

**Application No: WSCC/027/10/BA
COUNTY MATTER**

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
PROCEDURE) ORDER 1995**

To Cuadrilla Resources Ltd
c/o Phil Mason
The Cottage, Glebefields
Woodseaves
Staffs
ST20 0LA

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development, that is to say:-

To upgrade existing stoned platform and drill an exploratory borehole for oil and gas exploration at Lower Stumble Hydrocarbon Exploration Site, London Road, Balcombe, Haywards Heath, West Sussex, RH17 6JH

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions if any) submitted to this Council on 25 January 2010 (and in accordance with the relevant correspondence a copy of which is attached *) and subject to the conditions specified hereunder:-

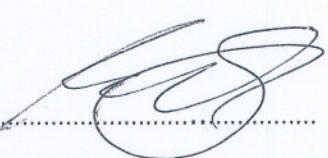
Time Limits

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.

2. This permission shall be for a limited period only expiring 3 years from the date of commencement of site construction, by which date the operations hereby permitted shall have ceased, all buildings, plant and machinery, including foundations, hard standings shall be removed from the site, and the site shall be restored in accordance with the approved restoration scheme.

Reason: To secure the proper restoration of the site following the temporary operations.

Date 22/04/10 Signed
Divisional Manager County Development.....

***N.B.** The reasons for imposing the above conditions are as specified after the conditions.
The words in brackets do not apply unless a copy of the relevant correspondence is attached.
Your copy of the application, determined as above, is returned herewith for your records.

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Approved Operations Programme

3. The development hereby approved shall be carried out strictly in accordance with the particulars of the development contained in the Supporting Statement to the Application Prepared by Cuadrilla Resources in January 2010, appendix C (The Drilling Operation), appendix G (Restoration Plan), and appendix H (Site Lighting) of Supporting Statement to the Application, Noise impact Assessment Ref No. PJ2689/29140 prepared October 2009, Transport Assessment Prepared by DMMason, Road Safety Audit Stage 1- Preliminary Design prepared in January 2010, and Drawing No CRL-001 Revision A prepared on 18/01/10 except as modified by condition hereafter or any variation thereto that may be agreed in advance and in writing by the County Planning Authority.

Reason: To ensure the development is carried out as proposed

4. Prior to the commencement for each phase of development works hereby approved (construction, drilling, testing and restoration) written notification shall be served to the County Planning Authority no less than seven days before the commencement of each phase. Unless otherwise agreed in writing by the County Planning Authority, each individual phase, as mentioned above, shall be carried out within the time scale set out in the Supporting Statement to the Application.

Reason: To ensure the individual phases and disruptive periods do not extend unreasonably in the interests of amenity.

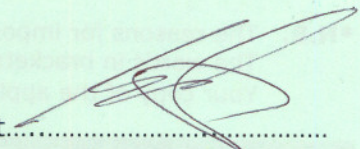
5. A copy of this decision notice together with the approved plans and any schemes and/or details subsequently approved pursuant to this permission shall be kept at the site office at all times and the terms and contents thereof shall be made known to supervising staff on the site.

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

Hours of Working

6. Unless otherwise agreed in advance and in writing by the County Planning Authority, construction, drilling rig mobilisation and restoration phases of the development work at the site shall only be undertaken between the hours of 0730 and 1830 Mondays to Fridays and 0800 to 1300 on Saturdays. No work shall occur on Sundays, Bank Holidays and Public Holidays. This condition does not relate to operations necessary for the 24hrs drilling operation.

Reason: In the interest of residential amenity.

Date 22/09/10 Signed
Divisional Manager County Development.....

Continuation SheetNoise

7. The corrected noise level* for operational noise from the site shall not exceed 55dB(A) (free field as a L(A) eq over a time period of 60 minutes) between the hours set out in condition 6 of this planning permission, or 42dB(A) (free field a L(A) eq over a time period of 5 minutes) for the hours outside those set out in condition 6. The noise levels shall be determined at the facades of the nearest residential premises.

*A 5 dB correction shall be added if one or more of the following features occur:

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

Reason: In the interests of residential amenity.

8. Within 5 days of the commencement of drilling, a noise survey shall be carried out accounting for 'regular working hours' and night time operations, to demonstrate compliance with conditions 7 of this permission. Should the site fail to comply with conditions 7, the applicant shall provide details of noise attenuation/mitigation to ensure compliance with the maximum noise levels.

Reason: In the interests of residential amenity.

9. The operator will not, unless in the event of an emergency, withdraw and replace during well drilling operations the drilling string or set casing or place cement in the borehole between the hours of 22.00 and 07.00.

Reason: In the interests of residential amenity.

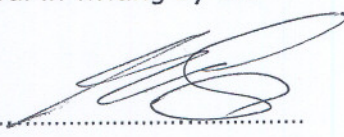
Lighting

10. All lighting forming part of the approved lighting scheme shall be directed in a way which minimises spillage beyond the site. The lights shall be kept to the minimum luminance level required to achieve safe working operations.

Reason: In the interests of residential amenity.

Restoration

11. Restoration of the main site compound shall be completed strictly in accordance with the site restoration plan contained in appendix G of the Supporting statement to the planning application. Prior to the commencement of restoration, the applicant shall submit a scheme of restoration for the access track for approval in writing by the

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County Planning Authority. Thereafter access track restoration shall form part of the overall restoration of the site which shall be completed in full.

Reason: To ensure the site is restored to a satisfactory standard of appearance.

Access

12. Prior to the commencement of the development hereby approved details of signage (including text, size, fixings and location) to be displayed at the exit of the site strictly directing all Heavy Goods Vehicles northbound onto the B2036, shall be submitted to and approved in writing by the County Planning Authority. The signage shall then be installed and maintained in place as approved for the duration of the site occupation.

Reason: In the interests of highway safety.

13. Prior to the commencement of works hereby approved warning signage, in accordance with the recommendations of the Road Safety Audit Stage 1- Preliminary Design prepared in January 2010, shall be submitted for approval in writing to the County Planning Authority and thereafter retained in place as approved for the duration of the occupation of the site.

Reason: In the interest of highway safety.

14. Prior to the commencement of the development hereby approved the applicant shall submit a scheme detailing the measures to ensure that no vehicle shall leave the site in such a condition that earth and mud adhere to the wheels in a quantity which may introduce hazard or nuisance on the highway and actions to be taken in the event of mud or debris arising from the development being present on the highway. Thereafter the approved scheme shall be implemented in full.

Reason: In the interests of highway safety.

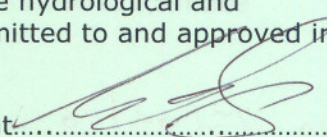
Fencing

15. Prior to the commencement of the development hereby approved details of all fencing and gates to be erected around the site shall be submitted to and agreed in writing by the County Planning Authority. Thereafter the approved fencing shall be implemented in full and retained for the duration of the development.

Reason: To secure a satisfactory development.

Groundwater Protection/Drainage

16. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in

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writing by the County Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include details of its maintenance and management after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality; to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal, to improve habitat and amenity, and ensure future maintenance of the surface water drainage system in accordance with South East Plan Policy NRM4, PPS23 and PPS25.

17. Any oil, fuel, lubricant and other potential pollutants (other than tankage incorporated in vehicles, rig components and auxiliaries for fuel storage) shall be handled on site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain 110% of the total contents of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both water and oil. The pipes should vent downwards into the bunded area.

Reason: To minimise the risk of pollution to watercourses.

18. Drainage from areas identified as high risk, e.g. loading bays and waste storage areas, shall not be discharged to any watercourse, surface water sewer or soakaway. The applicant should consider the risks associated with these areas, and incorporate appropriate pollution prevention measures at the design stage.

Reason: To prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal. It is not acceptable for Hazardous (List 1)) Substances to enter groundwater as this would contravene the Groundwater Regulations (2009).

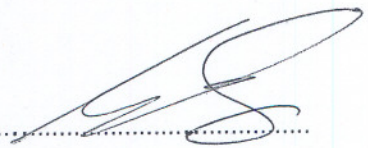
Plant and Machinery

19. Cranes and jibbed machines, used in connection with the works, must be so positioned that the jib or any suspended loads does not swing over railway infrastructure or within 3 metres of the nearest rail if the boundary is closer than 3 metres.

Reason: To ensure safe operation of the adjoining railway.

20. All cranes, machinery and constructional plant must be so positioned and used to prevent the accidental entry onto railway properties of such plant, or loads attached thereto, in the event of failure.

Reason: To ensure safe operation of the adjoining railway.

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21. An emergency procedure and electrification warning are to be included in the pre-start briefing, displayed in site cabins and at the worksite. This procedure is to be implemented promptly in the event of an incident affecting safe operation of the railway. The Contractor must ensure that at least one employee at the site has a mobile phone to facilitate implementation.

Reason: To ensure safe operation of the adjoining railway.

INFORMATIVES


- A. The applicant will be required to obtain the necessary licenses to undertake any works within the public highway required as part of condition 12 for the installation of warning signage. In this regard the applicant is advised to contact the Area Engineer, West Sussex County Council, Worthing Road, Broadbridge Heath, Horsham, RH12 3LZ, Tel No: 01403 223900 to obtain formal approval from the Highway Authority.
- B. The applicant is advised of the following comments provided by the Environment Agency:
- If the site is further developed as a production facility, an Environmental Permit will be required. It is advised that the applicant carries out pre-application discussions with the agency prior to any permit application being submitted.*
- Any fluids recovered during testing such as water or light oils must be removed from site by tanker and deposited at an authorised facility.*
- Any arising from the site will be stored and taken away from the site to an authorised facility.*
- Pollution Control on site is to be afforded by an impermeable membrane extending into the containing bunds so as to prevent liquids from penetrating into soils and groundwater both beneath and adjoining the site.*
- Pollution Spill kits should be on site so that if any spills occur they can be dealt with.*
- The drilling operation mainly uses water as a drilling fluid. The application does not state that they will be using Oil Based Moods (OBM). If OBM is used, we would like to be re-consulted on the application.*
- C. The applicant's attention is drawn to the comments from Network Rail dated 18 February 2010 as attached to the permission.
- D. In accordance with the advice from Network Rail, the operator should ensure that the lighting scheme at the site does not present a dazzle hazard to train crew, and that any coloured lighting as part of the proposal does not conflict with the railway

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Signed

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signalling system. For this reason the operator is advised to submit the lighting scheme to Network Rail for comment prior to installation.

E. Reasons for granting Planning Permission:

The proposed development meets the main material considerations in that it;

- meets an identified need for hydrocarbon exploration;
- is acceptable in terms of highway capacity and safety;
- has an acceptable impact on local amenity;
- has an acceptable environmental impact; and
- represents a suitable site for Hydrocarbon Exploration.

Accordingly, the proposal complies with the Development Plan, the relevant policies of which are listed below:

West Sussex Minerals Local Plan, Revised Deposit Draft July 2004.

Policy 1 - Seeks to ensure working practices that cause the least environmental harm are followed, opportunities to conserve and enhance the environment and appropriate after use is incorporated.

Policy 12 - Some mineral working may be permitted within the AONB provided it would not irreversibly damage the intrinsic qualities of these areas. Mitigation measures should be of a high standard, rapid reclamation should be promoted. Assessment must be made of need, alternatives, and effect on landscape/environment.

Policy 13 - Minerals proposals in areas of local environmental significance will be given careful consideration. Benefits must outweigh the detrimental effects on the values of these areas.

Policy 16 - Seeks to ensure safeguarding of the water environment

Policy 19 - Seeks to protect residential amenity

Policy 22 - Seeks to ensure appropriate restoration

Policy 26 - Proposals for oil and gas will be permitted where it is demonstrated to the satisfaction of the Planning Authority that it demonstrates the best option. Particular attention will be given to, impact on countryside, site access and vehicle routeing, residential amenity, Public Rights of Way, and the water environment.

Policy 47 - Consideration will be given numbers, type and routeing of vehicles. Permission will be refused where the highway network could not support such movements.

Policy 48 - Seeks to ensure vehicle safety within sites e.g turning.

Policy 52 - Details of siting and appearance of buildings, machinery and plant will be required. Such shall be removed upon cessation of works.

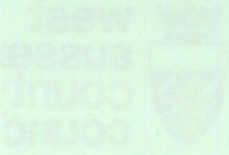
Policy 53 - Applications for mineral workings will be required to incorporate satisfactory measures for the provision, retention and protection of landscaping.

Policy 56 - The quality of surface and ground water supplies will be protected.

Policy 59 - Conditions shall be attached to ensure controlled and effective discharge of water from sites.

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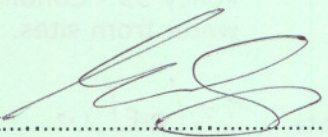
- Policy 60 - Seeks to ensure noise levels are acceptable and conditions are attached accordingly.
- Policy 61 - Seeks to ensure dust is suppressed
- Policy 62 - Seeks to control lighting in the interests of amenity
- Policy 63 - Where appropriate hours of work will be controlled
- Policy 64 - Buffer will be considered to reduce impact of the development upon residential amenity.

Mid Sussex Local Plan 2004

- Policy G1- General Policies
- Policy C1- Development outside the built up area boundaries.
- Policy C4- Areas of Outstanding Natural Beauty.
- Policy B3 - Seeks to protect the amenities of nearby residents.
- Policy B23- Impact of noise on neighbouring properties.
- Policy B24- Impacts of lighting on neighbouring amenities.
- Policy T3- Heavy Goods Vehicles.
- Policy CS13- Surface water Drainage.
- Policy CS15- Protection of rivers and the water environment.
- Policy B7 - Seeks to ensure the retention or replacement of trees of amenity value.

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision please see the report by contacting County Development Division, West Sussex County Council or visiting the website at <http://westsussex.gov.uk/ePlanning>

Date 23/04/10

Signed 
 Divisional Manager County Development

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT.

TOWN AND COUNTRY PLANNING ACT 1990

1 Appeals to the Secretary of State

- (a) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Office of the Deputy Prime Minister under section 78 of the Town and Country Planning Act 1990.
- (b) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Tollgate House, Houlton Street, Bristol BS2 9DJ.
- (c) The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (d) The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- (e) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

2

- (a) If either the local planning authority or the Office of the Deputy Prime Minister refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- (b) In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3

In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and County Planning Act 1990.

4

Further correspondence about this application should quote the reference number at the top right hand corner of the form.