



## **Planning Statement**

**Temporary permission 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.**

**Lower Stumble Exploration Site, London Road, Balcombe, West Sussex,**

**August 2020**

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# ABBREVIATIONS

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AONB	Area of Outstanding Natural Beauty
BPC	Balcombe Parish Council
BNP	Balcombe Parish Neighbourhood Plan
BBLs	Barrels
EA	Environment Agency
EIA	Environmental Impact Assessment
ES	Environmental Statement
EWT	Extended Well Test
ha	Hectares
HGV	Heavy Goods Vehicle
WSJMLP	West Sussex Joint Minerals Local Plan
Km	Kilometres
M	Metres
MPA	Minerals Planning Authority
MSDC	Mid-Sussex District Council
MSLP	Mid-Sussex Local Plan
NPPF	National Planning Policy Framework
OGA	Oil and Gas Authority
PEDL	Petroleum and Exploration Development Licence
PPG	Planning Practice Guidance
SDNPA	South Downs National Park Authority
SoSCLG	Secretary of State for Communities and Local Government
Sq km	Square Kilometres
UK	United Kingdom
WSCC	West Sussex County Council
WSMLP	West Sussex Minerals Local Plan

# 1 INTRODUCTION

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## 1.1 Background

- 1.1.1 The Balcombe 2z hydrocarbon borehole (“the borehole”) was drilled into the Lower Stumble underground geological formations by Cuadrilla Balcombe Limited (“Cuadrilla”) in 2013 under planning permission WSCC/027/10/BA. The borehole extends approximately 820 metres (m) vertically and 520m laterally. The site has been subject to hydrocarbon exploration since 1986 when Conoco drilled the Balcombe 1 exploration well.
- 1.1.2 In the Autumn of 2018 Angus Energy carried out a 7 day well test on the Balcombe 2Z well, but due to leftover drilling fluids, sustained oil flows were not achieved. In February 2019 Angus Energy attempted to return to the well to pump out the remaining drilling fluids. However, West Sussex County Council (“WSCC”) deemed that the existing planning permission which ran for 6 months from the beginning of the Autumn 2018 test had expired.
- 1.1.3 Angus Energy now intends to return to the well to carry out the originally proposed ‘pumping operation’ followed by an extended well test (“EWT”).
- 1.1.4 This proposal is a multi-phase approach of activity encompassing exploration and appraisal.
- 1.1.5 Phase 1: Pumping out previously used drilling fluids to ascertain the presence of dry oil in the well (up to 4 weeks). The intention of this phase is to remove remaining drilling fluid from the wellbore, after which oil may begin to be produced. Assuming that the first stage activity is successful and oil presence is seen, the operator would continue to phase 2 and 3. If not, then the operation would cease at this point and move to phase 4.
- 1.1.6 Phase 2: Civil engineering works to upgrade the site containment with a pad wide impermeable membrane isolating risk to soils, groundwater, and surface water during phase 3.
- 1.1.7 Phase 3: A 12-month EWT which involves pumping oil to the surface, storage, and offtake by HGV’s. During the 12 months the well will be either shut in or flowing depending on operational requirements.
- 1.1.8 Phase 4: Plug and decommission the wellbore followed by site restoration which will incorporate landscape enhancement sympathetic to the AONB.
- 1.1.9 The proposed operation does not involve hydraulic fracturing.

## 1.2 The Applicant

- 1.2.1 Angus Energy was founded in 2009 and is an independent onshore oil and gas development company, with a focus on advancing its portfolio of licensed UK assets. The company currently has interest in three other sites located in the South East of England including: Brockham Oil Field, Lidsey Oil Field and the PEDL143 ‘A24’ Prospect and one further gas field near Louth in Lincolnshire. Angus Energy are an Oil & Gas Authority (“OGA”) approved UK Onshore Operator.
- 1.2.2 Angus Energy acquired a 25% interest in the Balcombe site in 2018 and is the current operator of the site.

## **1.3 Purpose of Statement**

- 1.3.1 This Statement provides details of the application site as it currently exists, the site's planning history and context, the proposed development, and how the proposals may impact the local environment and community.
- 1.3.2 This Statement assesses the proposed development's compliance with the various planning policies that constitute the Development Plan for the area and with other material planning considerations that are relevant to the determination of the planning application.
- 1.3.3 Furthermore, although WSCC has confirmed that an EIA is not required there is still the potential that the proposed development could generate environmental impacts. This statement summarises the accompanying technical reports and identifies any potential environmental impacts that might be experienced and where necessary to outline those mitigation measures that would be put into place to avoid or minimise any predicted, adverse impacts.
- 1.3.4 For completeness, this Statement should be read in conjunction with the accompanying environmental technical reports and plans, listed below:
1. Noise Assessment
  2. Traffic and Transport
  3. Air Quality Assessment
  4. Design Philosophy Statement
  5. Hydrogeology
  6. Hydrology, Flood Risk and Drainage
  7. Landscape and Visual Impact Assessment
  8. Socio Economic Assessment
  9. Ecology
    - a. Preliminary Ecological Appraisal (PEA)
    - b. Bat activity report
    - c. Habitat Regulation Assessment
  10. Site location plan
    - Existing site plan
    - Proposed site plan – Pumping Operation
    - Proposed site plan – Well Testing

## **1.4 Location**

- 1.4.1 The existing Well 2z borehole extends to 0.58 hectares is located at the lower stumble exploration site, which is situated off London Road (B2036), approximately 800m to the south of the village of Balcombe. Vehicular access is provided by an existing track located off London Road.
- 1.4.2 The site is located in a predominantly rural area and is bounded by the B2036 to the west, an area of forestry storage to the north, and the existing access track to the south and east. Beyond this, is the London to Brighton railway line. Surrounding the site is Lower Stumble Wood and Lower Beanham Wood, both of which have been designated as ancient woodland.
- 1.4.3 There are no public rights of way affecting the proposed development with the closest public footpath approximately 0.3 to 0.4 kilometres northwest of the site.
- 1.4.4 The Environment Agency's Flood Risk Map indicates that the site is located entirely within Flood Zone 1.

## **1.5 Current Status**

- 1.5.1 The site wellbore is suspended and currently consists of a crushed stone pad which accommodates the Well 2z borehole, a storage crate, and a ground water monitoring borehole. To prevent unauthorised access to the pad, two-metre high security fencing currently surrounds the site on all sides.
- 1.5.2 The site is safeguarded in accordance with West Sussex Joint Mineral Local Plan ("WSJMLP") but not allocated for any ecological, heritage, or any other specific designation in either the WSJMLP or the made Balcombe Parish Neighbourhood Plan. Within the Mid-Sussex Local Plan Policy Map the site is located within the 'High Weald AONB' and 'Protection and Enhancement of the Countryside'.

## **1.6 History**

- 1.6.1 The existing hard standing pad was constructed in 1986 in connection with a planning permission to undertake an exploratory drilling exercise. An exploratory borehole was drilled by Conoco and is referred to as Balcombe 1. This has since been plugged with cement and abandoned. In 1987, planning permission was granted for the retention of the borehole site for forestry storage in connection to wider activities on the Balcombe Estate. The site continued to be used as forestry storage for the Balcombe Estate up until July 2013, when the Balcombe 2Z exploration borehole was drilled under a planning permission that was granted in 2010. Cuadrilla completed the drilling of the Balcombe 2Z borehole in September 2013 and no further activity occurred on site after drilling was completed. Planning permission was then granted in May 2014 to flow test the Balcombe 2Z borehole and undertake pressure monitoring, but this work was never undertaken, and the planning permission expired in May 2017.
- 1.6.2 The following table (table 1) relates to all planning applications associated with the proposed site. This demonstrates that the land has been associated with the exploration for and appraisal of hydrocarbons for over thirty years.

**Table 1: Planning history**

<b>Validation Date</b>	<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
08/10/2019	WSCC/071/19	Remove drilling fluids and carry out an extended well test. This proposal is a two-stage activity: , 1) Pumping out previously used drilling fluids to ascertain any oil flow (up to 4 weeks) , 2) Should oil be seen to flow, an extended well test would be carried out over a period of 3 years.	Withdrawn
27/10/2017	WSCC/040/17/BA	Temporary permission for exploration and appraisal comprising the flow testing and monitoring of the existing hydrocarbon lateral borehole along with site security fencing, the provision of an enclosed testing flare and site restoration.	Granted
21/01/2014	WSCC/005/14/BA	Temporary permission for exploration and appraisal comprising the flow testing and monitoring of the existing hydrocarbon lateral borehole along with site security fencing, the provision of an enclosed testing flare and site restoration.	Granted
17/07/2013	WSCC/063/13/BA	Amendment of condition 3 of WSCC/027/10/BA to vary the type of flare used during the testing process.	Withdrawn
11/07/2013	WSCC/061/13/BA	Amendment of condition 2 of WSCC/027/10/BA to allow additional time to complete the drilling and testing programme and restore the site.	Withdrawn
25/01/2010	WSCC/027/10/BA	To upgrade existing stoned platform and drill an exploratory borehole for oil and gas exploration.	Granted
1987	BA/38/87	Retention of existing borehole site for forestry products storage and improvements to existing access.	Granted
1986	BA/10/86	Construction of hard standing in association with exploratory drilling exercise.	Granted

## 2 EXPLORATION & APPRAISAL

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- 2.1.1 This section provides a short summary of the UK's current exploration and appraisal activities. Balcombe is located within an AONB and requires exceptional circumstances to be granted planning permission. Part of this assessment looks whether the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for the mineral in some other way.
- 2.1.2 The UK has been fortunate with direct access to hydrocarbon minerals both offshore and onshore for several decades.
- 2.1.3 This access to readily available naturally occurring hydrocarbons has facilitated the economy to prosper and support direct employment with skills utilised worldwide.
- 2.1.4 However, since 2004 the UK became a net importer of oil and gas.
- 2.1.5 Oil and gas developers continue to invest within the UK to explore, appraise and where successful produce oil and gas both onshore and offshore. Investment in exploration and appraisal does carry a high level of technical and commercial risk.
- 2.1.6 According to the OGA<sup>1</sup> success rate over the last two decades for UKCS exploration and appraisal on average is 50%. Furthermore, the UKCS is seeing a declining trend in discovered volumes and average discovery size observed during the same period.
- 2.1.7 In total, 102 wells were drilled on the UKCS in 2018 (85 development, eight exploration and nine appraisal). Although this represents a slight increase from 96 wells in 2017, well construction activity, key to progressing resources to production, remains among record-low levels.
- 2.1.8 Onshore there is no reliable figure for the UK success rate however worldwide the figure is somewhere in the region of 30-40%.
- 2.1.9 In 2019, the number of onshore exploration wells drilled were two (2), three (3) appraisal wells with 1 sidetrack and zero (0) development wells. This is compared to a peak of 40 wells drilled in 2008 with 15 side-tracks.
- 2.1.10 With the UK's exploration and appraisal declining both onshore and offshore the opportunity to develop hydrocarbons elsewhere is limited in scope and not fulfilling the UK consumption. As a result, there is a high dependence on imports. This dependence is addressed in section 5, Needs Case which addresses the risk, cost, and environmental consequences of import reliance.
- 2.1.11 Set with this background, the Balcombe exploration site provides a prime candidate for continued operations, in that previous short-term testing has identified a resource that has the potential to be developed into a producing site and justifies further investment.
- 2.1.12 Minerals planning guidance 120 supports Angus Energy view:

*When determining applications for subsequent phases, the fact that exploratory drilling has taken place on a particular site is likely to be material in determining the suitability of*

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<sup>1</sup> OGA Well Insight Report 2018, page 14



*continuing to use that site only insofar as it establishes the presence of hydrocarbon resources<sup>2</sup>.*

- 2.1.13 Previous exploration activity, with flowrates of 1599.6 bbls/day (254 m<sup>3</sup>/day) per day, has provided Angus Energy confidence that the Balcombe 2z well has the potential to be developed further into an appraisal well.
- 2.1.14 By examining empirical well data, petroleum performance as well as maximising previous investment, the potential likelihood of success is regarded by Angus Energy higher than identifying a new or alternative site location. This, by all measures is the most sustainable approach rather than to restart with a new well at a different location.

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<sup>2</sup> <https://www.gov.uk/guidance/minerals>

# 3 ENGAGEMENT

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## Pre-Application Meeting and Screening Opinion

- 3.1.1 A screening request, 29<sup>th</sup> May 2020 was sent to West Sussex County Council who in return have publish their screening opinion, 24<sup>th</sup> July 2020.
- 3.1.2 In detail, the proposal does not comprise Schedule 1 development, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017) ('the EIA Regulations').
- 3.1.3 The application site is located within a 'sensitive area', as defined in regulation 2(1) of the EIA Regulations, namely the High Weald Area of Outstanding Natural Beauty. Accordingly, it is considered to fall within Schedule 2 of the EIA Regulations.
- 3.1.4 In addition, the development falls within Part 2(e) of Schedule 2 to the EIA Regulations as it relates to a surface industrial installation for the extraction of petroleum and natural gas. The site measures 0.73 hectares in area and so exceeds the 0.5 hectare threshold set out in column 2 to Schedule 2.
- 3.1.5 Accordingly, consideration needs to be given, with reference to Schedule 3 to the EIA Regulations, as to whether the development would have the potential to result in 'significant environmental effects' which require an EIA.
- 3.1.6 The 'key issues to consider' are identified as the "scale of development, emissions to air, discharges to water, the risk of accident and the arrangements for transporting the fuel." In this case, the development site is small in scale, as is the physical development and no further drilling is proposed, nor is hydraulic fracturing proposed. The site is well-screened, is brownfield land, and located between a road and the railway corridor, so although it is in the AONB, the potential for impact on the landscape designation is not considered significant.
- 3.1.7 In the opinion of the Mineral Planning Authority, the development would not require an Environmental Impact Assessment.

## Community Engagement

- 3.1.8 Angus Energy has engaged with the Community Liaison Group (CLG) via a written letter to update members regarding the withdrawal of application WSCC/071/19, and submission of a new application which considers the reasons for recommending refusal, as per Committee Report WSCC/071/19, 24th March 2020.
- 3.1.9 The letter provides an outline of the proposed development and a link to view the application via West Sussex County Council's website. See appendix 2 copy of the CLG letter. Angus Energy will continue dialogue with the CLG during the application process and the subsequent operational phase in a transparent and open manner.
- 3.1.10 Angus continues to maintain a Balcombe Residents Frequently Asked Questions site on its own corporate website and maintains a dedicated email account for questions by residents.

# 4 THE PROPOSED DEVELOPMENT

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## 4.1 Introduction

- 4.1.1 The proposed work on the Balcombe 2Z well will take place in a phased approach, with planning and regulatory approvals covering the four phases.
- 4.1.2 Phase 1, pumping operation, is anticipated to take up to 4 weeks and will use a minimum amount of surface equipment. Assuming this is successful, Angus Energy would then move on to phase 2, the civil engineering works to upgrade the pad containment. Once construction and installation of the pad membrane is complete, phase 3 would commence with an EWT for 12 months depending on results. The final phase, plugging and restoration of the site, phase 4, will be carried out on completion of the operation if future site production is not achieved.
- 4.1.3 If the EWT confirms that there are hydrocarbon reserves which could be commercially extracted, a separate planning application will be prepared for a future production phase. A period of 12 months has been allowed for the submission of a planning application for determination by WSCC.
- 4.1.4 The total duration of the project will last up to 30 months; however, surface operations during this period will be confined to a much shorter duration of approximately 18 months. Appendix 1 is an indicative timeline to show the individual phases of surface activity and pauses in surface development.
- 4.1.5 In terms of the surface plant and equipment for the proposed operations, this will be similar equipment as approved under planning permission ref: WSCC/040/17/BA.

## 4.2 Phase 1 – Removal of Wellbore Fluids

- 4.2.1 Phase 1 is designed to remove wellbore fluids which is preventing the natural formation fluids from entering the well. This is effectively cleaning up the well ready for an EWT. Phase 1 will involve a simplified set of equipment since it is envisaged that when oil is seen the operation will cease. The equipment would include a linear rod pump (LRP) or equivalent (pump jack), surge tanks, a storage tank for brine and a slops tank for any contaminated brine. There would also be a pressurised tank on site for fluid export & vapour recovery as per EA regulations. All this equipment would be in a small bunded area adjacent to the wellhead (note that the bund will comply with industry practice guidelines i.e. CIRIA C736). The fluids produced from the well would pass through a control valve to the surge tank, which is there to control variations in flow rate. Subsequently, the process flow path would then pass to the brine tank. Any contaminated brine containing traces of oil would pass to the contaminated fluid tank. It is anticipated that the operation would take around 7-14 days with mobilisation and demobilisation either side of this. As a worst-case scenario, it is expected that in total phase 1 could take 4 weeks. Ancillary equipment would include a generator and a small welfare unit.
- 4.2.2 Angus Energy intends to carry out the phase 1 operation with the minimum equipment to minimise environmental impacts and reduce any disruption to the local community. This is a continuation of the previous operation carried out in Autumn 2018. The pumping phase will be 24/7 to allow the wellbore activities. Mobilisation and demobilisation of equipment will be

operated between the hours of Monday to Friday 07:00hrs and 19:00hrs and Saturdays Saturday 08:00hrs to 13:00hrs excluding Sundays and bank holidays. HGV deliveries will be planned between Monday to Friday 07:30hrs and 18:30hrs and Saturday 08:00hrs and 13:00hrs excluding Sunday and Bank Holidays. Due to operations being 24/7 occasional deliveries may be required 24/7, however the intention is to plan HGV's during normal operational hours in accordance with the Traffic Management Plan. Details of HGV movements are provided in the below table.

Activity	Approximate Timescales (weeks)	Estimated HGVs over period (two-way movements)	Maximum daily HGVs (two-way movements)	Average HGVs per week (two way movements)
Mobilisation / equipment set up	1	56	16	56
Pumping (removal of drilling fluid)	2	40	4	20
Demobilisation of equipment	1	56	14	56

4.2.3 The following equipment would be on site for phase 1. This is a minimal well test package and tanks. All equipment will be banded.

- Surge tanks;
- Low pressure separator;
- Associated pipe work & manifold;
- Oil & waste storage tanks;
- LRP–Linear Rod Pump; and
- Vapour Recovery Tank (as per EA Specifications).

4.2.4 Following the rig up of equipment and observation of zero pressure on the well, the well would be opened up and the sucker rod pump and rods would be run to a depth of ~2278 ft MD (694m), which is around 357 ft (109m) measured depth from the perforations/top of the uncemented slotted liner. The linear rod pump or pump jack/nodding donkey (depending on availability) would be mounted on the existing valves installed on the well. The pumping would commence and continue until brine was reduced and oil was seen in the borehole. During all operational phases, all fluids will be trucked offsite to a licensed and approved facility.

4.2.5 Once the well has been cleaned up and dry oil begins to be seen, operations will cease and the well suspended. Surface equipment will be demobilised as required before the start of phase 2 surface engineering works.

4.2.6 A period of several weeks to a maximum of 3 months the site will be suspended as Angus Energy analyse results and procure contractors for the next phase of operations. Due to the uncertainty of contract negotiations and the availability of specialist equipment the period of time between phases is wide ranging. However, it is Angus Energy intention to minimise this duration to approximately 6 weeks. During this period there will be no surface works at the

site apart from inspection and site maintenance.

### **4.3 Phase 2 – Pad Membrane Works**

4.3.1 For the site to meet current onshore oil and gas standards a site wide impermeable membrane will be installed by a civil engineering contractor. The purpose of the membrane is to isolate surface activity from the risk of spills and contamination from the extended well test.

4.3.2 Angus Energy is committed to supporting inward investment into the county of Sussex and will, subject to procurement process, procure a local engineering company to complete phase 2 of the project.

4.3.3 A detailed design will be provided by the civil engineers however, the basis of design is as follows:

- Removal of the existing 300mm granular platform surface material, existing polypropylene geo-grid and existing geotextile;
- If required, screen existing granular material, removing large stones in excess of 50mm;
- A 'V-Type' perimeter containment ditch to be constructed and high-density polyethylene (HDPE) impermeable membrane anchor berm installed surrounding the active area of the wellsite;
- A fully welded 2mm thick HDPE impermeable membrane laid across the active area of the wellsite and perimeter containment ditch;
- Protective geotextiles laid below and above the HDPE impermeable membrane;
- Batten fixing the HDPE impermeable membrane to existing concrete pad, which surrounds the Balcombe- 2z drilling cellar;
- Twin-wall perforated pipe and rodding/jetting points laid within the perimeter containment ditch, above the HDPE impermeable membrane and protective geotextiles, back filled to finished platform level using 40mm single size granular material;
- A connection from the twin-wall perforated pipe system to the existing interceptor and installation of isolation valves (up and down stream of interceptor) and a sampling point downstream of the interceptor;
- A layer of extruded polypropylene geo-grid across the active area of the wellsite, above the HDPE impermeable membrane and protective geotextiles, for additional structural support; and
- A 300mm thick layer of compacted granular material above the protective geotextile and geo-grid, providing the finished wellsite platform with nominal fall toward the perimeter containment ditch.

4.3.4 Further details are outlined in the supporting design philosophy statement for a fully engineered impermeable membrane subbase and compliance with CIRIA 736.

4.3.5 It is anticipated that civil engineering equipment including bulldozers, excavators and

associated supporting equipment will be used to complete the works, subject to weather conditions, in approximately 8 weeks. The working hours for this phase will be Monday to Friday 07:00hrs to 19:00hrs and Saturday 08:00hrs to 13:00hrs excluding Sundays and bank holidays. HGV movements will be planned between 07:30hrs and 18:30hrs Monday to Friday and Saturday 08:00hrs to 13:00hrs excluding Sundays and bank holidays in accordance with the Traffic Management Plan. Details of HGV movements are provided in the below table.

Activity	Approximate Timescales (weeks)	Estimated HGVs over period (two-way movements)	Maximum daily HGVs (two-way movements)	Average HGVs per week (two way movements)
Mobilisation / of civil engineering	1	34	14	34
Earthworks and membrane installation	7	112	4	16
Demobilisation of civil engineering	1	34	8	34

#### 4.4 Phase 3 – Extended Well Test

- 4.4.1 The objective of the EWT is to enhance subsurface data so Angus Energy can start estimating potential production reserves, assess the commerciality of the well and obtain empirical data e.g. water cut data, flow rates and hydrocarbon composition. The EWT is a continuation of the exploration phase and move towards appraisal to prove that a hydrocarbon resource exists commercially.
- 4.4.2 It is intended that during this phase of works only equipment on site will be the well test spread and storage tanks.
- 4.4.3 However, there are 3 contingency options which could be utilised to support the flow of hydrocarbons during the well clean up. This includes a nitrogen lift, acid wash and use of a bridge plug.
- 4.4.4 A nitrogen lift is a form of artificial lift by pumping nitrogen from surface into the wellbore to lift liquids to surface.
- 4.4.5 To improve the flow of petroleum within the formation, an acid, most commonly hydrochloric Acid (HCl) at 15% concentration with water, is applied to the formation through the wellbore. The operation is very much akin to acidisation of boreholes in the water well industry and results in high permeability channels through which water or petroleum can flow. An acid wash is designed to remove scale or similar deposits from perforations and well-completion components. The acid wash can be used to repair formation blinding and help restore the natural porosity of the formation. The wash is applied to the formation under pressure not exceeding the fracture pressure of the formation.
- 4.4.6 A third contingency option is the potential installation of a bridge plug. A bridge plug could be used to isolate sections of the formation which are producing water rather than hydrocarbons. By isolating part of the lateral well which is producing high water levels, returning hydrocarbons to surface require less processing and separation.

- 4.4.7 The decision to use either all or a combination of the options will depend on the behaviour of the target formation.
- 4.4.8 If a contingency option is required to aid the flow of the well, a Coiled Tubing unit would be mobilised to site. This is the same surface equipment that was used during the Autumn 2018 work. It is Angus Energy intention and primary option for the well to flow naturally and not require further intervention or treatment.
- 4.4.9 The EWT operation will be 24/7 to allow the wellbore to continually flow. HGV movements will be planned between 07:30hrs and 18:30hrs Monday to Friday and Saturday 08:00hrs and 13:00hrs excluding Sunday and Bank Holidays. Due to operations being 24/7 occasional deliveries may be required 24/7, however the intention is to plan HGV's during normal operational hours. Mobilisation and demobilisation of equipment will be operated between the hours of Monday to Friday 07:00hrs and 19:00hrs and Saturday 08:00hrs to 13:00hrs excluding Sundays and bank holidays. Details of HGV movements are provided in the below table.

Activity	Approximate Timescales (weeks)	Estimated HGVs over period (two-way movements)	Maximum daily HGVs (two-way movements)	Average HGVs per week (two way movements)
Mobilisation of well test equipment	1	56	16	56
Mechanically lift well / natural flow	53	424	2	8
Contingency N2 lift	2	72	12	36
Contingency treatment (acid wash)	2	65	12	34
Contingency install (install plug)	2	60	12	30
Demobilisation of well test equipment	1	56	16	56

- 4.4.10 The following equipment would be on site for the extended well test operation. This is a full well test package and tanks. Extra equipment for contingency options (1), (2) & (3) is also listed.

- Test Separator Unit, MAWP 1440 psig;
- On board data acquisition and reporting system;
- Associated Pipework & Manifolding Package;
- Surface emergency shut down system;
- Choke Manifold;
- Surge Tank - Second stage separator;
- Oil & waste storage tanks;

- LRP –Linear Rod Pump; and
- Single Flare unit
- Coil tubing unit and injector head
- Nitrogen tanks and convertor
- HCL acid wash tanks
- Vapour Recovery Tank (as per EA specifications).

- 4.4.11 A single flare unit will be on site throughout the duration of the extended well test to combust associated gas. The flare will either be the PW flare unit or an AERON unit subject to availability of equipment and technical capability e.g. flow rates and performance. For the purposes of this assessment the PW unit has been assessed as the primary choice (13.8m high) due to its landscape impact. The air quality assessment has examined both the AERON unit and PW flare. The AERON unit stands at 5.5m.
- 4.4.12 Throughout operations the surface water site discharge valve will remain closed unless the ditch water can be assessed as clean and uncontaminated. Where the water requires disposal, a vacuum tanker will remove the drainage ditch water for offsite disposal at a permitted waste facility. Water discharges from site are regulated by the Environment Agency under the Environmental Permitting Regulations 2016 (as amended).
- 4.4.13 During the 12 months Angus Energy will review data to assess the commercial opportunity of moving the site into production. Once the test is completed Angus Energy will shut the well in and move to phase 4 or submit a new planning application for production to WSCC.

## **4.5 Phase 4 – Plug & Site Restoration**

- 4.5.1 Phase 4 involves removing all of the surface plant and equipment from the site as well as plugging the wellbore to the prevailing HSE standards. The plugging of a well involves the use of a workover unit and cementing units to inject cement into the wellbore and provide a barrier preventing the unintended release of fluids.
- 4.5.2 Once the plugging of the wellbore is completed the site restoration begins. It is estimated that this will take approximately 1- 2 months to complete with an ongoing aftercare scheme.
- 4.5.1 Plugging and decommissioning of the wellbore will be a 24/7 operation to manage the wellbore activities in a safe manner. Restoration activities will be undertaken as per mobilisation and demobilisation of equipment times. These will be operated between the hours of Monday to Friday 07:00hrs and 19:00hrs and Saturdays Saturday 08:00hrs to 13:00hrs excluding Sundays and bank holidays. All phase 4 HGV deliveries will be planned between Monday to Friday 07:30hrs and 18:30hrs and Saturday 08:00hrs and 13:00hrs excluding Sunday and Bank Holidays. Due to plug and abandonment phase of the operations being 24/7 occasional deliveries may be required 24/7, however the intention is to plan HGV's during normal operational hours in accordance with the Traffic Management Plan. Details of HGV movements are provided in the below table.



Activity	Approximate Timescales (weeks)	Estimated HGVs over period (two-way movements)	Maximum daily HGVs (two-way movements)	Average HGVs per week (two way movements)
Plug and decommission well	4	168	12	42
Restoration	8	352	10	44

## 4.6 Management of Waste & HSE

- 4.6.1 During both stages of the operation, fluids will be pumped from the well by the installed sucker rod pump. As stated, during phase 1 the purpose of the operation is to remove the remaining brine from the hole to allow dry oil to flow. As a result, the main fluid produced will be brine and this will be stored in the on-site tanks. During phase 3, the main fluid produced would be oil which would also be stored in the on-site tanks. During all operations tanks will be emptied by an approved waste removal company and trucked to a similarly approved facility. At the end of the operation the tanks will then be professionally cleaned and returned to the contractor. The very same pressurised tank that was used during the initial Autumn 2018 well test will also be installed for vapour recovery in compliance with our obligations as outlined in the wellsite EPR permit under The Environmental Permitting (England & Wales) Regulations 2016.
- 4.6.2 Angus Energy operates an integrated health, safety and environmental management system which will be in place throughout the operational activity. Implementation is achieved through documentation, competency of staff and contractors, using best available techniques and an active programme of monitoring and review.
- 4.6.3 Should any emergency occur, the well would be instantly shut in at the wellhead. The adoption of normal emergency procedures applicable to oilfield operations ensure compliance with the UK onshore environmental and safety control regime. Site specific emergency response procedures are in place in consultation with the emergency services and tested prior to the commencement of any work.

## 4.7 Monitoring

- 4.7.1 During the proposed works there will be a variety of environmental monitoring techniques employed for all four phases of operations as stipulated by the Environment Agency permits and planning conditions.

# 5 NEED FOR DEVELOPMENT

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## 5.1 Introduction

- 5.1.1 Although not a production application, the continued exploration and appraisal phase is a necessary step in the extraction process of hydrocarbons before long term production can be achieved.
- 5.1.2 The Balcombe discovery is considered to be in the 'sweet spot' of the Weald Basin given the 568m thickness and highest maturity of the Kimmeridge layers. Regional work by Angus has established that the Kimmeridge micrite layers encountered at Balcombe can be regionally correlated across to both the Brockham oil field and Horse Hill, where in 2016 UK Oil & Gas Investments PLC and their partners announced excellent flow rates from the Upper and Lower Kimmeridge Micritic limestone reservoirs.<sup>3</sup>
- 5.1.3 The Balcombe – 2Z has opened up an approximately 1,700 ft horizontal section through the upper Kimmeridge Micrite, which is naturally fractured and offers an extensive zone through the reservoir to test. This same zone was tested very successfully at Horse Hill in 2016 flowing ~900 bopd from the same limestone section through which the horizontal Balcombe 2Z well is drilled.

## 5.2 Need Case

- 5.2.1 Indigenous hydrocarbons play a central role in the governments energy policy for a secure, diverse and sustainable supply. This policy will continue and should be considered central to the need case for the development.
- 5.2.2 A unique product with the potential to supply multiple end users, more than 70 per cent of the demand for oil is consumed for transport purposes, planes and road vehicles.
- 5.2.3 Hydrocarbons also provide a feedstock for plastics, medical PPE, bitumen for roads, material for chemicals, fuel for off grid houses in rural communities and energy within main power stations.
- 5.2.4 Since 2004 the UK became a net importer of hydrocarbons. The reducing trend of indigenous produced hydrocarbons has a twofold impact. The direct economic cost of importing as well as the consequential loss of direct employment. Secondly, the increased environmental footprint of importing hydrocarbons from overseas.
- 5.2.5 According to Q4 2019 national statistics<sup>4</sup> reveals the UK's oil deficit balance of payments widened by £1.0 billion to £2.8 billion, and other fuels, where the deficit widened by £0.8 billion to £1.4 billion. This is compared to a surplus balance of payments of £0.3 billion in 2004.
- 5.2.6 As a net importer the UK is susceptible to market spikes with high oil prices having a negative impact on the UK's trade deficit.

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<sup>3</sup> <http://www.angusenergy.co.uk/what-we-do/balcombe-discovery-pedl244/>

<sup>4</sup> Office of National Statistics, Balance of payments, UK: October to December 2019, Statistical bulletin, Released 31<sup>st</sup> March 2020

5.2.7 Research by the industry body UKOOG has provided an outline assessment for the carbon intensity of imports compared to the production of indigenous oil. The following table presents a comparison of UK production carbon intensity verses imported carbon intensity from key UK suppliers.

Oil Source <sup>5</sup>	UK	USA	Canada	Algeria
Carbon intensity/ g CO <sub>2</sub> /MJ	9	11	17	20
Carbon intensity of delivery of 4.3 million barrels*/ Tonnes CO <sub>2</sub> e	226,840	277,249	428,477	504,090
Extra emissions from imported oil/ tonnes	-----	50,410	201,637	277,251

\* Based on West Sussex annual consumption.

5.2.8 Based on current data, the carbon intensity of UK oil production is 9 g CO<sub>2</sub>/MJ, offering 20% to 50% emissions savings compared to some imports.

5.2.9 By supporting indigenous oil production rather than a reliance on imports, the UK can displace suppliers whose carbon intensity is greater than that of the UK's own indigenous production.

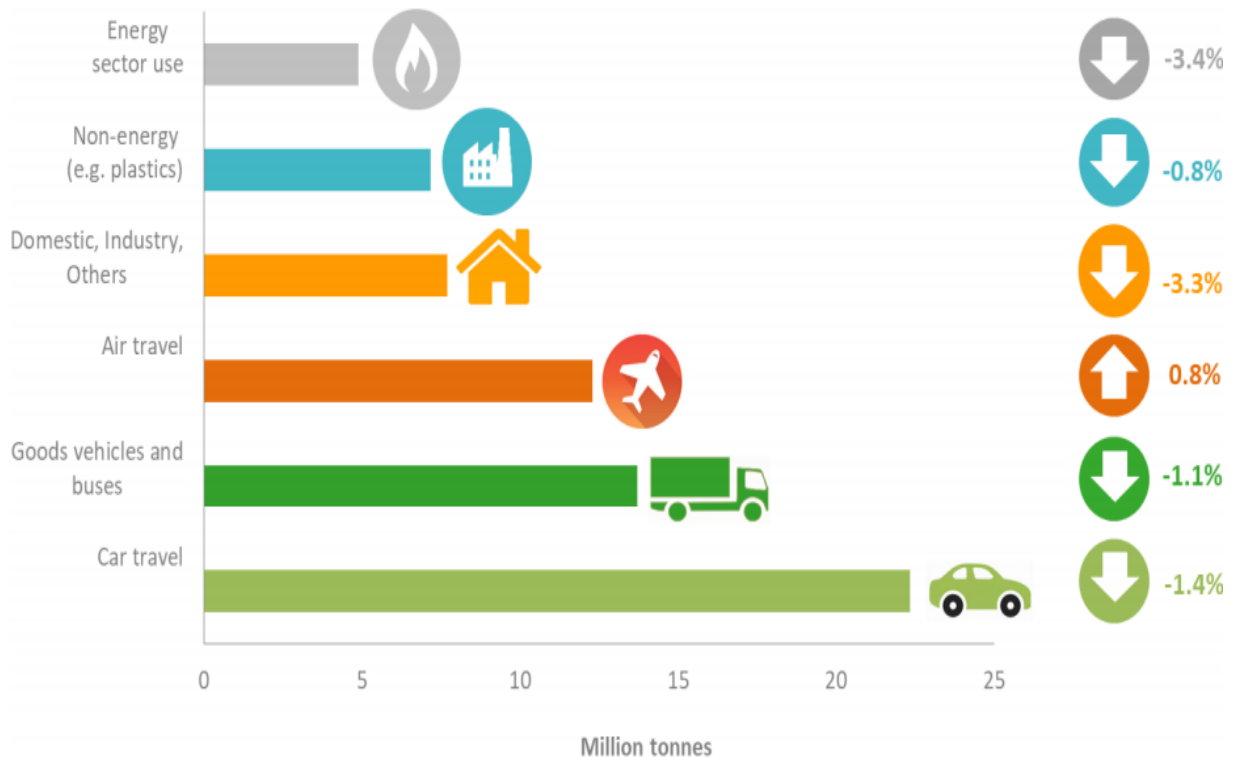
### 5.3 Consumption

5.3.1 Current oil demand in the UK is around 1.6 million barrels of oil per day. Demand fell by 1.2 percent in 2018<sup>6</sup>, the first decrease since 2014. The following diagram 1 provides an overview for oil consumption in 2018 and changes in consumption.

<sup>5</sup> <https://science.sciencemag.org/content/361/6405/851.summary>

<sup>6</sup> Dukes Energy Statistics, Chapter 3, Petroleum  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/822303/Chapter\\_3.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/822303/Chapter_3.pdf)

**Diagram: 1: Oil Consumption in the UK 2018**



Source: Dukes Energy Statistics 2019, accessed April 2020

- 5.3.2 At a regional and local level, hydrocarbons are utilised in everyday life within rural communities and the agricultural industry.
- 5.3.3 Gatwick Airport, employing around 24,000 within West Sussex and the surrounding areas, uses 6 million litres of aviation fuel per day.<sup>7</sup>
- 5.3.4 Households and business that are “off grid” i.e. not connected to the gas transmission network are an important consumer of oil for heating purposes.
- 5.3.5 It is also estimated that over 75,000 homes are off grid in the region of West Sussex<sup>8</sup> which may rely on electric, bottled gas (LPG) or oil to heat homes.
- 5.3.6 According to the Affordable Warmth Solutions Group the immediate area surrounding the north of the Balcombe exploration site, approximately 41.4% are non-gas properties. To the south of the site the number increases to 71.1% non-gas properties<sup>9</sup>.
- 5.3.7 Even though the Balcombe exploration site cannot provide a direct supply to off grid rural communities, the local need for hydrocarbons is evident.
- 5.3.8 Using government data<sup>10</sup> West Sussex local authority area consumed 4.3 million barrels of

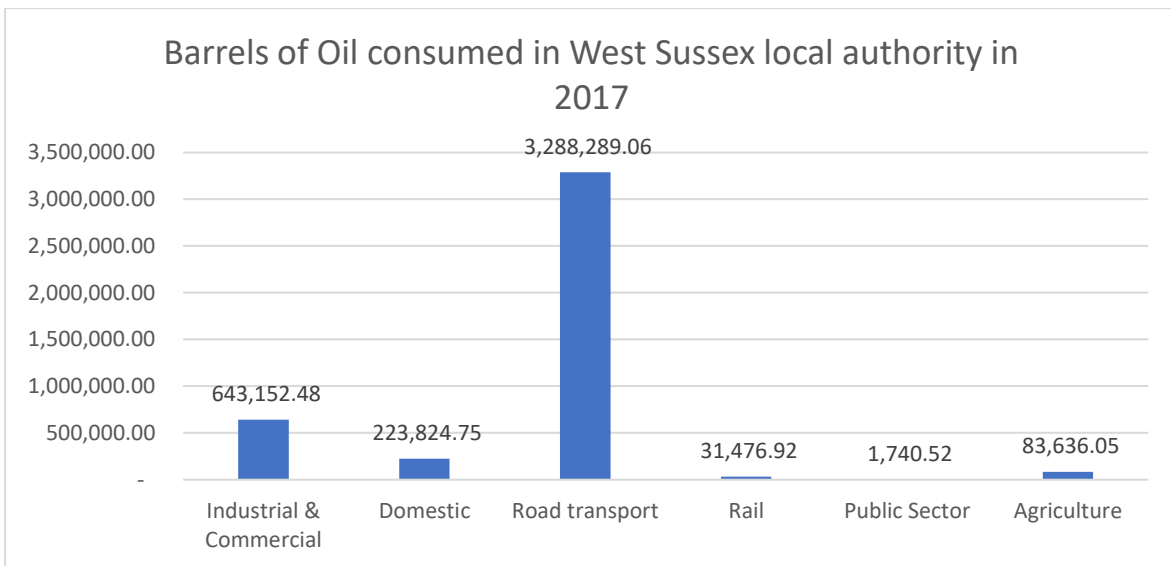
<sup>7</sup> [https://www.westsussex.gov.uk/media/3079/2\\_economy.pdf](https://www.westsussex.gov.uk/media/3079/2_economy.pdf)

<sup>8</sup> West Sussex Affordable Energy <https://www.westsussexenergy.co.uk/article/31495/Oil-clubs>

<sup>9</sup> <https://www.nongasmap.org.uk/>

<sup>10</sup> <https://www.gov.uk/government/statistical-data-sets/total-final-energy-consumption-at-regional-and-local-authority-level>

oil per year. The per sector demand in the year 2017 is shown below:



## 5.4 Supply

- 5.4.1 According to Dukes energy statistics, oil forms a key part of the UK's energy mix. Over 40 percent of the UK's total energy production in 2018 was from crude oils extracted from the UK's Continental Shelf, and UK refineries produced 58 million tonnes of oil products.
- 5.4.2 UK crude production increased in 2019 by 2.5 per cent compared with 2018. This follows a 10 per cent increase in 2018 compared with 2017. Throughout the year strong production has been observed in established fields, as well as new production from Clair Ridge which opened at the end of 2018. Despite this large discovery the UK continues to experience a deficit in supply.
- 5.4.3 Since 1999 indigenous production of crude oil and NGLS [Natural Gas Liquids] has fallen from 137,099 (thousand tonnes) to 52,159 in 2019. Imports have increased steadily from 44,869 in 1999 to 52,776 in 2019.
- 5.4.4 In 2018 the UK remained a net importer of petroleum products, by 13.0 million tonnes, up from 11.5 million tonnes in 2017, an increase despite a reduction in demand due to refinery maintenance. Net imports of primary oils (crude, NGLs and process oils) made up 12 per cent of UK supply in 2019.

## 5.5 Natural Gas

- 5.5.1 In respect of natural gas, the Digest comments that UK production in 2018 decreased by 3.3% compared with 2017. Net imports of natural gas were up 11% in 2018 compared to 2017 because exports decreased by a third, the lowest level since 1999 and only the second time since 1999 that the UK exported less than 100 Tera Watt hours (TWh) of gas. Gas imports mainly come from Norway, Belgium, Netherlands, Qatar and small amounts from Russia and the US.
- 5.5.2 Imports of Liquefied natural gas have increased significantly in the last few years. For

example, from 2017 to 2019 imports of Russian LNG increased by 32 times, and LNG imports also increased by 32 times over the same period. Russian LNG imports totalled 34,334 Gwh in 2019 at a cost of over £4 million / day and was adequate to heat almost 3 million homes. In total, UK consumers spent £2.8bn on US and Russian LNG imports in 2019. Imports from Russia also account for around a third of EU-wide gas demand, meaning that any disruptions to supplies further East will have a knock-on impact on imports to the UK through the Dutch and Belgian interconnectors<sup>11</sup>.

- 5.5.3 The production of natural gas from the UK Continental Shelf (UKCS) creates less than half as much greenhouse gas as imported Liquefied Natural Gas (LNG), according to data published by the Oil and Gas Authority (OGA).<sup>12</sup>
- 5.5.4 The OGA analysis states, gas extracted from the UKCS has an average emission intensity of 22 kgCO<sub>2</sub>e/boe; whereas imported LNG has a significantly higher average intensity of 59 kgCO<sub>2</sub>e/boe.
- 5.5.5 In 2019, the UKCS supplied 46% of UK gas consumption. Imported LNG supplied around 21% and the remaining 33% was imported via pipeline. Estimates predict that while gas demand will decline slightly from the current level of 69 billion cubic metres (bcm) in 2019 to 60 bcm in 2035, UK gas production will fall at a faster rate from 35 bcm in 2019 to 16 bcm in 2035.
- 5.5.6 Current government forecasts suggest that gas will remain a vital part of the UK's energy mix as we move towards net zero. As long as this demand exists, managing declining North Sea production to maximise value, minimise greenhouse gas emissions and reduce reliance on hydrocarbon imports are all essential.

## **5.6 UK Onshore Sources of Hydrocarbons**

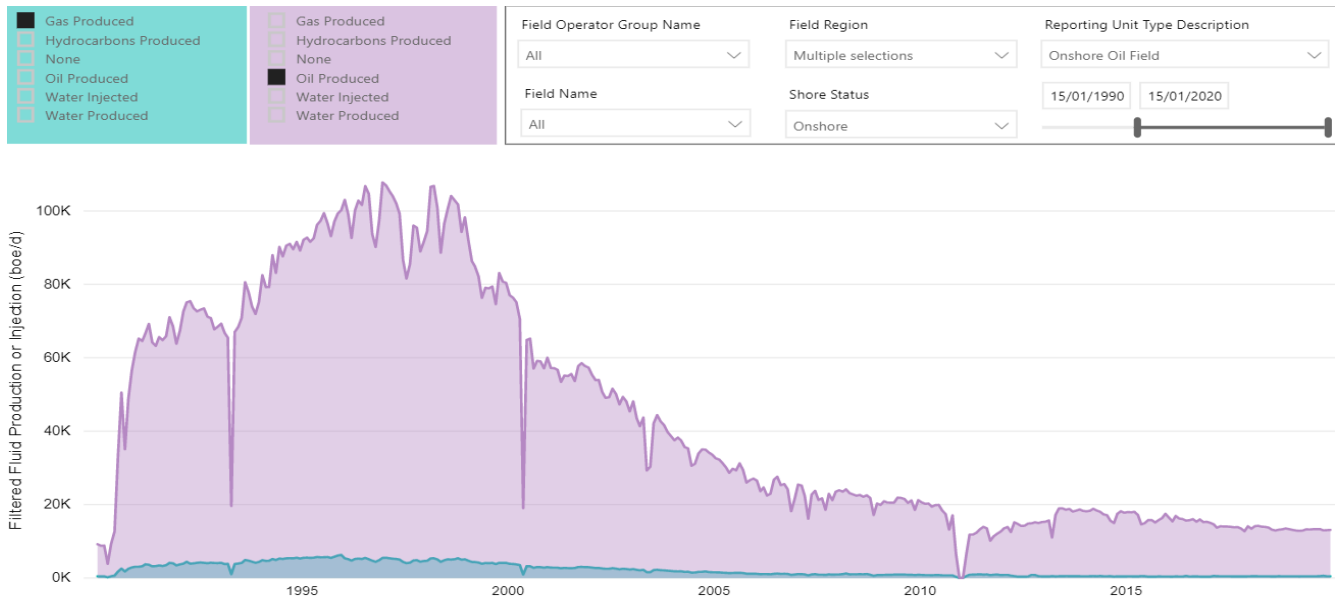
- 5.6.1 Onshore wells contributed less than 2% of total UK oil production in 2018. The vast majority came from sites in Dorset, Lincolnshire, West Sussex and Hampshire.
- 5.6.2 The Wytch Farm Oilfield in Dorset is the largest known onshore oilfield in Western Europe, currently producing in the order of 10,000 to 20,000 barrels per day. The existing reservoirs are expected to produce economically viable quantities of oil for at least the next 20 years. The development is located primarily within the Dorset Area of Outstanding Natural Beauty (AONB) and Purbeck Heritage Coast and within or adjacent to Sites of Nature Conservation Interest (SNCI); Sites of Special Scientific Interest (SSSI); Special Protection Areas (SPA); Special Areas of Conservation (SAC) and Ramsar sites. The site is one of the largest producers of oil both onshore and offshore in the UK.
- 5.6.3 Onshore oil and gas production figures continue to decline since the mid 1990's. Results from the OGA, see diagram 2, identify a reducing trend of onshore oil and gas production.

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<sup>11</sup> <https://www.gov.uk/government/statistics/gas-section-4-energy-trends>

<sup>12</sup> <https://www.ogauthority.co.uk/news-publications/news/2020/north-sea-gas-has-lower-carbon-footprint-than-imported-lng/>

**Diagram 2 OGA Onshore Production Data**



Source: OGA open data, accessed April 2020.

5.6.1 Data from the 15<sup>th</sup> December 2019<sup>13</sup> reveals oil production of 13,099.62 boe/d and gas production of 452.03 boe/d. This is significantly reduced from the peak in 1997 of 107,816.69 boe/d (oil) 15<sup>th</sup> December 1996.

## 5.7 Future of Hydrocarbons

5.7.1 Oil continues to form a key part of the UK's energy mix, providing over 40 percent of the UK's total energy production in 2018 and oil products making up nearly half of the UK's consumer demand in 2018.

5.7.2 The UK Committee on Climate Change as part of their net zero scenario modelled oil demand which would be compatible with their scenarios and concluded that demand of 407,000 barrels per day would be required in 2050. This includes key non-combustion uses such as production of chemicals and medicines, products that contribute to low carbon industries such as the commodities needed to make solar panels or carbon fibre products for lightweight vehicles and aircraft. The overriding conclusion is that hydrocarbons will continue to be demanded and consumed in the future.

5.7.3 Achieving a net-zero target would enhance the UK's energy sovereignty by reducing demand for imported fossil fuels and provide a hedge against price volatility and the associated risk of damaging economic impacts.

5.7.4 It is accepted that trade-exposed industries will require a level playing field in a net zero policy to ensure that emissions are reduced, not offshored and reimported.

5.7.5 The CCC net-zero scenarios result in a reduction in oil consumption of 82% by 2050 (reaching around 140 TWh) which is equivalent to ~240,000 barrels per day.

<sup>13</sup> <https://data-ogauthority.opendata.arcgis.com/pages/production>

- 5.7.6 As part of the package of work for net zero, an assessment was undertaken of the potential for biofuels to displace fossil oil. The report concluded that “The potential for the production and use of biopolymers as a climate change mitigation strategy in the UK is limited. Based upon the currently available LCA (life cycle assessment) data, there is no clear-cut case for stating that there are benefits to be obtained by the substitution of a biopolymer for a functionally equivalent fossil derived material”. Therefore, there is minimal justification to exclude feedstock oil on the grounds of recognised continued demand for industry and no viable alternative
- 5.7.7 Based on OGA projections for 2050 and beyond the UK would have a net import dependency of c48% in 2050.
- 5.7.8 To meet such demand the UK would have to continue to import or significantly increase the production of onshore oil. The cost of imports based on BEIS fossil fuel price assumptions could be in excess of £300 billion over thirty years. The UK onshore oil industry has the potential to meet 40% of the shortfall minimising the UK’s reliance on energy imports.
- 5.7.9 OGA figures show a 64% oil dependency import by 2035 with oil demand at 72MM tonnes of oil equivalent imported compared to production of 26MM tonnes of oil equivalent. Natural gas will be estimated at 74% import dependency.
- 5.7.10 The need for indigenous onshore oil and gas supplies, whether economic or environmentally conscious, short term or long term, without doubt there is an exceptional need for the continued exploration and appraisal both for the national and local need.



## 6 DEVELOPMENT PLAN

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### 6.1 Introduction

6.1.1 In accordance with s38 (6) of the Compulsory Purchase Order 2004 planning applications must be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

6.1.2 The Development Plan currently comprises:

West Sussex Joint Minerals Local Plan (July 2018)

Mid Sussex Local Plan saved policies (2004); and Mid Sussex District Plan (March 2018)

Balcombe Neighbourhood Plan (2016)

### 6.2 Development Plan West Sussex Joint Minerals Local Plan (WSJMLP) (July 2018)

6.2.1 The West Sussex Joint Minerals Local Plan (WSJMLP) covers both West Sussex and South Downs National Park Authority (SDNPA) and was adopted by WSCC and the SDNPA in July 2018. The WSJMLP (2018) replaces the West Sussex Minerals Local Plan (2003). The strategy covers the period until 2033.

6.2.2 Chapter 4 of the WSJMLP supports the national energy policy the use of energy minerals as part of the energy mix. The Joint Minerals Local Plan must be prepared in line with national policy and take account of local evidence as it comes forward.<sup>14</sup>

6.2.3 Chapter 5 strategy of the WSJMLP:

Through the Energy Security Strategy 2012 the Government seeks to maximise economic production of the UK oil and gas reserves in order to provide reliable energy supplies which are not exposed to international energy supply risks. This local plan needs to take proper account of this Strategy.

6.2.4 Strategic objective 11 of the WSJMLP states:

To protect the environment and local communities in West Sussex from unacceptable impacts of any proposal for oil and gas development, whilst recognising the national commitment to maintain and enhance energy security in the UK.

Major oil and gas development not involving high volume hydraulic fracturing should only take place within the South Downs National Park or Areas of Outstanding Natural Beauty in exceptional circumstances and when it is in the public interest.

Therefore, Policy M7a is the default policy for considering all development proposals associated with the extraction of both conventional and unconventional hydrocarbon

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<sup>14</sup> West Sussex Joint Minerals Local Plan Chapter 4, paragraph 4.10.2, July 2018

resources, with the exception

- 6.2.5 Policy M7a (Hydrocarbon development not involving hydraulic fracturing) states that proposals for exploration and appraisal for oil and gas, not involving hydraulic fracturing including extensions to existing sites will be permitted provided that:
- I. With regard to development proposals deemed to be major, the site is located outside the South Downs National Park, High Weald AONB or Chichester Harbour AONB unless it has been demonstrated that there are exceptional circumstances and that it is in the public interest, and in accordance with Policy M13;
  - II. the site selected represents an acceptable environmental option in comparison to other deliverable alternative sites from which the target reservoir can be accessed, taking into account impacts from on-site activities and off-site activities including HGV movements;
  - III. any unacceptable impacts including (but not limited to) noise, dust, visual intrusion, transport, and lighting, on both the natural, historic and built environment and local community, including air quality and the water environment, can be minimised, and/or mitigated, to an acceptable level;
  - IV. restoration and aftercare of the site to a high-quality standard would take place in accordance with Policy M24 whether or not oil or gas is found; and
  - V. No unacceptable impacts would arise from the on-site storage or treatment of hazardous substances and/or contaminated fluids above or below ground.
- 6.2.6 Part c of Policy M7 is in regard to 'Activity beneath or proximate to designated areas'. It states:
- 6.2.7 "Proposals for exploration, appraisal and production of oil and gas, not involving hydraulic fracturing, will be permitted underneath or in close proximity to designated areas, assets and habitats, which demonstrate that special care will be taken to avoid harming these areas and the special qualities of the South Downs National Park and/or setting and value of the Chichester Harbour AONB, High Weald AONB and other designated areas, assets and habitats".
- 6.2.8 Policy M9 safeguarding of minerals includes oil and gas site. Existing onshore hydrocarbon exploration, appraisal and production facilities will be safeguarded from proximate development (see Policy M10).
- 6.2.9 Policy M10 Safeguarding Minerals is to safeguard existing minerals infrastructure and prevent incompatible development near to it in order to ensure it can continue to supply the markets of West Sussex and beyond in future. This policy is linked to strategic objective: 4: To protect and maintain the existing mineral development sites and infrastructure which includes other minerals (hydrocarbon exploration, appraisal and production).
- 6.2.10 Policy M12 (Character) states that proposals for mineral development will be permitted provided that they would not have an unacceptable impact on the character distinctiveness, sense of place of the different areas of the County, the special

qualities of the South Downs National Park, and the setting and character of the Chichester Harbour and High Weald AONB and the setting of protected landscapes.

6.2.11 Policy M13 (Protected Landscape) states that: (a) Proposals for mineral development within protected landscapes (the South Downs National Park, the Chichester Harbour Area of Outstanding Natural Beauty, and the High Weald Area of Outstanding Natural Beauty) will not be permitted unless:

- the site is allocated for that purpose in the adopted plan; or
- the proposal is for a small-scale development to meet local needs that can be accommodated without undermining the objectives of the designation; or
- the proposal is for major mineral development that accords with part (c) of this Policy.

6.2.12 Part (c) of Policy M13 sets out that proposals for major mineral development within protected landscapes will not be permitted unless there are exceptional circumstances and where it is in the public interest as informed by an assessment of:

- I. the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- II. the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for the mineral in some other way;
- III. and any potential detrimental impact on the environment, landscape, and recreational opportunities, and the extent to which identified impacts can be satisfactorily mitigated.

6.2.13 The development management' policies of relevance to the proposal are as follows, which are considered in more detail in section 8 of this statement:

- Policy M15 – Air and Soil;
- Policy M16 - Water Resources;
- Policy M17 – Biodiversity and Geodiversity;
- Policy M18 - Public Health and Amenity;
- Policy M19 - Flood Risk Management;
- Policy M20 – Transport;
- Policy M22 – Cumulative Impact;
- Policy M23 - Design and Operation of Minerals Developments;
- Policy M24 – Restoration and Aftercare; and
- Policy M25 – Community Engagement.

Mid Sussex District Plan (MSDP) (2014-2031)

6.2.14 The MSDP was adopted in March 2018 and covers the period between 2014-2031. The Plan replaces the Mid Sussex Plan 2004, except for some policies which have been 'saved'. The following policies are of relevance for the determination of the proposal and are considered in greater detail within section 8 of this statement:

Policy DP1 – Sustainable Economic Development;

Policy DP12 – Protection and Enhancement of Countryside;

Policy DP14 – Sustainable Rural Development and the Rural Economy;

Policy DP16 – High Weald Area of Outstanding Natural Beauty;

Policy DP21 – Transport;

Policy DP26 – Character and Design;

Policy DP29 – Noise, Air and Light Pollution;

Policy DP37 – Trees, Woodland and Hedgerows;

Policy DP38 – Biodiversity;

Policy DP39 – Sustainable Design and Construction;

Policy DP41 – Flood Risk and Drainage; and

Policy DP42 – Water Infrastructure and the Water Environment.

Balcombe Neighbourhood Plan (2016)

6.2.15 The Balcombe Neighbourhood Plan was 'made' in September 2016 and forms part of the Development Plan.

6.2.16 Policy 3 (Design): seeks to avoid any significant detrimental effect on the landscape and natural beauty of the High Weald AONB.

# 7 MATERIAL CONSIDERATIONS

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## 7.1 National Planning Policy Framework 2019

7.1.1 The National Planning Policy Framework (NPPF) (February 2019 – last updated on 19 June 2019 with the removal of remove paragraph 209a) forms a material consideration in determining planning applications.

7.1.2 Section 2 (Achieving sustainable development) states that the purpose of the planning system is to contribute to the achievement of sustainable development. To achieve sustainable development means that the planning system has three overarching objectives: an economic; a social and an environmental.

7.1.3 Paragraph 11 sets out that, so sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. Plan and decisions should apply a presumption in favour of sustainable development. For decision taking this means:

- Approving development proposals that accord with an up to date development plan without delay, or;
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date.

7.1.4 Section 4 regarding ‘decision making’ sets out in paragraph 38 that decision-makers at every level should seek to approve applications for sustainable development where possible.

7.1.5 Section 6 is regarding ‘building a strong, competitive economy’ whereby paragraph 80 states “planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”.

7.1.6 Section 14 is regarding ‘meeting the challenge of climate change, flooding and coastal change’. Paragraph 148 states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.

7.1.7 Section 15 is regarding ‘conserving and enhancing the natural environment’. Paragraph 170 sets out that planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 172 states that ‘great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- the need for development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy.
- the cost of, and scope for, developing outside the designated area, or meeting

the need for it in some other way; and

- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

7.1.8 Paragraph 203 sets out that it is essential that there is a sufficient supply of minerals, highlighting that minerals can only be worked where they are found, and that best use needs to be made of them to secure their long-term conservation.

7.1.9 Section 17 is in regard to 'facilitating the sustainable use of minerals'. Paragraph 203 sets out 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.

7.1.10 Paragraph 205 states that when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. In considering proposals for mineral extraction, minerals planning authorities 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; and
- Provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions Bonds or other financial grants guaranteed to underpin planning conditions should only be sought in exceptional circumstances.

7.1.11 Paragraph 209-211 sets out policies in regard to oil, gas and coal exploration and extraction. Paragraph 209 b states that minerals planning authorities should, when planning for on-shore oil and gas development, clearly distinguish between, and plan positively for, the three phases of development (exploration, appraisal and production), whilst ensuring appropriate monitoring and site restoration is provided for.

7.1.12 In relation to paragraph 209, on the 6th of March 2019, Mr Justice Dove handed down his judgment in the case of Stephenson vs SoS MHCLG [2019] EWHC 519 (Admin). In accordance with the terms of the Court Order, paragraph 209(a) of the National Planning Policy Framework has been quashed.

## **7.2 Planning Practice Guidance (PPG)**

7.2.1 The Planning Practice Guidance is a material consideration in the determination of planning applications.

7.2.2 With reference to paragraph 093 (ref: 27-093-20150415) of Planning Practice Guidance (PPG) any future planning application for a production phase would be considered on its own merits at the time that any application is made. Paragraph 120 of PPG (ref: 27-120-20140306) makes it clear that when a Mineral Planning Authority (MPA) is considering an application for the exploration stage of a hydrocarbon project that any potential future production phase should not influence the decision-making

process:

- 7.2.3 “.....Individual applications for the exploration phase should be considered on their own merits. They should not take account of any hypothetical future activities for which consent has not yet been sought, since the further appraisal and production phases will be subject of separate planning applications and assessments.”
- 7.2.4 When determining applications for subsequent phases, the fact that exploratory drilling has taken place on a particular site is likely to be material in determining the suitability of continuing to use that site only insofar as it establishes the presence of hydrocarbon resources.
- 7.2.5 The PPG for Minerals sets out the Government’s approach for mineral extraction in the decision making and planning application process.
- 7.2.6 Paragraph 12 sets out the relationship between planning and other regulatory regimes noting that “the planning system controls development and the use of land in the public interest” including ensuring development is appropriate for its location and an acceptable use of land.
- 7.2.7 Crucially, it notes that “the focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under regimes. Mineral planning authorities should assume that these non-planning regimes will operate effectively.”
- 7.2.8 Paragraph 13 sets out the environmental issues’ minerals planning authorities should address including noise, air quality, lighting, visual impact, traffic, risk of contamination to land, geological structure, flood risk, impacts on protected landscapes, surface and in some cases ground water issues, and water abstraction.
- 7.2.9 Paragraph 17 notes that the cumulative impact of mineral development can be a material consideration in determining planning applications.
- 7.2.10 Paragraphs 91 to 128 relate specifically to hydrocarbon extraction. Paragraph 93 notes that planning permission is required for each phase of hydrocarbon extraction, while paragraph 94 notes that applications can cover more than one phase and paragraph 118 notes that both vertical and horizontal drilling can be included in one application.
- 7.2.11 Paragraph 95 explains that the exploratory phase of hydrocarbon extraction:  
“seeks to acquire geological data to establish whether hydrocarbons are present. It may involve seismic surveys, exploratory drilling and, in the case of shale gas, hydraulic fracturing.” Note that no hydraulic fracturing is proposed in this application.
- 7.2.12 Paragraph 100 explains that the appraisal phase  
“...can take several forms including additional seismic work, longer-term flow tests, or the drilling of further wells. This may involve additional drilling at another site away from the exploration site or additional wells at the original exploration site...Much will depend on the size and complexity of the hydrocarbon reservoir involved.

- 7.2.13 Paragraph 120 states that individual applications for the exploratory phase should be considered on their own merits. They should not take account of hypothetical future activities for which consent has not yet been sought, since the further appraisal and production phases will be the subject of separate planning applications and assessments.
- 7.2.14 When determining applications for subsequent phases, the fact that exploratory drilling has taken place on a particular site is likely to be material in determining the suitability of continuing to use that site only insofar as it establishes the presence of hydrocarbon resources.
- 7.2.15 Paragraph 124 states that Mineral Planning Authorities should take account of Government energy policy 'which makes it clear that energy supplies should come from a variety of sources' including onshore oil and gas. It also refers to the Annual Energy Statement 2013 which notes, among other things, that the UK needs to make the transition to low carbon in order to meet legally-binding carbon emission reduction targets (paragraph 1.2) and that levels of production from the UK continental shelf are declining so the UK will become increasingly reliant on imported energy (paragraph 1.3). The three stated priorities in delivering the UK's energy policies in the near term are:
- "helping households and businesses take control of their energy bills and keep their costs down;
  - unlocking investment in the UK's energy infrastructure that will support economic growth; and
  - playing a leading role in efforts to secure international action to reduce greenhouse gas emissions and tackle climate change." (paragraph 1.6).
- 7.2.16 Paragraph 3.69 states:
- 7.2.17 "With oil and gas remaining key elements of the energy system for years to come (especially for transport and heating), the Government is committed to maximising indigenous resources, onshore and offshore, where it is cost effective and in line with safety and environmental regulations to help ensure security of supply."
- 7.2.18 PPG: Air Quality notes that when deciding whether air quality is relevant to a planning application, considerations could include whether the development would (in summary): significantly affect traffic (through congestion, volumes, speed, or traffic composition on local roads); introducing new point sources of air pollution; give rise to potentially unacceptable impact (such as dust) during construction; or affect biodiversity (paragraph 5).
- 7.2.19 PPG: Noise notes that noise can override other planning concerns (paragraph 2), and that the acoustic environment should be taken account of in making decisions, including consideration of (in summary) whether a significant adverse effect is likely to occur; whether an adverse effect is likely to occur; and whether a good standard of amenity can be achieved (paragraph 3).
- 7.2.20 PPG: Climate Change notes that addressing climate change is one of the core land use planning principles the NPPF expects to underpin decision taking.



- 7.2.21 PPG: Natural Environment notes that planning decisions should be based on up-to-date information about the natural environment and other characteristics of the area, and local planning authorities should have regard to management plans for AONBs (paragraph 4). Paragraph 5 notes:
- 7.2.22 “Planning permission should be refused for major development in a National Park, the Broads or an Area of Outstanding Natural Beauty except in exceptional circumstances and where it can be demonstrated to be in the public interest. Whether a proposed development in these designated areas should be treated as a major development, to which the policy in paragraph 116 of the Framework applies, will be a matter for the relevant decision taker, taking into account the proposal in question and the local context. The Framework is clear that great weight should be given to conserving landscape and scenic beauty in these designated areas irrespective of whether the policy in paragraph 116 is applicable.”

### **7.3 Annual Energy Statement 2014**

- 7.3.1 Published by the DECC on 6 November 2014, the AES sets out the Government’s progress against its energy policy priorities, namely:
- Supporting consumers and keeping energy bills down;
- Supporting investment in the UK’s energy infrastructure; and
- Promoting action in the EU and internationally to maintain energy security and mitigate dangerous climate change as we chart towards a global deal on climate change in 2015.”

### **7.4 Written Ministerial Statement**

- 7.4.1 Government Ministers and a small number of other Members of the two Houses can make a written statement to one or both Houses. This Statement is a material consideration in plan-making and decision-taking, alongside relevant policies of the existing National Planning Policy Framework (2019), in particular those on mineral planning (including conventional and unconventional hydrocarbons).
- 7.4.2 There are two Written Ministerial Statements that are key considerations in this planning application:
- HCWS202 - 16th September 2015 - (Amber Rudd) (Secretary of State for Energy and Climate Change);
- HCWS690 – 17<sup>th</sup> May 2018 – (Greg Clarke) (Secretary of State for Business, Energy and Industrial Strategy)
- HCWS1586 – 23rd May 2019 - (James Brokenshire) (Secretary of State for Ministry of Housing, Communities and Local Government).
- 7.4.3 HCWS202 – A written ministerial statement was issued on 16th September 2015, which set out that; “the Government’s view is that there is a national need to explore and develop our shale gas and oil resources in a safe, sustainable and timely way, and the steps it is taking to support this. The statement to Parliament should be taken

into account in planning decisions and plan-making”.

- 7.4.4 The ministerial statement went on to state that “the Written Ministerial Statements of 16th September 2015 on ‘Shale Gas and Oil Policy’ and 17th May 2018 on ‘Planning and Energy Policy’ also remain unchanged and extant.
- 7.4.5 HCWS1586 – A written ministerial statement was issued on 23rd May 2019 which stressed that, despite paragraph 209a being removed, the remainder of the NPPF policies “and, in particular, Chapter 17 on ‘Facilitating the Sustainable Use of Minerals’ remain unchanged and extant”.
- 7.4.6 HCWS1586 – A written ministerial statement was issued on 23rd May 2019 which stressed that, despite paragraph 209a being removed, the remainder of the NPPF policies “and, in particular, Chapter 17 on ‘Facilitating the Sustainable Use of Minerals’ remain unchanged and extant”.

## **7.5 High Weald AONB Management Plan**

- 7.5.1 The High Weald AONB management plan 2019-2024 sets out the long term objectives of conserving this nationally important landscape and the local authorities’ ambitions for how the high weald will be looked after for the next 5 years.
- 7.5.2 The management does not attempt to balance the purposes of designation against non AONB concerns. Judging the merit of competing interests for land is the responsibility of planning authorities.
- 7.5.3 However, AONB Management Plans may be material considerations for making decisions on planning applications within AONBs and their setting.
- 7.5.4 The AONB has a long history of mineral extraction by its natural geology. One of the key characteristics of the AONB is a high density of pits, quarries and ponds resulting from a long history of stone quarrying, surface mining and marl extraction<sup>15</sup>.
- 7.5.5 Objective G geology, landforms water system and climate oblige development to protect soils and supports small scale utilisation of geological resources. The facts and figures recognise that the AONB has reserves of onshore hydrocarbons.
- 7.5.6 Proposed action: [e]nsure best practice is complied with to protect soils during construction from compaction, pollution and erosion, and undertake soil health assessments.
- 7.5.7 Purposed action: [s]eek to support, where possible, small scale utilisation of the geological resources e.g. quarried sandstone to provide local materials for construction.
- 7.5.8 Objective LBE2, to improve amenities, infrastructure (including the provision of appropriate affordable housing), and skills development for rural communities and related sectors that contribute positively to conserving and enhancing natural beauty.
- 7.5.9 The proposed action states: [w]ork together to plan for appropriate scale and type of development to ensure continuing vitality of local communities and viability of

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<sup>15</sup> The High Weald AONB Management Plan 2019-2024, Key Characteristics, page 25 and page 26

community services<sup>16</sup>.

## **7.6 Balcombe – 2018 Permission**

7.6.1 Planning permission was granted by WSCC which accounted for the emerging 2018 WSJMLP and policies M7a and M13.

7.6.2 The committee report, paragraph 9.11, considered in detail both policies M7a and M13.

*Referring to criterion i) and ii), the need for the development and the possibility of alternatives, is assessed and confirmed in paragraphs 9.2 – 9.18. It is not considered that the development would result in significant impact, positive or negative, upon the local economy and in terms of national energy considerations, it would help to establish whether oil and gas resources are exploitable in this location.*

*Although the rig, crane and flare on the site would be visible at times during the development, the impact would be short-lived and so would not compromise the landscape qualities of the High Weald Area of Outstanding Natural Beauty.*

## **7.7 Egdon Resources APP/Y2003/W/19/3221694 – Wressle, North Lincolnshire**

7.7.1 This appeal decision, date 17<sup>th</sup> January 2020, was for a proposed production development for a temporary period of 15 years.

7.7.2 The appeal decision was allowed with the inspector highlighting several key economic benefits for the production of hydrocarbons:

7.7.3 “The Council agrees with the appellant that the proposal would deliver economic benefits nationally and locally through taxation, business rates and direct and indirect jobs and would reduce the need for imported fuel. I give great weight to these and other benefits. In particular the proposal would make a significant contribution towards the provision of secure energy supplies and be consistent with the use of a mix of energy sources during the transition to a low carbon economy.”

7.7.4 Furthermore, the appeal decision made clear the importance for the continued production of hydrocarbons which is consistent with national policy and displacement of imports.

“It is no part of national policy to attempt to reduce emissions by restricting the production of hydrocarbons in the UK, as was implied or stated by some objectors. Nor was such an approach suggested by the Committee on Climate Change when dealing with the net zero 2050 position – and there is no policy which provides that a net zero carbon economy in 2050 would be hydrocarbon-free. With that background and given the continuing role of fossil fuels in providing for UK energy needs during the transition to a low carbon economy, the proposed extraction of hydrocarbons is consistent with national energy policy. Furthermore, in that context a domestic supply has obvious security advantages and reduces the need for imported gas and oil. In

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<sup>16</sup> The High Weald AONB Management Plan 2019-2024, Key Characteristics, page 56

coming to that conclusion, I share the views of the 2018 Inspector.”

## **7.8 Egdon Resources, Biscathorpe PL/0236/14 and N/059/00531/18**

7.8.1 Decision date, 16<sup>th</sup> February 2015 provides a case where an oil and gas development has been assessed and approved within an Area of Outstanding Natural Beauty. The application was approved by Lincolnshire County Council.

7.8.2 A time extension was granted 14<sup>th</sup> May 2018 to extend the end date for the completion of the development by 3 years. Lincolnshire County Council have a similar policy to that of West Sussex County Council<sup>17</sup>;

Policy DM5 (Lincolnshire Wolds Area of Outstanding Natural Beauty) states that planning permission will only be granted for development within or affecting the character or setting of the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) in exceptional circumstances where it can be demonstrated that:

- there is a proven public interest; and
- there is a lack of alternative sites not affecting the AONB to serve the market need; and
- the impact on the special qualities of the AONB can be satisfactorily mitigated.

Policy C11 (Lincolnshire Wolds Area of Outstanding Natural Beauty and Areas of Great Landscape Value) states that the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) will be protected by not permitting development which would:

- i) harm landscape features which contribute to the character of the area;
- ii) harm the distinctive character, role or regional or local historic significance of the area; or
- iii) inhibit the quiet enjoyment of the AONB.

It goes on to state that the following development will not be permitted in the AONB unless it is essential in the national or wider public interest and cannot be located elsewhere:

- i) major or large scale development.

Where development proposals in the AONB are otherwise acceptable in principle, they will not be granted planning permission unless they have demonstrated how their layout, design, materials, scale, siting and appearance have taken account of and complement – the locally distinctive characteristics of the landscape, settlements or buildings.

7.8.3 The Committee report concluded:

I am satisfied that the landscape and visual impacts of this development would be no greater than that which were accepted previously. I am therefore satisfied that there would be no long term adverse impact on landscape character as a result of this proposal and so the development would continue to comply with the NPPF and

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<sup>17</sup> Lincolnshire County Council Public Document Pack, Planning and Regulation Committee, 3<sup>rd</sup> May 2018 page 51, 53

Policies DM5, DM6, DM9, DM11, DM12, R1 and R2 of the CSDMP and would not conflict with nor compromise Policies A5 and C11 of the East Lindsey Local Plan and Policies SP23 and 24 of the emerging East Lindsey Core Strategy which seek to protect and enhance the Lincolnshire Wolds ANOB landscape value, character and biodiversity in the open countryside.<sup>18</sup>

- 7.8.4 Whilst major developments in Areas of Outstanding Natural Beauty are generally not acceptable, it is concluded in 2015 and again in 2018 that exceptional circumstances exist in this case, that the development would be in the national interest, that any landscape and visual harm can be mitigated or minimised and that given the temporary nature of the proposals, any harm to the principle of such development in the Area of Outstanding Natural Beauty can be justified.

## **7.1 Third Energy Limited & Moorland Energy Limited NYM/2014/0587/EIA**

- 7.1.1 Decision date, December 2014 reaffirms the national need for a mix of energy supply as well as balancing the development against the lack of environmental harm.
- 7.1.2 It has been reasonably demonstrated that there are no significant risks from the project to water pollution or land stability. Given the lack of environmental harm and the benefits to the nation of an improvement to the nations 'bridge' to a mixed energy supply and S106 environmental compensation measures offered, that exceptional circumstances apply to justify this form of major development in a National Park. In summary the planning balance considered to lie in favour of approval of planning permission.

## **7.2 Infinis, 3/18/00756/CMA**

- 7.2.1 Decision date, 23<sup>rd</sup> April 2019 for drill and test a borehole including flaring from mine gas.
- 7.2.2 The committee report concluded, great weight should be afforded to the recovery of the mine gas resource, which would not be incompatible with climate change objectives during a transition period. Whilst due weight is afforded to the protection of heritage assets, the public benefits resulting from the generation of electricity and associated business rates are considered clearly sufficient to outweigh the identified heritage and associated landscape impacts in this case. Possible alternative sites have been adequately considered. The grant of conditional planning permission is therefore recommended.
- 7.2.3 The decision document also recognised the importance of indigenous developed hydrocarbons, and the contribution albeit small in scale, to offset the need for importing natural gas during the transition to a low carbon economy.

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<sup>18</sup> Lincolnshire County Council Public Document Pack, Planning and Regulation Committee, 3<sup>rd</sup> May 2018 page 60

## 8 POLICY ASSESSMENT

### 8.1 Introduction

8.1.1 The purpose of this section is to assess how the proposed development performs against the development plan identified in Section 6 and those policy, decision and guidance documents identified in section 7, which constitute material considerations. This will draw on the evidence presented in those technical documents that have been prepared to accompany the planning application.

### 8.2 WSJMLP

8.2.1 Policy M9 and M10 safeguards the Balcombe<sup>19</sup> site as an existing hydrocarbon site. Alignment with the strategic objective 4 (protecting and maintaining the existing mineral development sites and infrastructure), will allow Balcombe hydrocarbon site to execute the EWT to establish a potential resource for the county of West Sussex. Therefore, fulfilling the objective that allows mineral resources which are finite must be protected to give future generations the best possible chance of meeting their own needs.

### 8.3 Exceptional Circumstances & AONB

8.3.1 Assessing Policy M7a and M13 together of the WSJMLP the following assessment details how the proposed development meets the requirements of policy requirements.

8.3.2 Summary Assessment Table against Policy

Policy	Assessment
<i>(i) With regard to development proposals deemed to be major, the site is located outside the South Downs National Park, <b>High Weald AONB</b> or Chichester Harbour AONB unless it has been demonstrated that there are exceptional circumstances and that it is in the public interest, and in accordance with <b>Policy M13</b>;</i>	See section M13 assessment for exceptional circumstances test
<i>(ii) the site selected represents an acceptable environmental option in comparison to other deliverable alternative sites from which the target reservoir can be accessed, taking into account impacts from on-site activities and off-site activities including HGV movements.</i>	<p>Balcombe well pad has been in existence for over 30 years.</p> <p>Previous hydrocarbon data and flow information confirms likelihood of hydrocarbon resources.</p> <p>Access to hydrocarbon formation is accessible from existing well site.</p> <p>A new site would be located within AONB to target the same subsurface zone which has proven the presence of oil and gas. This will require construction and consumption of natural</p>

<sup>19</sup> West Sussex Monitoring Report, 2017-2018, page 59

	resources, new investment and unnecessary risk when compared to an existing site.  Use of lateral wells to extend already been utilised to maximise hydrocarbon recovery.
<i>(iii) any unacceptable impacts including (but not limited to) noise, dust, visual intrusion, transport, and lighting, on both the natural, historic and built environment and local community, including air quality and the water environment, can be minimised, and/or mitigated, to an acceptable level;</i>	Environment assessment has not identified any adverse impacts that cannot be mitigated or managed including the use of HGV's.
<i>(iv) restoration and aftercare of the site to a high quality standard would take place in accordance with Policy M24 whether or not oil or gas is found;</i>	Restoration and aftercare to include the planting of a small deciduous woodland to enhance the local landscape.
<i>(v) No unacceptable impacts would arise from the on-site storage or treatment of hazardous substances and/or contaminated fluids above or below ground.</i>	Site wide impermeable membrane in accordance with CIRIA 736 standard.

- 8.3.3 In response to point i), the proposed development is needed to understand whether there are viable hydrocarbon reserves in place that could be extracted in the future. If this is the case, the site has the potential to make a positive contribution to the Government's energy supply and energy security objectives.
- 8.3.4 With regards to point ii), minerals-related developments can only be undertaken where there are known reserves. The site has been associated with hydrocarbon exploration and appraisal for over 30 years and is safeguarded in accordance WSJMLP. The site represents the most appropriate site in West Sussex to accommodate this type of development.
- 8.3.5 In relation to point iii) and (v), the Environmental Report that accompanies this planning application has concluded that as a worst case the proposed development has the potential to generate minor adverse impacts that will be temporary in nature and reversible. Mitigation measures of a site wide impermeable membrane will protect the environment in the unlikely event of a significant spillage from site.
- 8.3.6 Point iv) is detailed further within the landscape report with a commitment to an aftercare scheme where a high level of restoration will be executed whether or not oil or gas is found. A deciduous woodland sympathetic to the AONB and its objectives is planned as part of the site restoration phase.
- 8.3.7 Policy M13 policy summary of how the proposed development fulfils the requirements.

Policy	Assessment
<i>(a) Proposals for mineral development within protected landscapes (the South Downs National Park, the Chichester Harbour Area of Outstanding Natural Beauty, and the High Weald Area of Outstanding Natural Beauty will not be permitted unless:</i>	
<i>i. the site is allocated for that purpose in the adopted plan; or</i>	Safeguarded under Policy M9 and M10 for oil and gas exploration and production.
<i>ii. the proposal is for a small-scale development to meet local needs that can be accommodated without undermining the objectives of the designation; or</i>	n/a
<i>iii. the proposal is for major mineral development that accords with part (c) of this Policy.</i>	See part c
<i>(b) Proposals for mineral development located outside protected landscapes will be permitted provided that they do not undermine the purposes of the designation.</i>	n/a
<i>(c) Proposals for major mineral development within protected landscapes will not be permitted unless there are exceptional circumstances and where it is in the public interest as informed by an assessment of:</i>	
<i>i. the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;</i>	<p>The cost of importing and relying on imports is increasing the UK balance of payments deficit.</p> <p>Exposure to imports is recognised as detrimental to security of supplies and exposure to price fluctuations.</p> <p>Minerals are given great weight with the extraction of hydrocarbons seen as central to the UK energy policy in the immediate and long term future.</p> <p>Locally West Sussex consumes hydrocarbons which supports industries such as Gatwick airport, use within transportation and to a lesser extent off grid housing.</p> <p>Allowing the development would support the local economy with:</p> <p>Potential local business rate investment of between region of £40,000 - £60,000 per annum.</p> <p>Potential local contracts during the civil and restoration phases of work.</p> <p>Indirect investment into the local hotels and catering for the site.</p> <p>Diversity of the local economy and employment opportunities.</p>



	<p>The refusal of the permission would be inconsistent with government energy policy and policy to maximise economically viable domestic production.</p> <p>The development will spend approximately £1,709,000 per annum on 3rd party goods and services sourced predominantly from other local businesses, which includes suppliers of security and welfare facilities, hotels, site maintenance, legal/professional fees, waste and fuel payments.</p>
<p><i>ii. the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for the mineral in some other way ; and</i></p>	<p>Oil reserves are simply not readily available within the UK. If they were the UK would not have to rely on imports and support a trade deficit.</p> <p>Reliance on imports from overseas will offshore our carbon commitments and rely on sources which can have a greater carbon impact.</p> <p>Relocating the site which will target the same formation (proximity to the target of an hydrocarbon find) would remain in the AONB.</p> <p>The success rate of exploration is limited and as Balcombe 2z has already provided empirical data that the well has an increased likelihood of flowing hydrocarbons, the selection of this site greatly outweighs the potential of other site throughout the UK.</p>
<p><i>iii. any potential detrimental impact on the environment, landscape, and recreational opportunities, and the extent to which identified impacts can be satisfactorily mitigated.</i></p>	<p>Environmental impacts can be mitigated and managed in accordance with accompanying environmental reports and technical notes. These are described further in section 9.0.</p>

- 8.3.1 In response to point i) and ii), UK hydrocarbon production is declining despite recent data showing modest improvement. When compared over a long term the decline in UK production is stark. Evidence from government statistics confirm that the UK is in a balance of trade deficit with regards to oil.
- 8.3.2 Allowing the development to proceed, the national and local economy will directly benefit with inward investment through business rate, tax contributions, employment opportunities and local opportunities for civil engineering and landscaping companies. Indirect spend will come in the form of hotel accommodation for site workers who are required to support the operation.
- 8.3.3 In summary, the proposed development is needed to further understand the viability of extracting hydrocarbons in the future. If this is the case, the site has the potential to make a positive contribution to the Government's energy supply and security objectives.

- 8.3.4 Minerals-related developments can only be undertaken where there are known reserves. The site has been associated with hydrocarbon exploration and appraisal for over 30 years. Therefore, the site represents the most appropriate location in West Sussex to accommodate the type of development that is being proposed.
- 8.3.5 By using this site, the operator can make use of existing, site-specific geological data, and utilise the borehole drilled in 2013. This is the 'best option' for establishing whether the reserves are viable to exploit when compared to the other option of identifying a new site and establishing an operational footprint.
- 8.3.6 The cost of not developing a potential resource will lock the UK into a future of continuing reliance on imports, which has been the case since 2004. Developing domestic production will play a part in reversing the balance of trade deficit as well as offsetting more carbon intensive sources.
- 8.3.7 With regards to point iii) further details are provided in the following specialist environmental assessments, see section 8 landscape and visual assessment for further details.

## **8.4 Noise**

- 8.4.1 Policy M7a and M18 (Public Health and Amenity) of the WSJMLP states that proposals for minerals development will be permitted provided that lighting, noise, dust, odours, vibration and other emissions, including those arising from traffic, are controlled to the extent that there will be no unacceptable impact on public health and amenity.
- 8.4.2 With regards to noise pollution, policy DP29 of the MSDP states that development will only be permitted where:
- It is designed, located and controlled to minimise the impact of noise on health and quality of life, neighbouring properties and the surrounding area; and
  - If it is likely to generate significant levels of noise it incorporates appropriate noise attenuation measures.
- 8.4.3 In terms of planning application ref: WSCC/040/17/BA with regards noise, the Council considered that there is a potential for the flare and plant on site to result in noise disturbance. However, it is considered that this can be adequately controlled by conditions requiring monitoring, and remediation if levels are exceeded.
- 8.4.4 Previous application, WSCC/071/19, Committee Report, 24<sup>th</sup> March 2020 concluded that "in terms of noise, there is a potential for the flare and plant on site to result in noise disturbance. However, it is considered that this could be adequately controlled by conditions requiring monitoring, and remediation if levels are exceeded".
- 8.4.5 Furthermore Mid Sussex Environmental Health Officers confirmed that they are satisfied that these measures would be sufficient to mitigate noise from the development associated with WSCC/071/19 application.
- 8.4.6 RSK Ltd has undertaken an updated Noise Assessment of the potential noise impacts associated with the proposed development. A summary of the report is as follows.

- 8.4.7 Predicted noise levels from the different phases at the closest properties to the works and the corresponding assessment criteria were modelled and presented in the technical report.
- 8.4.8 Although the calculated plant level (LAeq) at each receptor is below the 'first aim' criteria set in NPPF except during night time, they are above the measured background level (LA90) at some receptors. As a result, the site activities may be audible at the properties façades but are unlikely to be dominant in the existing noise environment.
- 8.4.9 The assessment of impact is undertaken by comparing the measured background noise level (LA90) plus 10 dB to the predicted plant level (LAeq) at each receptor (NPPF first criteria). Since the calculated plant level (LAeq) at each receptor was above to the first aim criteria within NPPF technical guidance for night-time, it was necessary to assess the results against the alternative limit.
- 8.4.10 The results from the assessment show R1 (Kemp Farm) the predicted noise level is + 1dB above to the noise criteria during the nighttime period but is unlikely to have a significant effect. However, it should be noted that the noise predictions are considered to be worst case (based on worst case assumptions) and in practice noise levels are expected to be lower.
- 8.4.11 Due to the minor predicted exceedance in noise levels at Kemps Farm (R1) during the night time period, a continuous noise monitoring regime may not be required at the boundary of the residence. However, if complaints are received at this receptor during any night time operation, then continuous noise monitoring should be undertaken.
- 8.4.12 In the event that exceedances are identified, and complaints are raised, appropriate mitigation measures will be installed to reduce noise levels to within the specified limit. Where safe and practical works will be stopped immediately following a verified complaint and exceedance and will not be commenced until adequate noise control measures are developed and installed.
- 8.4.13 Furthermore, noise measurements will be undertaken once additional mitigation is in place, in order to check the effectiveness of those mitigation measures and the compliance with the noise limit.
- 8.4.14 The noise assessment indicates that noise from the site operations with respect to residential receptors is a low impact.
- 8.4.15 Therefore, based on the findings of the accompanying Noise Assessment report, it can be concluded that the proposed development does not conflict with the relevant policies in the development plan and therefore the proposed development is considered acceptable in terms of noise.

## **8.5 Ecology**

- 8.5.1 Policy M17 (Biodiversity and Geodiversity) of the WSJMLP states that proposals for minerals development will be permitted provided that there is no significant harm to wildlife species and habitats, or significant harm is effectively mitigated where it cannot be avoided, or (as a last resort) there is suitable compensation where there is

still significant residual harm.

8.5.2 Policy DP37 (Trees, Woodland and Hedgerows) of the MSDP supports the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected.

8.5.3 Policy DP38 (Biodiversity) of the MSDP states that Biodiversity will be protected and enhanced by ensuring development:

- Contributes and takes opportunities to improve, enhance, manage and restore biodiversity and green infrastructure, so that there is a net gain in biodiversity, including through creating new designated sites and locally relevant habitats, and incorporating biodiversity features within developments;
- Protects existing biodiversity, so that there is no net loss of biodiversity. Appropriate measures should be taken to avoid and reduce disturbance to sensitive habitats and species. Unavoidable damage to biodiversity must be offset through ecological enhancements and mitigation measures (or compensation measures in exceptional circumstances);
- Minimises habitat and species fragmentation and maximises opportunities to enhance and restore ecological corridors to connect natural habitats and increase coherence and resilience;
- Promotes the restoration, management and expansion of priority habitats in the District; and
- Avoids damage to, protects and enhances the special characteristics of internationally designated Special Protection Areas, Special Areas of Conservation; nationally designated Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty; and locally designated Sites of Nature

8.5.4 Conservation Importance, Local Nature Reserves and Ancient Woodland or to other areas identified as being of nature conservation or geological interest, including wildlife corridors, aged or veteran trees, Biodiversity Opportunity Areas, and Nature Improvement Areas.

8.5.5 Previous application, WSCC/071/19, Committee Report, 24th March 2020 concluded “The proposed development is adjacent to ancient woodland, and there are a number of Sites of Special Scientific Interest in the local area, though relatively distant from the site, each more than 2,000 metres away. A key concern relates to the potential impact on bats. However, WSCC’s Ecology Officers have raised no objection, subject to conditions to control lighting on the site, and bat monitoring. It is therefore considered that the proposal is acceptable in terms of its potential impact on ecology.”

8.5.6 RSK were commissioned to update the ecological assessments where required. The following reports are submitted in support of the planning application:

- Preliminary ecological appraisal;
- Bat activity report; and
- Habitat regulation assessment.

- 8.5.7 The phase 1 habitat survey (including habitat assessment for protected species) was carried out by an RSK ecologist on 29 August 2019 in suitable weather conditions.
- 8.5.8 Data collected for submissions to the local planning authority are usually valid up to two years following the field survey. Should construction works not have commenced within two years, then a repeated preliminary ecological appraisal and preliminary roost assessment may be needed.
- 8.5.9 The main findings and recommendations of the above reports are summarised as follows:
- 8.5.10 Although there are areas of ancient woodland adjacent to the survey area, habitats and plant species within the works footprint were common and widespread and are replaceable.
- 8.5.11 There will be no direct effects on nearby designated and non-designated sites, but indirect effects (such as run-off, light spill and effects to air quality) need to be considered and previous mitigation plans updated.
- 8.5.12 Ashdown Forest Special Area of Conservation (SAC) is within 10 km of the site and a habitat regulations assessment (HRA) screening assessment is accompanying this report to help the competent authority decide whether an appropriate assessment is needed.
- 8.5.13 The only protected species which may be affected by the works are reptiles, nesting birds and foraging and commuting bats. Further actions and mitigation for these species is provided below.

#### Birds

- 8.5.14 Although no active bird nests were observed during the survey, areas of scrub and trees provide suitable habitat for common nesting bird species. The hardstanding works area provides no suitable nesting opportunities.
- 8.5.15 Vegetation clearance is unlikely to be required as part of the proposal however, if any vegetation clearance is required, it should be conducted outside the breeding bird season (March to August inclusive). If this is not possible then a watching brief by an ecologist would be required to ensure that no nesting birds are present, no more than 48 hours prior to vegetation being cleared. If nests were found to be present during this time, work would have to stop until the nestlings had fledged. All active birds' nests, regardless of species, are protected by law. A nest is deemed to be active even if it is in the process of being built and does not yet contain eggs or young. If vegetation clearance is undertaken outside of the nesting season, then nesting birds do not have to be considered.

#### Bats Roosting – Trees

- 8.5.16 There are a number of mature trees along the edge of the woodland to the north, east and south of the works footprint. However, none of these will be felled as part of the proposed development and they have not therefore been considered any further. All of the remaining trees have 'negligible potential' for roosting bats as they are too immature to have suitable features.

- 8.5.17 Under current proposals, no trees will be directly affected. Mature trees along the edges of adjacent woodland are likely to provide roosting opportunities for bats, however these are over 5m from the works area. If proposals change and these trees are affected, further surveys will be required to ascertain whether bats are roosting in these trees.

#### Foraging and commuting

- 8.5.18 As a whole, the survey area is considered to have high value for foraging and commuting bats however, as the works will be restricted to the area of hard-standing there will be no direct effects on habitat suitable for foraging and commuting bats. Although the works area on its own is considered to have low value for foraging and commuting bats, the site will be well lit by artificial lighting therefore, there is potential for indirect effects on adjacent habitat. In previous instances, discussions with the county ecologist agreed a survey scope proportionate to the works and potential effects, involving three surveys visits undertaken seasonally across the bat active period (one in spring, one in summer and one in autumn). The habitats present do not appear to have changed to a sufficient degree that its suitability would have changed. As changes to the original scope of works do not impact the working footprint and since no changes to the lighting strategy are proposed, a repeat of the previous survey effort should be sufficient to inform and update a lighting plan, but this would need to be agreed with the local authority

#### Common reptiles

- 8.5.19 There are records of the four common reptiles within 1 km of the site and scrub provides some potential for foraging and hibernation. However, the site is isolated from any large patches of rough grassland and does not provide extensive areas of suitable habitat which could support more than a few individuals.
- 8.5.20 It is considered that the potential impact of the development on habitats and species would be minimal, subject to controls on emissions to air and the water environment which will be contained within the site operation. The outlined mitigation measures and in the supporting reports will reduce the amount of light reaching adjacent habitats and protect nocturnal species using the surrounding area. It is therefore concluded that the works will have a minimal effect on protected sites and species.

## **8.6 Traffic and Transport**

- 8.6.1 With regards to transport, Policy M20 of the JMLP sets out planning policy regarding highway capacity and road safety.
- 8.6.2 Policy M20 part c criteria (ii) sets out that where the need for road transport is needed: “vehicle movements associated with the development will not have an unacceptable impact on the capacity of the highway network”.
- 8.6.3 Part c, criteria (iii) of Policy M20 seeks to ensure there is safe and adequate means of access to the highway network and vehicle movements associated with the development will not have an unacceptable impact on the safety of road users. The access of the site will remain the same as the previous permission, off London Road to the east. In determining the previous planning application (ref), WSCC highways

officers noted that the site access was adequate and that development would result in a limited increase over existing HGV traffic, therefore unlikely to have a material impact on the operation of the highway. Therefore, it was considered that the proposed development adheres to the safety of access and highways safety mentioned in policy M20.

- 8.6.4 Previous application, WSCC/071/19, Committee Report, 24<sup>th</sup> March 2020 concluded that, “the increase in HGV traffic would not be significant in highways terms, and would not result in an unacceptable impact on highway safety, or a severe impact on the road network. WSCC Highways Officers raise no objection to the proposal, concluding that the increase in vehicle movements is not sufficient to materially impact on the operation of the highway network in safety or capacity terms, subject to the imposition of a condition requiring the submission and approval of a Traffic Management Plan.”
- 8.6.5 An updated Technical Note authored by RSK Ltd, June 2020, reviews the impacts of the new phases and concludes a consistent response to the Committee Report.
- 8.6.6 The proposed mitigation although there is no discernible effect on the traffic flow as a result of the proposed operations a TMP has been developed to ensure that HGVs only use appropriate routes to access the site. HGV traffic will be limited to accessing the site using B2036 London Road from the M23 motorway. HGVs will be limited to a left in/right out turn into London Road. Accessing the B2036 to the south of the application site will be restricted for construction traffic.
- 8.6.7 Of note the following will also apply to the TMP
- Measures to ensure that HGVs avoid travelling past Balcombe Church of England Primary School (a) 30 minutes before and 15 minutes after the start of the school day; and (b) 15 minutes before and 30 minutes after the end of the school day on any school day.
- 8.6.8 The Technical Note concludes; “This assessment provides a summary of the likely increase in traffic flows associated with the proposed development. Utilising data provided by Angus Energy it is considered that the proposed operations will have a negligible effect on the local road network and no greater than that previously approved for flow testing operations. The local highway network has sufficient capacity to accommodate the level of temporary traffic during the operational period”.
- 8.6.9 Feedback from the Community to Angus Energy stated that during the Autumn of 2018 there were concerns about inadequate signage to the site. It was agreed that there would be considerably more signs to the site, as well as a banksman responsible for ensuring HGVs and other vehicles were guided into the site. Angus Energy have also undertaken minor landscaping works around the track and entrance to the site to ensure vehicles can access the site safely and with minimal disruption.
- 8.6.10 The findings of the Technical Report, the proposed development does not conflict with the relevant policies in the development plan and therefore the proposed development is considered acceptable in terms of traffic and transport.

## 8.7 Air Quality

- 8.7.1 Policy M15 (Air and Soil) of the WSJMLP highlights that proposals for mineral development will be permitted provided that there are no unacceptable impacts on the intrinsic quality of, and where appropriate the quantity of, air and soil.
- 8.7.2 Policy M18 (Public Health and Amenity) of the WSJMLP states that proposals for minerals development will be permitted provided that lighting, noise, dust, odours, vibration and other emissions, including those arising from traffic, are controlled to the extent that there will be no unacceptable impact on public health and amenity.
- 8.7.3 In terms of air pollution, Policy DP29 of the MSDP states that development will only be permitted where:
- It does not cause unacceptable levels of air pollution;
  - Development on land adjacent to an existing use which generates air pollution or odour would not cause any adverse effects on the proposed development or can be mitigated to reduce exposure to poor air quality to recognised and acceptable levels; and
  - Development proposals (where appropriate) are consistent with Air Quality Management Plans.
- 8.7.4 Previous application, WSCC/071/19, Committee Report, 24th March 2020 concluded that, “the development has the potential to result in impacts on air quality through the flare, and an increase in vehicles travelling to and from the site. However, emissions from the flare are controlled by the Environmental Permit that applies to the operations. The potential impact of increased vehicle numbers is not considered to be significant as numbers are relatively low, and for temporary periods.”
- 8.7.5 An updated Air Quality Assessment of the potential impacts associated with the proposed development has been undertaken by RSK Ltd. A summary of the report is as follows:
- 8.7.6 The proposed development will not generate a significant amount of traffic once operational, therefore using 2017 Environmental Protection UK / Institute of Air Quality Management (EPUKIAQM) guidance, the impact of operational phase traffic on local air quality have been considered to be negligible.
- 8.7.7 The main potential air quality impact once the proposed development is operational is considered to be emissions from two flares (PW flare and AEREON flare) and two generator engines. Although two emission sources (one flare and one generator) are considered to be operational at any time, a combination of operational scenarios with two flares and two generators were assessed for a conservative assessment (worst-case scenario). A realistic scenario where one flare and one generator would be in operation is also assessed and presented in this report.
- 8.7.8 In order to assess the potential impact of increases in pollutant concentrations attributable to the development on existing sensitive receptors, the results have been interpreted using the 2017 EPUK-IAQM guidance. The proposed development was found to have negligible impact on local air quality in terms of all pollutants assessed.



- 8.7.9 The proposed development was also assessed as having a minimal impact at nearby sites designated for their ecological importance, with regards to nitrogen and acid deposition, and ambient annual mean NO<sub>x</sub> concentrations when the flow testing and flaring operational period is taken into account.
- 8.7.10 The assessment has concluded that the air quality impact of the proposed development is not significant. As this assessment has determined that the operational phase impacts on local air quality are not significant, additional mitigation measures have not been recommended and the residual impacts are considered to be acceptable.
- 8.7.11 Therefore, based on the findings of the accompanying Air Quality Assessment report, it can be concluded that the proposed development does not conflict with the relevant policies in the development plan and therefore the proposed development is considered acceptable in terms of air quality.

## **8.8 Design Philosophy Statement**

- 8.8.1 Policy M7a and M16 requires minerals development not to cause changes to groundwater and surface water levels which would result in unacceptable impacts or that no unacceptable impacts would arise from the on-site storage or treatment of hazardous substances and/or contaminated fluids above or below ground.
- 8.8.2 Angus Energy as part of the phase 2 operation will install a pad wide impermeable membrane. The objective of the fully engineered impermeable subbase is to provide full hydraulic containment of the wellsite platform, preventing contaminated surface water and/or pollutants from entering the ground. Subject to obtaining the relevant surface water discharge permits from the Environment Agency, it also provides the ability to discharge 'clean' run-off water, although, for the purpose of EWT, it is proposed that the interceptor is isolated and all surface water removed from site via road tanker to an Environment Agency permitted water treatment works.
- 8.8.3 The fully engineered impermeable subbase consists of the following:
- Removal of the existing 300mm granular platform surface material, existing polypropylene geo-grid and existing geotextile;
  - If required, screen existing granular material, removing large cobbles in excess of 50mm;
  - A 'V-Type' perimeter containment ditch and HDPE impermeable membrane anchor berm surrounding the active area of the wellsite;
  - A fully welded 2mm thick HDPE impermeable membrane laid across the active area of the wellsite and perimeter containment ditch;
  - Protective geotextiles laid below and above the HDPE impermeable membrane;
  - Batten fixing the HDPE impermeable membrane to existing concrete pad, which surrounds the Balcombe- 2z drilling cellar;
  - Twin-wall perforated pipe and rodding/jetting points laid within the perimeter

containment ditch, above the HDPE impermeable membrane and protective geotextiles, back filled to finished platform level using 40mm single size granular material;

- A connection from the twin-wall perforated pipe system to the existing interceptor and installation of isolation valves (up and down stream of interceptor) and a sampling point downstream of the interceptor;
- A layer of extruded polypropylene geo-grid across the active area of the wellsite, above the HDPE impermeable membrane and protective geotextiles, for additional structural support; and
- A 300mm thick layer of compacted granular material above the protective geotextile and geo-grid, providing the finished wellsite platform with nominal fall toward the perimeter containment ditch.

8.8.4 The previous application, WSCC/071/19, Committee Report, 24th March 2020 concluded that, “the Environment Agency and Health and Safety Executive have not raised concerns in relation to the proposal. The risk to surface water would be minimised by carrying out activities on an impermeable membrane with a sealed drainage system.”

8.8.5 In conclusion the risk of spillage to surface and ground water receptors will be been reduced significantly for the phase 3 operations with the potential storage of oil at surface.

8.8.6 The findings of the Design Philosophy Statement, the proposed development does not conflict with the relevant policies in the development plan and therefore the proposed development is considered acceptable in terms of protection to groundwater and surface water protection.

## **8.9 Landscape and Visual**

8.9.1 Policy M12 (Character) of the WSJMLP states that proposals for minerals development will be permitted provided that they would not have an unacceptable impact on the character, distinctiveness, sense of place of the different parts of the County including the setting of the High Weald AONB.

8.9.2 Policy M13 (Protected Landscape) of the draft WSJMLP highlights that proposals for minerals development within protected landscapes will not be permitted unless the proposal is for major mineral development that accords with part (c) of the Policy.

8.9.3 Part (c) of the Policy indicates that “.....development will not be permitted unless there are exceptional circumstances and where it is in the public interest as informed by an assessment of:

- I. The need of the development, including in terms of any national considerations, and the impacts of permitting it, or refusing it, upon the local economy;
- II. The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for the mineral in some other way; and

III. Any potential detrimental impact on the environment, landscape, and recreational opportunities, and the extent to which identified impacts can be satisfactorily mitigated.....”

8.9.4 Policy M24 states that the proposals for mineral extraction and temporary minerals infrastructure development will be permitted provided that they are accompanied by comprehensive restoration and aftercare schemes that:

(c) are appropriate to their locations, maximising benefits taking into account local landscape character, the historic environment, biodiversity gain, priority habitat creation, and wider environmental objectives.

8.9.5 Policy DP12 of the MSDP (Protection and Enhancement of Countryside) states that: The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- it is necessary for the purposes of agriculture;
- or it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.

8.9.6 Policy DP16 of the MSDP (High Weald Area of Outstanding Natural Beauty) states that:

Development within the High Weald Area of Outstanding Natural Beauty (AONB), as shown on the Policies Maps, will only be permitted where it conserves or enhances natural beauty and has regard to the High Weald AONB Management Plan, in particular;

the identified landscape features or components of natural beauty and to their setting;

traditional interaction of people with nature, and appropriate land management; character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and

the conservation of wildlife and cultural heritage.

8.9.7 The policy also states that small scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.

8.9.8 Paragraph 170 of the NPPF states - development to contribute to and enhance the natural and local environment including the countryside, providing net gains for biodiversity, and preventing unacceptable pollution.

8.9.9 The previous application, WSCC/071/19, Committee Report, 24th March 2020 concluded that, “the application site is located within the High Weald Area of Outstanding Natural Beauty (AONB), so great weight must be given to conserving landscape and scenic beauty. The development would involve site operations for up to three years, including the installation of a flare on site for the duration. However, the impact of this on the character of the area is not such that it would be

unacceptable.”

- 8.9.10 A Landscape and Visual Impact Assessment (LVIA) was updated by RSK which comprises an appraisal of the existing landscape and visual baseline and identifies potential landscape and visual effects of the proposed operations.
- 8.9.11 The landscape sensitivity is considered medium as a result of combining the high landscape value of the High Weald AONB and LCA with the low susceptibility to change due to the proposed development utilising an existing drill rig pad. The proposed development would affect a very small geographical area that is well contained due to the surrounding woodland cover and there would be no loss of existing vegetation or landscape features of interest.
- 8.9.12 It has been considered that the direct effect on the landscape character and AONB would be locally Minor adverse reducing within the wider area, beyond 0.5km, to Negligible. Landscape effects experienced as a result of the proposed development would therefore not be prominent.
- 8.9.13 The site benefits from embedded mitigation measures that will contribute to avoiding or minimising landscape and visual effects. The proposed restoration also affords opportunities to provide biodiversity benefits through the landscape proposals and management of the site following its operational phase. The updated approach to restoration has considered paragraph 170 of the NPPF as well as the WSJMLP M13 and M24.
- 8.9.14 Phase 4 will include biodiversity enhancements that have been considered in the assessment of both landscape and visual effects and will complement the AONB Management Plan and NCA 122 Statements of Environmental Opportunity character. It is proposed that the site is returned up to 50% native deciduous woodland with the remaining area as working area for the forestry business on associated land. An increased woodland cover that is informed by the historical nature of the area will increase the viability of woodland habitats by enhancing connectivity between woodlands and encourage species’ resilience to climate change.
- 8.9.15 Potential carbon sequestration and CO<sub>2</sub>-e calculations accompany the landscape report in support of the restoration phase. The calculations conclude with a headline figure of 117.65 tonnes of carbon (432.01 tonnes CO<sub>2</sub>-e) sequestered after 60 years from native deciduous woodland.
- 8.9.16 Based on the temporary nature of the predicted landscape and visual effects, it can be concluded that the proposed development does not conflict with the relevant policies in the development plan and therefore the proposed development is considered acceptable in terms of landscape and visual impacts.

## **8.10 Hydrology, Flood Risk and Drainage**

- 8.10.1 A hydrology risk assessment (“HRA”), Flood Risk and Drainage Assessment has been conducted by RSK. A summary of the report is as follows:
- 8.10.2 Given the location of the site within Flood Zone 1 and the absence of significant external overland flow routes through the site, no further mitigation measures to control runoff from outside the site are required. The site remains outside of any active

fluvial flood zones and no modifications are proposed to extent the site into them.

- 8.10.3 The proposed site activities are expected to have negligible effects on and from fluvial flooding from the surrounding watercourses in the short, medium, and long term.
- 8.10.4 Due to the underlying sandstone geology, groundwater flooding is not considered to pose any risk to site. The proposed site activities are therefore expected to have negligible effects on groundwater in the short, medium, and long term.
- 8.10.5 Since the site is not in proximity to any other artificial water features (sewers or reservoirs) and no new extensions are proposed to the sites systems, site risk is not expected to change as a result of the sites activities.
- 8.10.6 Runoff water is attenuated in an underground storage cellar. The cellar is cleared by a suction tanker to extract all collected water without the need for infiltration or watercourse outfall. A “sump-pump” is installed in the sites southern corner to pump all liquids out of the bunded area and into a tanker. A final surface water control is a series of ACO French Drains installed within the pad area. This has a built-in oil interceptor to treat any contaminants, while a 150mm butterfly valve is in place to prevent discharge from the site. The valve is accessible from a manhole cover situated adjacent to the oil interceptor. The valve will be shut during the operational phase of work.
- 8.10.7 The remaining area of the site compound (the non-concrete pad) will continue to infiltrate into the underlying soils supported by the enclosing ACO French drain and oil interceptor systems. Under non-operational conditions this drain discharges via a trickle flow to the watercourse. During the operational phase, the butterfly valve will be shut, and any excess water tankered offsite after collation via the “sump pump”. This setup will ensure that there is a negligible impact on the surrounding hydrology during the operational phase. The trickle discharge to the watercourse during non-operation is maintained by the perimeter drain, also ensuring a negligible impact on the receiving watercourse in the long term. The proposals outlined as part of the Design Philosophy Statement notes that until such time that relevant surface water discharge consents are sought from the Environment Agency, surface water from the site will be discharged in the manner determined as part of the previous planning application. Surface water will be stored on site and tankered off as required to a permitted treatment works.
- 8.10.8 The FRA complies with the NPPF and Planning Practice Guidance and demonstrates that the flood risk from all sources has been considered in the proposed development.
- 8.10.9 The existing surface and water quality control features ensure that any effects on flood risk, hydrology and drainage are considered to be minor to negligible.
- 8.10.10 Flood risk is not enhanced because any runoff is contained onsite and no increase in impermeable area is proposed so no modifications to the system are required.
- 8.10.11 The single surface water outfall from the site will be shut down during operations and all surface drainage will be removed by alternative means. Any effects from operations or any potential incidents on site will also be minor, and controllable due to the proposed mitigation measures and control features onsite.

- 8.10.12 Therefore, based on the findings of the accompanying Hydrology, Flood Risk and Drainage report, it can be concluded that the proposed development does not conflict with the relevant policies in the development plan and those policy documents that constitute material considerations.
- 8.10.13 A hydrogeological risk assessment has been updated by RSK Ltd which follows the assessment methodology presented in the 2017 ES (RSK/MA/P66131004-rev02) and includes an update to incorporate the revised site operations and baseline condition.
- 8.10.14 Embedded mitigation, which is incorporated into the Phase 1 to Phase 3 operations are designed to significantly reduce the potential impact on site soils and underlying groundwater. Hazardous substances will be stored, used and produced on site and the proposed mitigation is designed to prevent these chemicals from entering the ground and subsequently migrating to controlled waters (groundwater and surface water).
- 8.10.15 The previous application, WSCC/071/19, Committee Report, 24th March 2020 concluded that, “although the potential impact of the development on the water environment is a material consideration, PPG: Minerals, paragraph 12 notes that mineral planning authorities must assume that non-planning regimes operate effectively. This means assuming that the well is constructed and operated appropriately, that surface equipment operates satisfactorily, and that waste and NORMs are appropriately managed in accordance with other regulatory regimes. The Environment Agency and Health and Safety Executive have not raised concerns in relation to the proposal. The risk to surface water would be minimised by carrying out activities on an impermeable membrane with a sealed drainage system. With regards to groundwater, it must be assumed that the well is constructed and operated to the appropriate standards. It is, therefore, concluded that the development does not pose a risk to the water environment, either at the surface or groundwater, and that the proposal accords with criteria (a)(iii) and (a)(v) of Policy M7a of the JMLP 2018.”
- 8.10.16 The HRA concludes that any predicted effects on shallow soil conditions will be localised and easily managed during sampling and assessment within the decommissioning phase of the proposed development. Groundwater quality is already impacted by dissolved gasses and saline conditions, which are natural characteristics of the aquifer material. These characteristics generally prevent groundwater from being utilised. There is a very low likelihood of groundwater impact from the development and this will be monitored and managed during the work and as part of the decommissioning with the full engagement of the EA during all phases of the project.
- 8.10.17 The proposed development does not conflict with the relevant policies in the development plan and therefore the proposed development is considered acceptable in terms of flood risk and hydrogeology.

## **8.11 Socioeconomic**

- 8.11.1 A socioeconomic assessment was undertaken by AECOM Ltd which considers the existing economic situation and the potential social and economic benefits of the proposed development. The assessment focuses on those elements of the proposed

development that are expected to give rise to significant impacts, and would be primarily related to:

- national economic and social benefits that the UK as a whole derives;
- direct and indirect job creation (site operatives, contractors, haulage, etc);
- contributions to the local economy through the payment of wages and 3rd party suppliers; and
- supporting the local economy by purchasing local goods and services, including investment in new plant equipment, site infrastructure and set up works.

8.11.2 The assessment indicates that the weight of the socio-economic impacts associated with the proposed development is generally positive and potentially includes:

8.11.3 National Considerations

- helping to maintain security of supply whilst the UK transitions to a low carbon economy by providing indigenous hydrocarbon resources;
- contributing to a reduction in imports into the UK from other countries and thereby reducing reliance on other countries for the UKs energy needs, and keeping energy bills down for the customer; and
- reducing climate change by reducing the need for imports, and thereby the associated transport greenhouse gas emissions.

8.11.4 Local Considerations

- facilitating economic growth in the area by enabling an existing business to expand and adapt;
- supporting the development of a previously developed site which is safeguarded for oil and gas exploration, appraisal and production within Local Planning Policy;
- supporting a strong and diverse rural economy;
- reducing the over-reliance on the London economy to provide employment opportunities for the C2C area and the Gatwick Diamond;
- contributing to the resilience and flexibility of the local economy, ensuring it maintains its competitiveness;
- allowing local people to gain access to work which provides a wage above the current average salary;
- bridging the gap between lower wages and high house prices in the Mid Sussex, by providing opportunities for people to live and work in the District.
- contributing to an economy which will continue to be significantly impacted by the COVID-19 pandemic.

- 8.11.5 In relation to minerals production and use, the WSJMLP states “the Authorities must ensure that a steady and adequate supply of minerals is achieved in order to meet market demand, whilst having regard for the impacts they may have on the plan area, both positive and negative.”
- 8.11.6 The proposed development is considered to meet the requirements in that it contributes to the sustainable supply of oil to West Sussex (including specifically Gatwick Airport) as well as nationally. It will help the UK to meet its demand for oil in the short term.
- 8.11.7 In relation to minerals resources, paragraph 2.3.5 goes on to state “Minerals can only be worked where they naturally occur and with increased pressure on land use, economically viable minerals should be protected from permanent sterilisation where possible.”
- 8.11.8 Specifically relating to oil and gas, the WSJMLP acknowledges (at paragraph 2.3.13) “Oil and gas are ‘energy minerals’ which supply energy to the power industry and heat homes, provide fuel for transport to carry goods and people, and raw materials to produce everyday items. Onshore oil and gas supplies contribute to domestic supplies and reduce reliance on imports, thus contributing to the country’s energy security. Oil and gas resources are present in West Sussex and are currently exploited on a limited scale. Further development could take place and, while this is an important source of energy, it is important that the impacts of oil and gas developments are controlled to protect the environment and local communities.”
- 8.11.9 The WSJMLP acknowledges that onshore oil and gas will continue to be important to the economy, reducing the reliance on imports and enhancing energy security within the UK. The WSJMLP also confirms that there is a potential for further oil and gas developments within West Sussex, subject to measures being implemented to protect the environment and local communities.
- 8.11.10 In terms of the impact of the proposed development upon the local economy, the proposed development would generate and support employment for the local area. It is anticipated that jobs will be resourced where possible from within the existing, local labour force. In addition, there will be an initial and ongoing boost to local spending power through the provision of 3rd party supplier services, plant suppliers and building contractors. The proposal therefore satisfies the requirements of part (c) i of WSJMLP Policy M13.
- 8.11.11 The Economic Profile identifies that Mid Sussex lies within the Gatwick Diamond and states:
- 8.11.12 “A key part of the Gatwick Diamond’s mission is to promote the area’s strengths and highlight strategies for the predominant sectors that drive the local economy. With that in mind Gatwick Diamond is a key partner that Mid Sussex District Council works with as part of a strategic approach to economic development, and in particular to attract inward investment to the District.”
- 8.11.13 The Gatwick Diamond is home to the UK’s fastest growing airport – London Gatwick Airport, which offers international and domestic flights to 230 destinations in over 70 countries worldwide. The airport directly generates £1.6 billion for the UK economy, servicing over 46 million passengers and 113,000 metric tonnes of cargo each year.



- 8.11.14 Gatwick Airport is therefore a major employer as well as being a major user of hydrocarbons, and lies within a few miles of the Balcombe site.
- 8.11.15 The proposed development will potentially contribute to the UK supply of oil and gas and its contribution is considered important to national supply if the planning application is approved.
- 8.11.16 The site will form a component of the local socio-economic structure of the area. The planning application, if permitted, is likely to lead to the creation of new jobs, supporting existing jobs and additional contract employment and investment in the local economy.
- 8.11.17 Overall, the effect of the proposed development on the socio-economic character of the area is considered to be positive and acceptable.

## **8.1 High Weald AONB**

- 8.1.1 Objective G2 of the High Weald Management Plan and proposed actions can be satisfied by the site design, footprint as well as its duration. The Balcombe site will have an unobtrusive presence at a location within the AONB which has been subjected to oil and gas exploration for over 30 years. Operating to modern standards, with a site wide impermeable membrane, soils and wider environmental features will be protected.
- 8.1.2 Objective LBE2 states: [w]ork together to plan for appropriate scale and type of development to ensure continuing vitality of local communities and viability of community services. The inward investment as outlined within the socioeconomic report will bring an opportunity from a small unobtrusive development to diversify the rural economy and support the continuing vitality of the local community with direct and indirect spend.
- 8.1.3 Once the development is finished the plan is to restore the site to a high-quality standard as described in the landscape report. Objective W2, supports the restoration of deciduous woodlands within the AONB.

## **8.2 National Context**

- 8.2.1 Mineral planning authorities should take account of Government energy policy, which makes it clear that energy supplies should come from a variety of sources. This includes onshore oil and gas, as set out in the Government's Annual Energy Statement published in October 2013."
- 8.2.2 It is considered that the proposed development will support the 2014 Annual Energy Statement's three main aims by appraising and, thereby, enabling the potential production of indigenous oil reserves which, in turn, will help to maintain a security of supply and contribute towards the UK's transition to a low carbon economy. Providing indigenous oil and gas reserves.
- 8.2.3 Section 5 of this planning statement makes it abundantly clear that hydrocarbons in the short term and long term will be needed. Even in a net zero future, hydrocarbons will still play a role to power and supply the UK economy with the energy and raw

materials.

- 8.2.4 The unique and ubiquitous use of hydrocarbons presents itself as an exceptionally useful resource which is fundamental to the prosperity of the UK and its economic security. This manifests itself through government policy and support via Written Ministerial Statements as well as the great weight afforded to minerals and government energy policy.
- 8.2.5 The recent decision at Wressle further reinforces the need case for onshore oil and gas in its long-term future. It is no part of national policy to attempt to reduce emissions by restricting the production of hydrocarbons in the UK or to rely upon imports.
- 8.2.6 The Committee of Climate Change further emphasise this point to avoid reliance on imports; the design of the policy framework to reduce UK industry emissions must ensure it does not drive industry overseas, which would not help to reduce global emissions, and be damaging to the UK economy. This will require either consumers or taxpayers to bear much of the cost of decarbonisation of industrial subsectors or sites that are at risk of carbon leakage.<sup>20</sup>
- 8.2.7 Balcombe exploration site has the potential to contribute to the UK energy supply. The site is the 'best option' for establishing whether the reserves are viable to exploit compared to the possibility of exploratory and appraisal operations taking place at other sites within the area of search that have not been drilled or initially flow tested.
- 8.2.8 Recognising the site is located within an AONB, the exceptional circumstances required in NPPF paragraph 170 and 172 are addressed by Angus Energy via the WSJMLP M7 and M13 policy assessment. A combination of national and local need, inward investment through direct and indirect spend, the ability to manage impacts of the site's modest footprint as well as a high-quality restoration plan all provide compelling argument for an exceptional circumstance.

### **8.3 Material Decisions**

- 8.3.1 Several decisions have recently granted oil and gas development in AONB. Of most prominent is the West Sussex County Council decision in January 2018 to allow continued exploration and well testing at Balcombe. Although not adopted until July 2018 the emerging WSJMLP was at sufficient stage to be considered material in the application and decision making.
- 8.3.2 Policy M7 and M13 have not changed since its adoption and therefore the decision of granting the permission should remain consistent with the decision in 2018.
- 8.3.3 Paragraph 9.89<sup>21</sup> concludes:

In relation to JMLP Policy M13, the proposed development is considered to accord with the requirements for major developments in the AONB in that there are 'exceptional circumstances' and it would be in the public interest.

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<sup>20</sup> Page 128 <https://www.theccc.org.uk/wp-content/uploads/2019/05/Net-Zero-Technical-report-CCC.pdf>

<sup>21</sup> West Sussex Committee Report, 9<sup>th</sup> January 2018

- 8.3.4 Consistent decisions regarding oil and gas development in AONB is further evidenced in Lincolnshire where Egdon Resources 2018 application which granted a 3-year extension to operate in the Lincolnshire Wolds.
- 8.3.5 Bringing together the national and local need case for onshore oil and gas, as well as the recent 2018 decision to grant planning permission at Balcombe, accounting for the emerging 2018 WSJMLP, it can be concluded that the proposed development fulfils the policy of major development and is afforded the exceptional circumstances required to operate in a AONB.

## **8.4 Other Issues**

### Foul Water Drainage

- 8.4.1 In order to protect the environment and people from the impacts of foul water, a foul water drainage statement was submitted to discharge condition 9 of planning application ref: WSCC/040/17/BA. This has been updated and is set out as follows:
- 8.4.2 Angus Energy shall hire portaloos and welfare cabins from an approved supplier for the duration of the programme of work. The portaloos and welfare cabins are designed to be durable and robust as well as being easy to clean and maintain. The portaloos and welfare cabins shall be plumbed into the wellsite's mains water and generator system and commissioned onsite by a competent person. The portaloos shall be linked together to create a seamless integrated facility for both males and females.
- 8.4.3 The portaloos and welfare cabins shall be fitted with high-quality sinks & taps, with hot and cold running water, full-flushing toilets and lighting for the working hours onsite. Maintaining good levels of housekeeping onsite is a strict Angus Energy Site Rule. The portaloos and welfare cabins shall be visited, inspected and cleaned on a daily basis to maintain good levels of cleanliness and hygiene.
- 8.4.4 The domestic sewage waste from toilets, sinks, basins, washing machine, tumble dryer and shower unit shall be stored in self-contained tanks and these shall be emptied and disposed of using a registered and approved waste contractor. The vacuum tanker shall be called upon on an as-and-when required basis to ensure the portaloos and welfare cabins are kept in good working order for the requirement of the project. The waste contractor's operational team are fully trained professionals, who conform to industry codes of best practice.
- 8.4.5 The waste contractor shall transport and dispose the waste to a licensed sewage treatment facility. Every transfer of waste between Angus Energy and the waste contractor shall be covered by a Waste Transfer Note (WTN) as specified under the Waste (England and Wales) Regulations 2001 and subsequent amendments in 2012 and 2014. Angus Energy shall make these WTN available to any internal or external interested party and these records shall be kept and maintained by Angus Energy for at least two years.
- 8.4.6 Angus Energy shall ensure that the facilities required for the programme of work are sufficient and suitable, adequately ventilated and lit and kept in a clean and orderly condition. Angus Energy shall fully comply with the legal obligations as outlined under

the Workplace (Health, Safety and Welfare) Regulation 1992 and associated primary and secondary legislation.

- 8.4.7 Utilising temporary portaloos and welfare cabins onsite is considered the most appropriate and suitable method due to the duration of the programme of work. The portaloos and welfare cabins shall be shown clearly on wellsite layout drawings. The portaloos and welfare cabins shall be situated in pedestrian areas onsite and outside the working area.
- 8.4.8 The proposed scheme shall be implemented in full and maintained throughout the duration of the project.

## **9 PLANNING BALANCE**

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- 9.1.1 This statement has described the application site, provided an overview of the proposed development and using the evidence presented in the Environmental Reports, assessed how it performs against the relevant policies in the development plan and those policy documents that constitute material planning considerations.
- 9.1.2 The operations have been designed to recognise the sensitivity of the location but also operate in a technically robust and safe manner allowing every opportunity for a successful well test.

### **9.2 Benefits**

- 9.2.1 Exploring for hydrocarbons at Balcombe would progress the economic and environmental benefits associated with indigenous extraction and security of supply. The Government supports the production of indigenous hydrocarbons as a resource in the UK's transition to a low carbon economy and achieving net zero carbon 2050. Hydrocarbons will generate both national and local taxation, business rates and the use of local supplies and services. The proposed development has the potential to help reduce the need for imports of hydrocarbons from overseas and associated increase in carbon emissions.
- 9.2.2 The proposed development will require specialist engineers and skilled operatives throughout all phases of the proposed development. It will also support local businesses such as road hauliers, suppliers of security and welfare facilities, restaurants, cafes, pubs, food stores and petrol stations, thereby supporting indirect employment and the local economy.
- 9.2.3 The development has the potential to make a small but important contribution the UK's security of supply and reducing the country's reliance on imports. Paragraph 205 of the NPPF advises that great weight should be given to such benefits.

### **9.3 Planning Balance**

- 9.3.1 The statutory presumption in section 38(6) means that planning permission should be granted unless material considerations indicate otherwise.
- 9.3.2 Furthermore, in circumstances such as these where the relevant development plan policies, considered as a whole, are up to date, paragraph 11(c) of NPPF applies. Consequently, the presumption in favour of sustainable development is engaged and the proposed development should be approved without delay.
- 9.3.3 The proposed development follows the relevant development and non-development plan policies, including the NPPF, Minerals PPG, national energy and climate change policy and written ministerial statements. The Government supports the production of indigenous hydrocarbons as a resource in the UK's transition to a low carbon economy and achieving net zero carbon 2050. Compliance with those non-development plan policies should also be given substantial weight.
- 9.3.4 In response to the requirements of paragraphs 170 and 172 of the NPPF and Policies

M7a and M13 of the JMLP, it can be concluded that the proposed development does represent an exceptional circumstance.

- 9.3.5 The UK's policy is clear, to maximise economically viable domestic production of hydrocarbons. The lack of available alternative sites to meet UK demand for hydrocarbons is resulting in a reliance on imports.
- 9.3.6 Furthermore, minerals can only be worked where they are found. The use of this site for hydrocarbon-related development for over 30 years confirms that it is an appropriate site for minerals related development which is safeguarded in WSJMLP. An alternative approach is to test the target formation from a new site. This will require building a new pad and drilling a new borehole at an alternative site to access the same sub surface formation near to the existing site. Therefore, using the existing 2z borehole represents the most sustainable option for testing the hydrocarbon reserves in the target formation.
- 9.3.7 The size and scale of the proposed development is modest and temporary. Situated next to a railway line, road and commercial forestry, the proposed development has limited impact on the quality of the landscape in the short term and is considered that there are sufficient merits to justify the development in this specific location of the AONB.
- 9.3.8 The site is in the wider public interest for the proposed works to be completed as it will improve knowledge of the hydrocarbon reserve potential. This could result in a future production stage which has the potential to make a positive contribution to the UK Government's energy production and energy security objectives.
- 9.3.9 Finally, as a worst case any potential adverse environmental impacts associated with the proposed development are likely to be minor and restricted to the temporary duration. The restoration phase will enhance the local landscape and provide a positive contribution towards ecology in the area.
- 9.3.10 On balance, it can be concluded that the proposed temporary development is acceptable when it is considered against the development plan and any relevant material considerations. Accordingly, it is recommended that WSCC grant temporary planning permission, subject to the imposition of any conditions deemed necessary.

# 10 APPENDIX 1 – INDICATIVE PROJECT SCHEDULE

Indicative Schedule Balcombe Exploration Site	Month 1				Month 2				Month 3				Month 4				Month 5				Month 6				Month 7				Q1			Q2			Q3			Q4													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
	<b>Phase 1</b>																																																		
Mobilisation of equipment																																																			
Pumping fluid out of well																																																			
Demobilisation of equipment																																																			
Analysis and procurement of Phase 2 and 3 equipment (no site activity)																																																			
<b>Phase 2</b>																																																			
Mobilisation of civil engineering																																																			
Earthworks & membrane installation																																																			
Demobilisation of civil engineering																																																			
<b>Phase 3</b>																																																			
Mobilisation of well test equipment																																																			
Mechanically lift well/ natural flow																																																			
Contingency N2 lift																																																			
Contingency treatment (acid wash)																																																			
Contingency install (install plug)																																																			
Demobilisation of well test equipment																																																			
Application for future production*																																																			
<b>Phase 4</b>																																																			
Plug and decommission well																																																			
Restoration																																																			

\*Dependent on phase 3 well test results

# 11 APPENDIX 2 CLG LETTER

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Building 3 Chiswick Park,  
566 Chiswick High Road,  
London, W4 5YA

11<sup>th</sup> August 2020

Dear Balcombe Community Liaison Group Members,

Firstly, we would like to wish you and your families well in these uncertain times.

As you know, last year Angus Energy submitted a planning application to West Sussex County Council to return to the Balcombe well site to carry out an Extended Well Test. After several weeks of consultation, the Planning Officer recommended the application for refusal and we as a Company took the decision to withdraw it.

We would emphasize, however, that as regards all of the practical issues of most immediate concern to yourselves – i.e. risks to health and local environment from contamination of water supply, loss of air quality or visual amenity, strain on local traffic, general fire and pollution hazard – the Planning Officer was satisfied that risks were so exceedingly low, or well remediated by the Company, as to be acceptable.

As laid out in the Planning Officer's report, the reasons for refusal were instead based on the "needs case" for oil & gas extraction in the UK, and the great weight given to maintaining the AONB in the High Wealden Area. We have now submitted a new planning application to West Sussex County Council, and this can now be viewed on the portal at: <https://www.westsussex.gov.uk/planning/find-a-planning-application/> . The new proposal seeks a shorter 18-month development period split into four clear and distinct phases:

- 1. Well clean up involving small scale abstraction of drilling fluids
- 2. Site civil engineering works to install a pad wide membrane
- 3. Extended Well Test of the reservoir involving period hydrocarbon recoveries
- 4. Well abandonment & site restoration (should the EWT not deem the well commercial)

In addition the new application more specifically addresses and cogently argues the whole "needs case" for hydrocarbon use in an energy and feedstock context. As regards energy, even with the most rapid, and state supported, adoption of presently existing and affordable



alternative energy sources, the government's view is that hydrocarbon use will remain a significant contribution to our overall energy need as a country for the coming decades.

An ever increasing proportion of our overall hydrocarbon use comes from abroad resulting in a two-fold problem. The first is security of supply as the key overseas suppliers are often countries in unstable parts of the world, or countries with whom our own country has periodically poor relations. There is thus a general desire for a reduced reliance on such sources.

Moreover these imports carry with themselves the additional carbon cost of transportation which domestic production obviously does not. Domestic production represents a comparative, but real, reduction in our nation's overall CO2 emissions and is accepted by government as a meaningful contributor in the move to a net zero economy.

We have also better delineated the very real socio-economic benefits the development will bring to the local community and surrounding areas. Whilst there is a small impact on overall traffic, there is also a modest but measurable impact on local suppliers and service providers and these impacts are enumerated in the new application.

The comparative safety and environmental record of the UK domestic industry versus almost any other global supplier is another compelling argument for local production especially for those who very properly have concern for the conditions which attend the development of the goods and services that they purchase.

Given the current situation with Covid-19 and in line with the government's advice on social distancing, we propose to convene an online Community Liaison Group in four to six weeks from now. This will take the form of a presentation on the application to highlight differences, and also a pre-submitted Q&A section. Details on this will be circulated in due course.

With best wishes to all,

A handwritten signature in black ink that reads "George Lucan". The signature is written in a cursive style and is positioned above the typed name and title.

George Lucan  
Managing Director  
Angus Energy plc