with occasional HGV trips outside those hours, subject to a traffic management plan secured by planning condition. All waste would be removed for disposal at an approved waste facility.

Law, Policy and Guidance

Development Plan

13. The West Sussex Joint Local Minerals Plan 2018 (JLMP) contains two policies of particular relevance to this appeal.
14. Policy M7a: Hydrocarbon Development Not Involving Hydraulic Fracturing, with respect to Exploration and Appraisal provides that proposals for major development (i) will not be permitted within the High Weald AONB unless exceptional circumstances are demonstrated, (ii) the site is an acceptable environmental option compared with accessible alternatives, (iii) adverse impacts can be minimised or acceptably mitigated, (iv) high quality restoration would take place, and (v) there would be no unacceptable impact from on-site storage or hazardous substances.
15. Policy M13: Protected Landscapes, provides that major mineral development proposals within the High Weald AONB will not be permitted unless specific requirements are met. These include that there are exceptional circumstances and the development would be in the public interest as informed by (i) the need for the development including national considerations and the effect on the local economy, (ii) the cost and scope of developing outside the designated AONB or meeting the need in some other way, and (iii) whether impacts can be satisfactorily mitigated.
16. The Mid Sussex District Plan 2014 (MSDP) includes Policies DP12 and DP16 which together give particular protection to the landscape of the High Weald AONB.

National Policy and Guidance

17. The foregoing development plan policies are essentially consistent with the National Planning Policy Framework (NPPF) of 2021, in particular paragraphs

176 and 177 which give great weight to conserving the landscape of AONBs and set out the test of exceptional circumstances for major development within AONBs in the same terms.

18. The NPPF also states, at paragraph 209, that it is essential that there is a sufficient supply of minerals that the country needs and, at paragraph 211 gives great weight to the economic and other benefits of mineral extraction, albeit subject to no unacceptable adverse impacts on the natural and historic environment and health.

Other National Guidance and Data

19. The National Policy Statement for Energy 2011 (NPS EN-1) stated that fossil fuels are likely to play a significant economic role for some time to come and that it is critical that the UK continues to have secure and reliable supplies of energy as it makes the transition to a low-carbon economy. In the medium term, the UK faces the challenge of reducing energy demand and maximising economic production from declining domestic oil and gas reserves, with increasing reliance on imports of oil and gas in the context of rising world demand.
20. The Energy Security Strategy 2012 seeks to maximise economic production of UK oil and gas reserves to provide reliable energy supplies not exposed to international supply risks.
21. The Annual Energy Statement 2013 (AES) notes the two key factors of reducing carbon emissions and ensuring energy security, with oil and gas remaining key to the energy system for years to come despite increasing renewable energy sources.
22. The Climate Change Act, as amended in 2019, and the Climate Change Committee (CCC) commit the UK to net-zero carbon by 2050 but still forecast a national need for oil by 2050 of 82 million barrels, 90% from the UK, and seeks to avoid driving industry overseas which would increase emissions and damage the economy.
23. More recently, the Energy White Paper 2020 confirms the foregoing considerations and recognises the critical role of oil in maintaining energy security. However, it is also made clear that, during the transition to net-zero carbon emissions, the vast majority of oil supplies required to be maintained are from North Sea offshore production with the smaller proportion from the onshore oil and gas sector.
24. Oil and Gas Authority data of 2021, cited by the Council, records UK oil production of some 0.79 million barrels per day of which only 1.82% is from onshore sources, with some 84% of that currently being produced by a single facility, Wytch Farm, in Dorset. The Council also notes that the UK, in the context of falling demand, has recently become a net exporter of oil for the first time since 2004.
25. At the same time, the Appellants note that North Sea Transition Authority data of October to December 2022 records a 17% decline in domestic oil and gas production.

Planning Effects

Landscape and Visual Impact on the AONB

26. The appeal site is subject to an expired temporary planning permission requiring restoration to low key forestry use. That is the appropriate baseline comparator for landscape and visual impact due to the development now proposed.
27. Some phases of the exploration and testing operations would themselves be relatively low-key and intermittent, extending for no more than a further temporary period of 30 months. Nevertheless, the development would be an alien and unnatural industrial feature and would have an adverse impact upon the landscape and the visual appearance of the AONB.
28. The site would be fenced off, enclosed and largely screened by the surrounding mature woodland from any public viewpoints and no existing vegetation would be lost. This would mitigate the visual impact of the development to a measurable extent. However, the crane jib in particular would be visible above the trees and there would be HGVs entering and leaving the site on a regular basis. Added to this, external illumination, even limited to specific tasks and designed to minimise light spillage and sky-glow, would likely still be evident at night, given some operations would continue over 24 hours.
29. Overall, although the site occupies a relatively small area between the road and railway line and would be restored on expiry of a temporary approval, I consider that the effect of the development on the protected landscape and natural beauty of the AONB would still be moderately adverse, as concluded by the submitted LVIA¹, and thus contrary to MSDP Policies DM12 and DM16. This factor nevertheless attracts great weight according to the NPPF.

Local Amenity

30. As well as any light pollution potentially visible from residential properties between 330m and 700m distant, there is potential for a degree of noise and disturbance from operational plant and traffic associated with the development. However, a submitted noise assessment only identifies a slight 1dB increase in predicted noise level at the boundary of Kemps Farm. This could require monitoring to assess whether specific mitigation measures might be required. In the circumstances, I accept that noise and light impact could be kept within acceptable levels in planning terms. This would be assured by Conditions 7 and 10-13, requiring an agreed lighting strategy, noise limits and contingency mitigation measures, including control over reversing alarms, as well as noise monitoring and a noise management plan.
31. As for concern regarding odour emission, I also accept that there is limited scope for this from the proposed development, given the distances to the nearest properties and that the operations would also be subject to other environmental controls.

¹ Landscape and Visual Impact Assessment

32. In these respects, and subject to the conditions noted, I do not consider that the proposed development would give rise to significant adverse impact on local amenity.

Hydrogeology, Water Pollution, Flood Risk and Ground Stability

33. First, it is clear that the proposed development would not involve hydraulic fracturing, or fracking, which raises public reaction and fear of ground movement. Any acidisation would relate to wellbore clean-up operations.
34. The submitted hydrogeological risk assessment confirms that the appeal site is not hydrologically linked to the Ardingly Reservoir, noting an intervening watershed. Nor is the site within or close to any groundwater source protection zones. The only evident significant risk of water pollution concerns streams, as close as 15m from the site boundary, from run-off or structural failure of the wellbore itself.
35. The site is within Flood Zone 1 of low flood risk and the submitted flood risk assessment identifies no significant surface water flow routes across it. Surface soils would be protected by the over-site pad membrane included within the Phase 2 civil engineering works. The wellbore is subject, under separate legislation, to approval and monitoring by the Health and Safety Executive and the Environment Agency, who have approved the proposals.
36. In these circumstances, I do not consider that the proposed development poses any unacceptable risk with respect to ground stability, water pollution or flooding.

Traffic and Highway Safety

37. Upper estimates are that the proposed development could generate 56 HGV movement per day, equivalent to about 5 or 6 per hour overall. On the evidence available and from inspection there is nothing to indicate that the existing entrance off London Road could not safely accommodate that level of HGV traffic and other vehicle movements. London Road is a substantial route where that number of HGVs would not make a significant addition to overall traffic flows.
38. There are understandable safety concerns regarding extra HGV traffic through Balcombe, and past the primary school in particular. However, Conditions 8 and 9 would not only limit HGV movements to the working day but would also secure a comprehensive traffic management plan, including measures to ensure that HGV movements would avoid passing the school in Balcombe during pick-up and drop-off times.
39. There is no objection from the highway authority and, with those conditions in place, I do not consider that the appeal development would result in any unacceptable adverse impact with respect to traffic generation or highway safety.

Health and Safety, Air Quality and Waste Management

40. A submitted air quality assessment identifies potential risk of air pollution from an on-site generator and the gas combustion flare. On further assessment,

those two identified sources are predicted to have a minimal effect. HGV emissions are not found to pose a significant additional threat to roadside air quality.

41. Waste liquids would be stored in tanks and transported for disposal under controlled conditions.
42. On the available evidence, and given the site would be subject to separate health and safety controls, I find no planning objection with respect to human health, public safety, air quality or waste management.

Ecology

43. A preliminary ecological assessment, bat survey and Habitats Regulations Assessment show that there are no designated nature conservation sites in proximity to the appeal site and minimal likely impact on ecological interests on or near the proposed operational area. The Council's internal ecology consultation led to a request for Condition 14 to secure a bat monitoring strategy in case of any bats being present on the site. Condition 7 to control external lighting is also important with respect to avoiding undue impact on any bat activity. On that basis, I find no evidence of likely adverse impact on ecology, as confirmed by Natural England.

Heritage

44. There are nine listed buildings within 1km of the site, the nearest being Kemps Farmhouse and Kemps House, some 330m distant. Balcombe Conservation Area is about 0.8Km away. I consider that all these heritage assets are sufficiently separated from the appeal site, spatially and also by intervening mature woodland, that there would be no direct or visual harm to them or their settings due to the proposed development.

Climate Change

45. It is an inherent objective of the national and local policy governing this appeal that there must be a transition to net zero-carbon energy production by 2050 in the interest of accommodating climate change. Accordingly, it is equally inherent within any decision to allow this proposal on exceptional justification grounds in compliance with those policies that the issue of its effect on climate change has been duly taken into account.

Need for the Development

46. In the ongoing transition to a net zero-carbon energy economy, over 98% of the decreasing, but for some years substantial, domestic demand for oil and gas will be met by North Sea reserves. Aside from a recent reversal due to reduced home demand, the UK has long been a net importer of oil. It is currently very uncertain to what extent demand will return to its level before the Covid pandemic lockdowns of 2020-22. This uncertainty is compounded by the continuing hostilities between Ukraine and Russia, disrupting international oil and gas supplies.

47. In the circumstances, it would plainly be inappropriate to rely upon imported oil both from the point of view of security of supply and with regard to sustainability in its broader sense.
48. There is nothing in current national or local policy to restrict the appraisal or production of hydrocarbons or to say that a proposal to explore and test a known hydrocarbon reserve should be refused on grounds that its yield might be of small scale. It is precisely the point of proposals like that in this appeal, to obtain such information and it would not be appropriate to anticipate the result of the EWT with conjecture that the ultimate yield of the well might be minimal.
49. The proportion of domestic supply won from onshore sources, currently mostly from a single facility in Dorset, is clearly of relatively small scale but that is not to say that it is insignificant or unimportant. The present proposal should not be refused merely because it might lead only to a small additional contribution, or even no contribution at all to essential domestic oil supplies.
50. There remains a significant national need for onshore hydrocarbon exploration and assessment for considerable time to come. This weighs greatly in favour of this appeal, given also the great policy weight still attributed nationally to the benefits of mineral extraction.

Availability and Cost of Alternatives to the Proposed Development

51. No estimate has been provided of the cost of any alternative way to achieve the exploration and testing objectives of the present proposal. However, it is evident that the known Lower Strumble hydrocarbon resource could not be explored outside the AONB. Furthermore, the cost of constructing an alternative wellbore would plainly be uneconomic, given the prospect of the prior investment of £5.2 million in the present facility. For reasons set out above, it would not be appropriate to rely on alternative imported oil supplies. In the circumstances, the availability and cost of alternatives has little bearing upon the planning balance in this case.

Community Economic Benefit

52. The agreed estimate of a £815,000 contribution to the local economy does not appear substantial and attracts only modest planning weight.

Other Matters

Public Protests

53. Despite clear assurance that this proposal does not involve fracking, it is understandably disturbing to the Balcombe Parish Council and local people that the subject remains emotive and potentially might give rise to further disruptive public protests. However, such matters are for the police under relevant law and cannot be regarded as material to planning.

Precedent

54. Another fear, very understandable in this a case, is that approval of this proposed testing operation on an existing well over a known reserve would be a portent, if the EWT were successful, of a long-term commercial oil extraction

operation on the appeal site. Emphatically, however, the scope of the present appeal is strictly limited to the specific testing and restoration operations which are self-contained and time-limited.

55. If, as a result of a successful EWT, the developer sought permission for commercial extraction, that would require to be the subject of a further entirely separate planning application for assessment on its individual merits under national and local planning and energy policy prevailing at the time. Such an eventuality also cannot be regarded as material to the present appeal.

Planning Conditions

56. In addition to the conditions referenced above, the usual time limit for commencement and requirement to comply with approved plans needs to be imposed by Conditions 1 and 5. Conditions 2-4 and 6 appropriately ensure that the approved operations and site restoration will be completed to the timescale stated in the application and that due notice of the several phases of the proposed operations is given to the mineral planning authority.

Conclusions

57. With reference to the provisions of JMLP Policies M7a and M13 and NPPF paragraphs 176, 177, 209 and 211, I have found that there are no evident comparable accessible or cost-effective alternatives to the appeal proposals and that the site could be restored to a high standard under the agreed planning conditions. There is no evidence that harm would occur due to the storage of hazardous substances on the site. I give modest weight to such benefit as would result to the local economy.
58. I have found that all adverse impacts of the development could be acceptably mitigated in planning terms but with the notable exception that there would be moderate adverse impact on the landscape of the AONB, contrary to the MSDP and NPPF.
59. Even such moderate harm to the AONB carries great weight in terms of the NPPF. Against that is to be balanced the evident national need I have identified for continued hydrocarbon exploration and assessment in the interests of energy supply security pending ultimate transition net carbon-zero energy provision.
60. In my overall judgement, the national need is the overriding consideration and furthermore amounts to the requisite exceptional justification for permitting this major development within the High Weald AONB.
61. I accordingly conclude that this appeal should be allowed and that the planning permission sought should be granted, subject to the conditions discussed above and set out in the Schedule appended below.

B J Sims

Inspector

APPENDIX
SCHEDULE OF PLANNING CONDITIONS

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990.

Time Limitations

2. The Extended Well Test under Phase 3 of the development hereby approved shall be completed and cease within a period of twelve months from the date of commencement of Phase 3 of the development.

Reason: To ensure that the impacts are limited to the timeframe considered in granting the planning permission.

Notification of Works

3. Prior written notification of the date of commencement of each Phase of works (removal of fluids, pad membrane works and the extended well test) hereby approved shall be sent to the Mineral Planning Authority not less than seven days and no more than 14 days before commencement of each Phase of activity.

Reason: To inform the Mineral Planning Authority of potential disruptive periods in the interests of amenity.

Completion of Works

4. Notification of the date of the completion of the extended well test hereby approved shall be sent to the Mineral Planning Authority not more than seven days following completion. Within twelve months of the completion of the extended well test, the operator shall restore the site in accordance with the scheme approved under Condition 5.

Reason: To secure the timely restoration of the site.

Approved Plans

5. The proposed development shall not take place other than in accordance with the approved drawings and documents:

Figure 1: Site Location Plan (Rev 01);

Figure 2: Existing Site Plan (Rev 01);

Proposed Site Plan (Dwg HSF-BALCOME-SL-01);

Proposed Site Plan (Dwg HSF-BALCOME-SL-02);

Figure 4a: Proposed Elevation – View from North West (Rev 03);

Retention Plan (Dwg 32414-RSK-XX-XX-DR-L-1000; and

Restoration Planting Plan (Dwg 32414/01/01 Rev-01)

save as varied by the conditions hereafter. For the avoidance of doubt, high pressure hydraulic fracturing shall not be undertaken as part of this development.

Reason: To secure a satisfactory development.

Decision Notice

6. A copy of this decision notice together with the approved plans and any schemes and/or details subsequently approved pursuant to this permission shall be kept at the site office at all times and the terms and contents thereof shall be made known to supervising staff on the site.

Reason: To ensure the site operatives are conversant with the terms of the planning permission.

Lighting Strategy

7. Development shall not begin until a Lighting Strategy, assessed by a suitably qualified ecologist, has been submitted to and approved in writing by the Mineral Planning Authority. The Lighting Strategy shall include:
 - a) Re-assessment by a suitably qualified ecological consultant of the impact of the site lighting regime on the surrounding vegetation at night within seven days of its installation;
 - b) Measures for immediate remedial action should the assessment carried out at (a) above indicate that light spill exceeds 1 lux; and
 - c) Within 14 days of the installation of site lighting, submission to the Mineral Planning Authority of a report detailing the impact of the lighting on the surrounding vegetation. The report shall detail lighting measurements (carried out in accordance with (a)), remediation undertaken and its impact, and the type and timescale of further remediation which may be required to ensure light spill onto adjacent vegetation is less than 1 lux.

The approved Lighting Strategy shall thereafter be implemented in full.

Reason: to protect the ecology of the area, particularly bats.

Traffic Management Plan

8. Development shall not begin, including any works of mobilisation, until a Traffic Management Plan has been submitted to and approved in writing by the Mineral Planning Authority. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- a) the anticipated number, frequency and types of vehicles used during the development;
 - b) the method of access and routing of vehicles;
 - c) the parking of vehicles by site operatives and visitors;
 - d) the loading and unloading of plant, materials and waste;
 - e) the storage of plant and materials to be used in the development;
 - f) the erection and maintenance of security hoarding (if relevant);
 - g) the provision of works required to mitigate the impact of the development upon the public highway (including the provision of temporary Traffic Regulation Orders);
 - h) details of public engagement both prior to and during the development;
 - i) traffic management schemes such as restrictions on timings, associated signage etc.; and
 - j) measures to ensure that HGV movements avoid school pick-up and drop-off times.

The approved Plan shall be implemented and adhered to throughout the development.

Reason: In the interests of highway safety and the amenities of the area.

Hours of HGV Movements

9. With the exception of undertaking urgent works in emergency situations, the movement of all HGVs to and from the site shall only be undertaken between the hours of 07:30 and 18:30 Mondays to Fridays and 08:00 to 13:00 on Saturdays. No HGV movements shall occur on Sundays, Bank Holidays and Public Holidays.

Reason: To protect the amenity of local residents.

Noise Levels

10. The corrected* noise level for operational noise from the site shall not exceed 55dB(A) LAeq 5 minutes (free-field) between the hours of 07:00 – 19:00 Mondays to Fridays and 08:00 – 13:00 Saturdays; shall not exceed Background LA90,1 hour + 10dBA evenings (19:00-22:00) and weekends; and shall not exceed 42dB(A) LAeq 5-minutes free-field at night (22:00-07:00). Noise levels shall be determined at the nearest residential premises.

*A 5dB correction shall be added to the LAeq noise level to provide a corrected noise level if one or more of the following features occur:

- a) the noise contains a distinguishable, discrete, continuous note (whine, hiss, screech, hum, etc.);
- b) the noise contains distinct impulses (bangs, clicks, clatters or thumps);
- c) the noise is irregular enough to attract attention.

Reason: In the interests of residential amenity.

Noise Monitoring

11. Noise levels shall be monitored at Kemps Farm at weekly intervals from the date of the commencement of development. The results of the monitoring shall include LA90 and LAeq noise levels, the prevailing weather conditions, details and calibration of the equipment used for measurement and comments on other sources of noise which affect the noise climate. The monitoring shall be carried out for at least two separate durations during the working day and the results shall be submitted to the Mineral Planning Authority within three days of the monitoring being carried out. If the results indicate that the noise levels exceed those set out in Condition 10 ,the mitigation detailed in Condition 12 shall be implemented within 48 hours.

Reason: To minimise the impact on residents and the environment.

Noise Management Plan

12. Prior to the commencement of development, there shall be submitted to and approved in writing by the Mineral Planning Authority a Noise Management Plan. The Plan shall identify:
- a) details of initial noise tests for each item of noise-emitting plant on site to establish whether noise emissions are compliant with condition 10;

- b) if not compliant, details of mitigation to be introduced and timescales for implementation;
- c) details of instantaneous mitigation methods for each item of noise-mitigating equipment (e.g. throttling back gas flow for the flare, stopping works where safe to do so) and any longer term mitigation;
- d) details of continuous monitoring procedure for noise limits; and
- e) procedures for addressing any complaints received.

Once approved, the Noise Management Plan shall be implemented in full throughout the course of the development.

Reason: To minimise the impact on residents and the environment.

Reversing Alarms

13. Vehicles within the control of the operator, including those required to visit the site under contract that are required to emit reversing warning noise, shall use only white noise or broadband alarms rather than single tone alarms.

Reason: To protect the amenity of local residents.

Bat Monitoring

14. Prior to the commencement of development or any preparatory works, a bat monitoring strategy shall be submitted to the Mineral Planning Authority for approval. The monitoring strategy shall commence within seven days of this permission being implemented and will continue through the lifetime of the permission and for one year after site closure. All approved details shall be implemented in full unless otherwise approved in writing by the Mineral Planning Authority. All identified adverse impacts on bats shall be reported to the relevant site operator and the Mineral Planning Authority and ameliorated immediately. Annual reports and a final report (one year after permitted operations cease) shall be produced and submitted to the Mineral Planning Authority.

Reason: to assess the impact of the development on bat activity.

- end of schedule -