

# Regulatory Committee

**Dorset County Council**



Date of Meeting	21 March 2019
Officer	Service Director for Environment, Infrastructure and Economy
Subject of Report	<b>To consider planning application 6/2018/0567 for the installation of a new Power Generation Plant, incorporating 2 no. 12MW gas engines within an engine hall; selective catalytic reduction units; waste heat recovery units incorporated within 2 no.15.2 M exhaust stacks and associated works at Wytch Farm Gathering Station. Decommissioning of 2 no. existing gas turbines and waste heat recovery unit.</b>
Executive Summary	This application seeks permission for the installation of a new Power Generation Plant, incorporating 2 no. 12MW gas engines within an engine hall; selective catalytic reduction units; waste heat recovery units incorporated within 2 no.15.2 M exhaust stacks and associated works at Wytch Farm Gathering Station. The report recommends approval of the application subject to planning conditions.
Impact Assessment:	Equalities Impact Assessment: This report concerns the determination of an application for planning permission and not any changes to any new or existing policy with equality implications.
	Use of Evidence: The recommendation has been made after consideration of the application and supporting documents, the development plan, government policy, legislation and guidance, representations and all other material planning considerations as detailed in the main body of the report.
	Budget: Generally the determination of applications will not give rise to any budget implications for the Committee.
	Risk Assessment: As the subject matter of this report is the determination of a planning application the County

	Council's approved Risk Assessment methodology has not been applied.
	Other Implications: None
Recommendation	That planning permission be granted subject to the conditions set out in paragraph 9.1 of this report.
Reason for Recommendation	As set out in paragraphs 6.28-6.31 of this report.
Appendices	<ol style="list-style-type: none"> <li>1. Location Plan (Figure 1)</li> <li>2. Site Plan (Figure 2)</li> <li>3. Elevations and Sections (Figures 5, 6, 7, 8 and 9)</li> <li>4. Appropriate Assessment</li> </ol>
	Planning application file reference – 6/2018/0567
Report Originator and Contact	Name: Rob Jefferies Tel: 01305 224279 Email: r.w.jefferies@dorsetcc.gov.uk

## **1. Background**

- 1.1 In July 2017 the Mineral Planning Authority (MPA) granted planning permission for 39 planning applications (collectively known as PA2 applications) to extend the operational life of the Wytch Farm oilfield beyond 2016 to 2037. The other planning permissions most relevant to this current proposal include 6/1986/0155 (To construct extensions to and modify the existing gathering station) and 6/2011/0485 (Variation of Condition No.2 of Planning Permission 6/1986/0155 to substitute Perenco UK Limited for BP Petroleum Development Limited).
- 1.2 The current application was accompanied by an Environmental Statement and requires Environmental Impact Assessment.

## **2. Site Description**

- 2.1 The application site comprises an irregularly shaped area of 0.63 hectares of land within the wider Wytch Farm Gathering Station site. The Gathering Station occupies 12.4 hectares of land located approximately 2.5km to the north of Corfe Castle village and represents the centre of the oilfield operations. It comprises a range of facilities principally connected with oil and gas processing, LPG storage, seawater treatment and water injection at Wytch Farm Oilfield. The site also contains management and control facilities, workshops, offices and car parking.
- 2.2 The Gathering Station is surrounded by a land management area within which trees and other vegetation is are managed to screen the site from surrounding viewpoints. The land management area abuts some areas of land designated as Rempstone Heaths SSSI, Dorset Heathlands SPA, Dorset Heaths SAC and Dorset Heathlands Ramsar. The application site lies about 150 metres from these at its closest point. The site is located within the Dorset Area of Outstanding Natural Beauty and Heritage Coast.
- 2.3 Vehicular access is provided principally via a purpose-built dedicated private road from the A351 at Norden roundabout.

## **3. The Proposal**

- 3.1 The application proposes the installation of a 24MW Gas Engine Power Generation Plant, comprising two Gas Engines and two Waste Heat Recovery Units.
- 3.2 The proposed Power Generation Plant would be located adjacent to the southern operational boundary of the South Site Gathering Station in an area that does not currently have any plant within it.
- 3.3 The purpose of the development is to generate more electricity on-site. The application states that this would reduce the significant ongoing costs associated with importing electricity and also have additional benefits in terms of greater energy efficiency and self-sufficiency. The existing Gas Turbines are approximately 30% efficient and do not currently represent best practice for onsite power generation. The application states that the Gas Turbines are also ageing and becoming less reliable. It is proposed that the existing gas turbines would be decommissioned.
- 3.4 The two proposed Gas Engines would be housed within a building (The Engine Hall) approximately 32m x 17m and 12.34m high. Two proposed

exhaust stacks would extend 15.2m above the existing ground level of the gathering station. They would be located external to the building, as would the radiator cooling fan array. Waste Heat Recovery Units are incorporated into the exhaust stacks and a radiator cooling fan array would be located on the roof of the building, surrounded by a louvered screen. Two ventilation outlets from the Engine Hall would protrude from the top of the building up to 13.5m.

- 3.5 Additional proposed associated infrastructure includes a new grid gas connection; an extension to an existing pipe-rack carrying pipes and cabling; and high-voltage cabling buried within the ground to connect to the existing high-voltage sub-station.

#### **4. Consultations and Representations**

The application was advertised on site and in the local press.

4.1 **Purbeck District Council:**

No objection

4.2 **Purbeck District Council Environmental Health:**

No objection

4.3 **Corfe Castle Parish Council:**

No objection.

4.4 **Highway Liaison Engineer:**

No objection.

4.5 **DCC Senior Ecologist:**

Advises that the project requires consideration under the Conservation of Habitats and Species Regulations, 2017, to ensure that effects on the integrity of the relevant European sites and underlying SSSI units are considered. As long as the conclusions of the Appropriate Assessment are satisfactory there are no other ecological issues with the proposals.

4.6 **DCC Landscape Officer:**

No comment.

4.7 **Dorset AONB Team:**

Comment that they have reviewed the LVIA and agree with the conclusion that the application will not produce significant adverse impacts on the character and appearance of the area. Consequently, no objection is raised to the proposal.

4.7 **Environment Agency:**

No objection subject to conditions.

4.8 **Natural England:**

No comment on the application but comments received on the Habitats Regulations Assessment.

#### **5.0 Planning Policy Framework**

- 5.1 Applications for planning permissions must be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise. The term '*other material considerations*' is wide ranging

but includes national and emerging planning policy documents.

## 5.2 The Development Plan

For minerals developments the relevant development plan includes the Bournemouth Dorset and Poole Minerals Strategy (adopted May 2014) [BDPMS], the remaining saved policies of the Dorset Minerals & Waste Local Plan (originally adopted April 1999) and the policies contained in the Purbeck Local Plan (adopted 2012). The most relevant development plan policies from the statutory Development Plan are:

### Bournemouth, Dorset and Poole Minerals Strategy (May 2014)

- Policy SSI - Presumption in favour of sustainable development.
- Policy CC1 – preparation of Climate Change assessments
- Policy HY2 – Proposals for Production Facilities and Ancillary Development
- Policy HY4 – Decommissioning and Restoration of Production Facilities and Ancillary Development
- Policy RS1 - Restoration, Aftercare and Afteruse of Minerals Development.
- Policy DM1 - Key Criteria for Sustainable Minerals Development.
- Policy DM2 - Managing Impacts on Amenity.
- Policy DM3 - Managing Impacts on Surface Water and Ground Water Resources.
- Policy DM4 - Protection and Enhancement of Landscape Character and the Countryside.
- Policy DM5 - Biodiversity and geological interest.
- Policy DM7 – The Historic Environment
- Policy DM8 - Transport and Minerals Development.
- Policy DM10 - Planning Obligations.

## 5.3 Purbeck Local Plan Part 1 Planning Purbecks Future (2012) (Purbeck Local Plan - PLP)

- Policy CO Countryside.
- Policy BIO Biodiversity & Geodiversity.
- Policy IAT Improving Accessibility and Transport.
- Policy LHH Landscape, Historic Environment and Heritage.
- Policy GP Groundwater.

## 5.4 National Planning Policy Framework, (NPPF) (July 2018)

Section 2 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision making this means approving development that accords with an up to date development plan. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. (paragraph 11).

Local planning authorities may take decisions that depart from an up to date development plan, but only if material considerations in a particular case indicate that a plan should not be followed (paragraph 12).

Other relevant parts of the NPPF include the following:

- Building a strong, competitive economy (paragraphs 80, 81, & 82).
- Supporting a prosperous rural economy: (paragraphs 83 & 84).
- Protecting Green Belt Land (paragraphs 133 – 147).
- Conserving and enhancing the natural environment (paragraphs 170, 171, 172, 173, 174, 175, 176, and 177).
- Conserving and enhancing the Historic Environment (paragraphs 184 – 202).
- Facilitating the sustainable use of minerals (paragraphs 203, 204, 205, 206, 207, & 208.).

## **6.0 Planning Assessment**

6.1 Having regard to the provisions of the development plan, the information submitted in support of the application and the representations received, the main planning considerations are:

- The acceptability in principle of the proposed development
- Ecology impacts, particularly with regard to nationally and internationally designated sites
- Landscape impacts, particularly with regard to the AONB
- Highways impacts
- Noise impacts

### **6.2 Principle of Development**

Policy SS1 (Presumption in favour of Sustainable Development) of the BDPMS requires the Mineral Planning Authority to take a positive approach to development that reflects the national presumption in favour of sustainable development, where proposals accord with the local plan. I consider that the proposal is compliant with policy SS1 for the following reasons.

6.3 Paragraph 203 of the NPPF states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

6.4 Amongst other matters, paragraph 205 of the NPPF states that when determining planning applications, local planning authorities should give great weight to the benefits of the mineral extraction (including to the economy), but should ensure 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. Any unavoidable noise, dust and particle emissions should be controlled, mitigated or removed at source. Paragraph 207 states that mineral planning authorities should make provision for a steady and adequate supply of industrial minerals. All of these principles are reflected in the adopted Minerals Strategy.

6.5 Policy HY2 of the BDPMS states that Proposals for hydrocarbon production wellsites and facilities, and other related ancillary development, will be

permitted where they meet all of the following criteria:

- a) a full appraisal programme for the oil and gas field has been completed to the satisfaction of the Mineral Planning Authority;
- b) a framework for the full development of the field is submitted for approval by the Mineral Planning Authority;
- c) facilities required for hydrocarbon production sit within the agreed development framework, are justified in terms of their number and extent, and are progressively installed wherever possible;
- d) extraction, processing, dispatch and transport facilities are sited, designed and operated to minimise environmental and amenity impacts and provide proportionate environmental enhancements;
- e. any adverse impacts, both individual and cumulative, can be avoided or mitigated to the satisfaction of the Mineral Planning Authority;
- f) it has been demonstrated that possible effects that might arise from the development would not adversely affect the integrity of any SAC, SPA or Ramsar site either alone or in combination with other plans or projects;
- g) it can be demonstrated that there would be no adverse impact on the underlying integrity of the geological structure;
- h) existing facilities are used for the development of any additional fields discovered unless the applicant satisfies the Mineral Planning Authority that this would not be feasible and any adverse impacts can be mitigated;
- i) where a proposal uses existing production facilities, the integrity of the existing infrastructure can be demonstrated, having regard to local environmental factors.

- 6.6 Criteria a), b) and g) have been examined and satisfactorily addressed in the consideration, and permitting, of the previous development proposals for Wytch Farm Oilfield, and it is considered that the proposals in the current application do not have any impact on those issues. Compliance of the proposal with the remainder of above criteria is considered in subsequent paragraphs.

#### Ecological Impacts

- 6.7 The application site lies entirely on previously developed land within the existing site boundary of the gathering station. Therefore, the principal ecological impact concerns the potential for the proposal to indirectly adversely impact upon the ecological interests of the locality including through emission of Nitrogen Oxides (NOx) and Ammonia.
- 6.8 Policy DM1 of the BDPMS states that minerals development must demonstrate the protection and, where possible, the enhancement of biodiversity including nationally and internationally designated sites. Policy DM5 of the BDPMS states that proposals for minerals development must be accompanied by an objective assessment of the potential effects of the development on features of biodiversity and/or geological interest, taking into account cumulative impacts with other development and the potential impacts of climate change. The assessment must also demonstrate how the proposal intends to address the need to maintain and/or enhance features of local and regional importance including Sites of Nature Conservation Interest. The proposals should seek to achieve this wherever possible and consistent with viable development.
- 6.9 The site lies in close proximity to a number of designated wildlife sites of national and international importance. The application is supported by an environmental statement that in relation to emissions describes: the scoping

and assessment methodology; the baseline conditions at the site and its surroundings; the likely significant environmental effects of the proposed development; any mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual effects after these measures have been employed.

- 6.10 The ES sets out maximum emission levels from the proposed development and what their predicted contribution to deposition levels onto adjacent protected habitats would be. Mitigation measures designed to limit emissions, including the use of catalytic reduction technology, have been assessed in the environmental statement. Such measures are proposed to ensure that emission levels are within an acceptable range. The ES concludes that there would be small exceedances relating to ammonia concentrations and acid and nitrogen deposition. However, given the exceedances are small it is considered that there will not be a significant effect on any designated sites. As such the application states that there will be no adverse effect on the integrity of the European Sites or SSSI's.
- 6.11 Dr Annabel King Senior Ecologist, has undertaken an assessment of the proposed development under the Conservation of Habitats and Species Regulations (2017). Such assessments are divided into two stages: an initial 'screening assessment' of whether the development will result in Likely Significant Effect on the relevant European sites, and, if needed, a second 'Appropriate Assessment' of whether it will have an adverse effect on the integrity of the relevant European sites.
- 6.12 By law the authority must have regard to any representations by Natural England on any appropriate assessment and may only approve the development after having ascertained that it will not adversely affect the integrity of a European site, except in certain special circumstances. As a matter of Government policy this same approach is to be applied to Ramsar Sites.
- 6.13 The screening assessment undertaken by Dr King identified that the construction and operation of the power generation project could result in a Likely Significant Effect on Nightjar, and thus the Dorset Heathlands SPA, as a result of disturbance from noise during construction and operation and a Likely Significant Effect on the Dorset Heathlands SPA and Ramsar and the Dorset Heaths (Purbeck & Wareham) and Studland Dunes SAC from generation of gaseous emissions and nutrient and acid deposition on the heathland habitat.
- 6.14 The subsequent detailed 'appropriate assessment' of noise effects concludes that, taking mitigation measures into consideration, the proposed Power Generation project would not lead to an adverse effect on the integrity of the Dorset Heathlands SPA.
- 6.15 The Appropriate Assessment considers that the design of the gas engines to reduce emissions will reduce the effects of emissions to a level below that which would cause adverse effect on the Dorset Heathlands SPA and Ramsar and the Dorset Heaths (Purbeck & Wareham) and Studland Dunes SAC. These mitigation measures will be secured by the proposed conditions as detailed under paragraph 9 of this report.



- 6.16 Therefore, it is concluded that the Power Generation project will not result in adverse effect on the integrity of the European sites, either alone or in combination with other projects, as described in Reg 63(5) of the Conservation of Habitats and Species Regulations, 2017, subject to the implementation of suitable mitigation measures.
- 6.17 Natural England has confirmed that it is content with the conclusion of no adverse effect as long as the mitigation measures as set out above are secured.
- 6.18 Having regard to the proposed mitigation measures secured through the conditions in paragraph 9 of this report, it is considered that the proposed development will not adversely impact upon the ecological interests of the locality. The proposal is therefore seen to be in accordance with Policies HY2 (d), (e) and (f), DM1 and DM5 of the BDPMS and the Habitats Regulations.

#### Landscape and Visual Impact

- 6.19 The landscape character and visual impacts associated with the proposed development include those associated with the proposed Engine Hall that houses the two gas engines, exhaust stacks and associated infrastructure.
- 6.20 Policy DM 4 of the BDPMS states minerals development will only be permitted when the proposals include provisions to protect and/or enhance the quality, character and amenity value of the countryside and development which affects the landscape will only be permitted if it can be demonstrated that any adverse impacts can be:
- i. avoided; or
  - ii. where an adverse impact cannot be avoided, the impact will be adequately mitigated;
- or
- iii. where adverse impacts cannot be avoided or adequately mitigated, compensatory environmental enhancements will be made to offset the residual landscape and visual impacts.
- With specific reference to the Dorset AONB, policy DM4 states that any development should ensure the protection of the designation, together with its setting.
- 6.21 It is recognised that the proposal includes the provision of a substantial building measuring 12 metres in height as well as two exhaust stacks which measure 15 metres in height. However, it is noted that the proposed development will be undertaken wholly within the existing site which benefits from a significant mature tree screen around the entire boundary of the site. Land levels at the southern end of the gathering station are also set down in relation to the surrounding natural ground levels.
- 6.22 Notwithstanding the scale of the proposed building it is considered that owing to the existing tree screen there will be no adverse impacts on the visual amenity or landscape character of the locality as a result of the proposed development. Having regard to the impact of the development on the Dorset AONB, it is considered that the significant screening of vegetation around the site will assimilate the proposal into the wider landscape to the extent that the designation is not harmed. The proposal is therefore seen to be in accordance with policies HY2(d) and (e), RS1 and DM4 of the BDPMS and Policy LHH of the Purbeck Local Plan – Part 1.

### Highways

- 6.23 The principal highway impact associated with the proposed development will be the use of the existing established access road by construction traffic and traffic associated with ongoing maintenance and management of the facility.
- 6.24 Policy DM 8 of the BDPMS notes that minerals development which could have an adverse impact as a consequence of the traffic generated by it will only be permitted where it is demonstrated, through a Transport Assessment that:
- a. a safe access to the proposed site will be provided;
  - b. there will be no adverse impact on the Strategic, Primary and/or Local road network;
  - c. developers will provide the funding for any highway and transport network improvements necessary to mitigate or compensate any adverse impact on the safety, capacity and use of a highway, railway, cycleway or public right of way and that these improvements will be delivered in a timely manner; and
  - d. the proposal, where possible, has direct access or suitable links with the Dorset strategic highway network or primary route network.
- 6.25 The proposal will result in a temporary increase in traffic movements resulting from the initial construction phase of the development. All construction traffic will enter and leave the site via the existing designated dedicated access road.
- 6.26 Once operational, no increase in HGV's will occur when compared to the existing traffic movements generated by the site.
- 6.27 Having regard to the standard of the existing vehicular access and the level of HGV movements proposed as part of the development, it is considered that the proposed development will not adversely impact upon the capacity of the highway network or result in any significant increase in congestion. The proposal is therefore seen to accord with policy DM8 of the BDPMS.

### Noise

- 6.28 The proposed development has the potential to adversely impact upon the amenity of residential properties by way noise disturbance from the proposed gas engines and associated infrastructure.
- 6.29 Policy DM 2 of the BDPMS states that proposals for waste management facilities will be permitted where it is demonstrated that any potential noise impacts on amenity arising from the operation of the facility and any associated transport can be satisfactorily avoided or mitigated to an acceptable level.
- 6.30 Paragraph 30 of the NPPF Technical Guidance states that subject to a maximum of 55dB(A)LAeq, 1h (free field), MPA's should aim to establish a noise limit at the noise-sensitive property that does not exceed the background level by more than 10dB(A). It is recognised, however, that in many circumstances it will be difficult to not exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator. The guidance states that in such cases, the limit set should be as near that level as practicable during normal working hours (0700-1900) and should not exceed 55dB(A) LAeq, 1h (free field).
- 6.31 Paragraph 31 of the NPPF states that all mineral operations will have some

particularly noisy short-term activities that cannot meet the limits set for normal operations. It is noted that these activities can bring longer-term environmental benefits. Increased temporary daytime noise limits of up to 70dB(A) LAeq 1h (free field) for periods of up to 8 weeks in a year at specified noise sensitive properties should be considered to facilitate essential site preparation and restoration works where it is clear this will bring longer-term environmental benefits to the site or its environs.

- 6.32 Noise emissions from the gathering station are currently limited by a number of conditions attached to the existing planning permissions that cover the site. These were secured the “PA2” permissions. The existing limits have been secured to protect the amenity of nearby residential properties in accordance with the above requirements in the NPPF. It is proposed that existing noise limits at the nearest sensitive receptors will be maintained as part of the proposed development and secured through the conditions detailed in paragraph 9 of this report.
- 6.33 Taking into account the proposed noise limits it is considered that there will be no adverse impact upon the amenity of nearby residential properties by way of noise disturbance. The proposals are therefore seen to be in accordance with policy DM2 of the BDPMS.

#### Conclusion

- 6.34 Having regard to the proposed mitigation measures secured through the conditions in paragraph 9 of this report, it is considered that the proposed development will not adversely impact upon the ecological interests of the locality. The proposal is therefore seen to be in accordance with Policies DM1 and DM5 of the BDPMS.
- 6.35 Notwithstanding the scale of the proposed building it is considered that owing to the existing tree screen there will be no adverse impacts on the visual amenity or landscape character of the locality as a result of the proposed temporary development. The proposal is therefore seen to be in accordance with policies RS1 and DM4 of the BDPMS and Policy LHH of the Purbeck Local Plan – Part 1.
- 6.36 Having regard to the standard of the existing vehicular access and the level of HGV movements proposed as part of the development, it is considered that the proposed development will not adversely impact upon the capacity of the highway network or result in any significant increase in congestion. The proposal is therefore seen to accord with policy DM8 of the BDPMS.
- 6.37 Taking into account the proposed noise limits it is considered that there will be no adverse impact upon the amenity of nearby residential properties by way of noise disturbance. The proposals are therefore seen to be in accordance with policy DM2 of the BDPMS.

## **7 Human Rights Implications**

- 7.1 The provisions of the Human Rights Act and principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols of particular relevance are:

- (i) Article 8 - Right to respect for private and family life; and

(ii) The First Protocol, Article 1 - Protection of Property.

7.2 Having considered the impact of the development, as set out in the assessment above as well as the rights of the applicant and the general interest, the opinion is that any effect on human rights does not outweigh the granting of the permission in accordance with adopted and prescribed planning principles.

## **8. Statement of Positive Involvement**

8.1 In accordance with paragraphs 186 and 187 of the NPPF, the Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by:

- i. providing a pre-application advice service;
- ii. updating the applicant's agent of issues as they arose in the processing of the application;
- iii. discussing possible solutions to potential planning issues; and
- iv. providing the applicant with the opportunity to address issues so that a positive recommendation to grant permission could be given.

**9. Recommendation:** That Planning Permission be GRANTED subject to the following conditions

### Time limit - Commencement of Development

1. The development permitted by this consent shall commence before the expiration of 3 years from the date of this permission.

#### Reason

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

### Limitations on the permission

2. This permission shall enure for the benefit of Perenco UK Limited only.

#### Reason

This permission is granted to meet the specific requirements of the applicant for the further operation of the Oilfield and to safeguard in the interests of amenity and the environment in accordance with policies 3, 4, 6 and 72 of the adopted Dorset Minerals & Waste Local Plan and policies DM1, DM2 and HY2 of the Bournemouth, Dorset and Poole Minerals Strategy.

### Approved Plans

3. Unless otherwise approved in writing by the mineral planning authority, the development hereby permitted shall be carried out in strict accordance with the details shown on drawing numbers OWF-GG-0C-00-0084 Figure 3, OWF-GG-0C-00-0084 Figure 4, OWF-GG-0C-00-0084 Figure 5, OWF-GG-0C-00-0084 Figure 6, OWF-GG-0C-00-0084 Figure 9.

#### Reason

To define the development having regard to the sensitivities of the locality in accordance with policies DM2 and DM4 of the BDPMS.

#### Time Limit

4. The development, subject of this permission, shall cease on or before 31 December 2037 except aftercare operations required by the conditions of this consent or any related planning obligation.

#### Reason

This permission is granted to meet the specific requirements of the applicant for the further operation of the Oilfield and to safeguard in the interests of amenity and the environment in accordance with policies 2, 3, 4, 6 and 72 of the adopted Dorset Minerals & Waste Local Plan and policies DM1, DM2 and HY2 of the Bournemouth, Dorset and Poole Minerals Strategy. .

#### Decommissioning of the site

5. By 31st December 2031, or within 1 month after the Permanent Cessation of Site Operations, whichever is sooner, the Operator shall obtain the Mineral Planning Authority's written approval of a Decommissioning Environmental Management Plan and a Decommissioning Traffic Management Plan (together the Decommissioning Plans) for the site and proposals for any continuing or future use of, and/or mothballing of, any pipelines within the site and for their final decommissioning, including timescales.. The submitted Decommissioning Plans shall accord with the principles and indicative content set out in Appendix 1 'Decommissioning Philosophy' to Appendix 3.2 to the submitted Environmental Statement dated August 2012 and submitted in with planning application reference 6/2012/0591 and specifically Annex 1 and Annex 2 thereto. The site shall thereafter be decommissioned in accordance with the approved Decommissioning Plans prior to its restoration in accordance with the conditions of this permission unless otherwise approved in writing by the Mineral Planning Authority.  
In this condition and whenever it occurs in this decision notice Permanent Cessation of Site Operations means the cessation of:
  - i) extraction of hydrocarbons;
  - ii) processing of hydrocarbons;
  - iii) injection of fluids or waste;
  - iv) pumping; and
  - v) office use in support of the oilfield use

at the site for a period of more than two years or such longer period as is agreed in writing by the Mineral Planning Authority. For the avoidance of doubt any operations or uses ancillary or incidental to those set out in this definition shall not be taken into account when determining whether that use or operation has ceased.

#### Reason

To ensure the appropriate decommissioning of the site having regard to the environmental and amenity interests of the locality in accordance with policies 2, 3, 4, 6 and 72 of the adopted Dorset Minerals & Waste Local Plan and policies DM1, DM2, DM3, DM4, DM5, DM 7 and HY4 of the Bournemouth, Dorset and Poole Minerals Strategy..

#### Restoration of the site

6. Within 2 years of the Permanent Cessation of Site Operations and by 31 December 2037 in any event, the site shall be restored to a state suitable for agriculture and nature conservation in accordance with a detailed restoration scheme which complies with this condition that has been approved in writing in advance by the Mineral Planning Authority except for any areas for which a

longer timescale has been approved in writing by the Mineral Planning Authority in respect of any pipeline within the site. By 31st December 2031, or within 1 month after the Permanent Cessation of Site Operations, whichever is sooner, the Operator shall obtain the Mineral Planning Authority's written approval of a detailed restoration scheme for the site. The submitted detailed restoration scheme shall accord with the Strategy for the Oilfield Restoration set out in Section 5 of Appendix 3.2 to the submitted Environmental Statement dated August 2012 and the submitted Gathering Station Restoration Plan drawing numbers PER.118.01 Rev 4 dated 01.08.12 and PER.118.1A Rev 4 dated 01.08.12 and the Method Statement Notes therein in submitted in connection with planning application reference number 6/2012/0591 The detailed restoration scheme to be submitted to the Mineral Planning Authority for approval shall include the following information:

A plan and cross sections of the restored site at a scale of 1:500 showing:

- The existing and proposed levels of the land with contours at one metre intervals throughout the site and extending into the adjoining land;
- Proposed boundaries (fences, hedges, banks etc,) water and drainage features, trees and vegetation to be retained or planted;
- Any provision for access;
- Type and distribution of habitats to be created or retained;
- Any other features proposed to be retained.

A written method statement and prescription including details of:

- Contamination and ecological surveys to be undertaken prior to site clearance and restoration;
- The timing and duration of the proposed operations
- The methodology for dismantling and/or demolition, processing and removal or reuse of all plant, equipment, buildings, structures, hard surfaces and materials on the site;
- Any proposed clearance of vegetation from the site;
- Regrading of the site to achieve the proposed contours;
- The types, origins and quantities of any bulk materials to be imported to or exported from the site;
- The likely traffic generation of the operations;
- The proposed nature, thicknesses and origins of any soils to be spread on the site and the machinery to be used.
- The relevant recognised standards to which the proposed works and processes will be implemented and the quality standards of

#### Reason

To safeguard the long term use of the land having regard to the environmental interests of the locality in accordance with policies 2, 3, 4, 6 and 72 of the adopted Dorset Minerals & Waste Local Plan and policies DM1, DM2, DM3, DM4, DM5, DM7 and HY4 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### Notification of Cessation of Operations

7. Within one month of Permanent Cessation of Site Operations occurring the operator shall notify the Mineral Planning Authority in writing of the date when Permanent Cessation of Site Operations occurred.

### Reason

To safeguard the long term use of the land having regard to the environmental interests of the locality in accordance with policies 2, 3, 4, 6 and 72 of the adopted Dorset Minerals & Waste Local Plan and policies DM1 and HY4 of the Bournemouth, Dorset and Poole Minerals Strategy.

### Aftercare

8. The operator shall carry out aftercare for a period of 10 years commencing on completion of the implementation of the approved detailed restoration scheme (under condition 6) in accordance with a scheme which has first been approved in writing by the Mineral Planning Authority. If the MPA has approved a longer period for restoration of any areas in connection with the decommissioning of pipelines, then any surface area disturbed by those operations shall be subject to 5 years aftercare commencing on completion of their restoration. The operator shall obtain the Mineral Planning Authority's approval of a proposed aftercare scheme within 6 months of the Mineral Planning Authority's approval of the detailed restoration scheme for the site. The proposed aftercare scheme shall include details of :
- a) the physical characteristics of the land to be restored;
  - b) the proposed management of the site to maximise its potential for nature conservation and agriculture specifying the steps to be taken and the period during which they are to be taken, and who will be responsible for taking those steps;
  - c) provision for the Operator to obtain the Mineral Planning Authority's approval of a detailed annual aftercare programme for each year of the aftercare period including:
  - d) proposals for managing the land in accordance with the rules of good agricultural husbandry including planting, cultivating, seeding, land for the forthcoming 12 months;
  - e) proposals for managing the land to maximise its nature conservation value including the types of habitat to be created and the methodology for the creation of each including substrate preparation, planting and/or seeding, weed and scrub control, and mowing and/or grazing as appropriate; and
  - f) a record of aftercare operations carried out on the land during the previous 12 months.

### Reason

To ensure the appropriate aftercare of the site having regard to the environmental interests of the locality in accordance with policies 2, 3, 4, 6 and 72 of the adopted Dorset Minerals & Waste Local Plan and policies DM1 and HY4 of the Bournemouth, Dorset and Poole Minerals Strategy.

### Lighting

9. The site shall not be artificially lit except in strict accordance with a lighting scheme approved in writing in advance by the Mineral Planning Authority. Any lighting scheme proposed shall include details of the level of illumination, location and design of light sources, proposed improvement plans where necessary, together with provisions for the revision of the scheme at the request of the Mineral Planning Authority.

### Reason

To reduce any light pollution from the site to an appropriate level in the interest of the environment and amenity of the locality in accordance with Policies 6 of the adopted Dorset Minerals & Waste Local Plan and policies

DM1, DM2, DM4 and DM5 and HY2 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### Noise Generation Limits

10. Unless otherwise approved by the Mineral Planning Authority in writing in advance the noise levels generated by the use of the site and the operations thereon, measured at the nearest noise sensitive premises, shall not exceed 40dB (LAeq), 1 hour freefield between 7am-10pm and 38dB (LAeq), 1 hour freefield at all other times except for the following exceptions:
- Essential maintenance and construction activities for up to 8 weeks in any 12 month period which may generate noise levels up to:
    - 55dB (LAeq), 1 hour freefield between 7am-8am and between 6pm and 7pm
    - 70dB (LAeq), 1 hour freefield between 8am-6pm.

#### Reason

To reduce any noise pollution from the site to an appropriate level in the interest of the environment and amenity of the locality in accordance with Policies 6 of the adopted Dorset Minerals & Waste Local Plan and policies DM1, DM2, DM4, DM5 and HY2 of the Bournemouth, Dorset and Poole Minerals Strategy.

#### Hours of operation - Noisier Maintenance and Construction Operations

11. Except with the prior written approval of the Mineral Planning Authority, essential maintenance and construction activities generating between 40-70 dB (LAeq), 1 hour freefield, measured at the nearest noise sensitive premises, shall not take place:
- a) outside 7am-7pm Mon-Fri and 8am-1pm Sat, or
  - b) on Bank or Public Holidays, or for more than 8 weeks in any 12 month period.

#### Reason

To reduce any noise pollution from the site to an appropriate level in the interest of the environment and amenity of the locality in accordance with Policies 6 of the adopted Dorset Minerals & Waste Local Plan and policies DM1, DM2, DM4, DM5 and HY2 of the Bournemouth, Dorset and Poole Minerals Strategy..

#### Uncontrolled Releases of Pollutants and Contamination

12. The Mineral Planning Authority shall be notified without unnecessary delay following any discovery of an uncontrolled release of hydrocarbon or fluid which has the potential to cause significant pollution to the environment or any contaminated ground, and the operator shall implement immediate measures to prevent further such releases and minimise immediate risks to the environment. The initial notification shall include details of the location and a description of measures being put in place. Provision shall be made for the inspection of the site and affected area by representatives of the Mineral Planning Authority as soon as is practicable. If subsequently required by the Mineral Planning Authority, the operator shall within 21 days prepare and provide the Mineral Planning Authority with a report and proposals detailing the following:



- a description of the nature and quantities of contaminants released; the mapping of the known extent of any contamination and an assessment of any adverse impacts resulting from it;
- a detailed description of the cause of the incident and associated factors contributing to the release;
- a review of the measures taken to minimise risks to the environment from the release or contamination;
- proposals for any additional measures to minimise risks to the environment from pollution;
- proposed measures to remediate any pollution present;
- a methodology for on the ongoing monitoring of environmental effects;
- proposed measures and/or procedures to be put in place for the prevention of further potential releases.

The report and proposals shall thereafter be implemented as approved in writing by the Mineral Planning Authority.

#### Reason

To reduce the potential for any contamination to adversely impact on the environmental and amenity interests of the locality in accordance with policies 6 of the Dorset Minerals and Waste Local Plan of the Bournemouth and policies DM1, DM3, DM5 and HY2 of the Dorset and Poole Minerals Strategy.

#### Potential Contamination

13. Unless otherwise agreed in writing by the Mineral Planning Authority no development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
1. A preliminary risk assessment which has identified:
    - all previous uses;
    - potential contaminants associated with those uses;
    - a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The strategy shall be implemented as approved.

#### Reason

To protect controlled waters. To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with policy DM 3 of the Dorset and Poole Minerals Strategy.

#### Potential Contamination

14. Unless otherwise approved in writing by the Mineral Planning Authority prior to each phase of development being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

#### Reason

To protect controlled waters. To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with policy DM 3 of the Dorset and Poole Minerals Strategy

#### Potential Contamination

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

#### Reason

To protect controlled waters. To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in accordance with policy DM 3 of the Dorset and Poole Minerals Strategy.

#### Construction Environmental Management Plan (CEMP)

16. No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

#### Reason

To prevent pollution of the water environment in accordance with policy DM 3 of the Dorset and Poole Minerals Strategy.

#### Emissions Limits

17. NO<sub>x</sub> emissions from the proposed development shall not exceed the rate of 65mg/Nm<sup>3</sup> at 5% O<sub>2</sub>. Annual average ammonia emission rates from the proposed development shall not exceed 0.38 g/Nm<sup>3</sup> at 15% O<sub>2</sub>.

#### Reason

To limit emission levels having regard to the ecological interests of the locality in accordance with policy DM 5 of the Dorset and Poole Minerals Strategy

#### Emissions Monitoring

18. Prior to the commencement of development a scheme shall be submitted for the written approval of the Mineral Planning Authority detailing procedures for

the monitoring of the following mitigation measures detailed under table 3.2 of the Environmental Statement:

(a) Limiting NO<sub>x</sub> emission rate to 65mg/Nm<sup>3</sup> at 5% O<sub>2</sub>

(b) Limiting the annual average ammonia emission rate to 0.38 mg/Nm<sup>3</sup>

The monitoring scheme shall include details of the timings, methods of reporting for monitoring and procedures in the event of an exceedance.

Monitoring of the above mitigation measures shall be undertaken in accordance with the approved scheme.

Reason

To limit emission levels having regard to the ecological interests of the locality in accordance with policy DM 5 of the Dorset and Poole Minerals Strategy.