

High Weald Joint Advisory Committee

Woodland Enterprise Centre
Hastings Road
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East Sussex TN5 7PR

Tel: 01424 723011
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www.highweald.org

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West Sussex County Council

22nd November 2017

Emailed to planning.applications@westsussex.gov.uk

Dear Mr Bartlett,

WSSC/040/17/BA Application for temporary permission for hydrocarbon exploration and appraisal, Lower Stumble, London Road, Balcombe

Thank you for your consultation on the above planning application.

It is the responsibility of West Sussex County Council to decide whether the application meets legislative and policy requirements in respect of AONBs. Section 85 of the Countryside and Rights of Way Act 2000 requires local authorities to have regard to 'the purpose of conserving and enhancing the natural beauty of AONBs' in making decisions that affect the designated area.

The National Planning Policy Framework paragraph 115 requires great weight to be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas.

In the event that the decision-maker concludes that development is 'major' in terms of its impact on the AONB, paragraph 116 of the NPPF states that "Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- 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;
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way;
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated".

This is supported by policy M7a of the emerging Minerals Local Plan (currently at Examination) which 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

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- are exceptional circumstances and that it is in the public interest, and in accordance with Policy M13;
- ii. the site selected is the least sensitive, deliverable location 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 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;
- v. No unacceptable impacts would arise from the on-site storage or treatment of hazardous substances and/or contaminated fluids above or below ground."

The High Weald AONB Management Plan has been adopted by all the relevant local authorities, including West Sussex County Council, as their policy for the management of the area and for the carrying out of their functions in relation to it. Applicants should be required to demonstrate whether their proposal conserves and enhances the AONB by contributing to meeting the objectives of the Management Plan. A suggested template for carrying out this assessment is included at the end of the High Weald AONB [Legislation and Planning Advice Note](#).

To assist with this assessment, a map of the application site and its context is attached which identifies the AONB character components affected by the proposed development. The Management Plan objectives relating to woodland are particularly relevant to this site, which is surrounded by designated ancient woodland. These are:

W1 Objective: To maintain existing extent of woodland and particularly ancient woodland. Rationale: To maintain irreplaceable habitats for biodiversity, to maintain a key component of the cultural landscape, and to maintain contribution to carbon storage.

W2 Objective: To enhance the ecological functioning of woodland at a landscape scale. Rationale: To increase the viability of the woodland habitat for wildlife, by identifying and extending the area of appropriately managed woodland (including restoring planted ancient woodland) to link and enhance isolated habitats and species populations, providing greater connectivity between woodlands and other important wildlife areas, and helping to facilitate species' response to climate change.

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W3 Objective: To protect the archaeology and historic assets of AONB woodlands. Rationale: To protect the historic environment of the AONB woodlands.

Further information about these components and objectives is available at <http://www.highweald.org/high-weald-aonb-management-plan.html>

In the event that West Sussex County Council considers the development of this site to be acceptable in principle, it is recommended that the following detailed requirements are met:

- [The High Weald Colour Study](#) should be used to select the colours of external materials of structures so that they are appropriate to the High Weald AONB landscape;
- Drainage proposals should seek to restore the natural functioning of river catchments and avoid polluting watercourses (Management Plan objective G1);
- Local habitats and species should be protected and enhanced as appropriate (Management Plan objectives G3, R2, W1, W2, FH2, and FH3);
- Native, locally sourced plants should be used for any additional landscaping to support local wildlife and avoid contamination by invasive non-native species or plant diseases (Management Plan objective FH3); and
- Controls over lighting should be imposed (Institute of Lighting Professionals recommended light control zone E1) to protect the intrinsically dark night skies of the High Weald and to meet the requirements of the County Ecologist in respect of bats (Management Plan objective UE5).

The above comments are advisory and are the professional views of the AONB Unit's Planning Advisor on the potential impacts on the High Weald landscape. They are not necessarily the views of the High Weald AONB Joint Advisory Committee.

Yours sincerely,

Claire Tester MRTPI
Planning Advisor, High Weald AONB Unit
Advising on the management of a nationally important landscape

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Background Information about the High Weald AONB Unit

The High Weald Area of Outstanding Natural Beauty (AONB)

The High Weald was designated in 1983 as an Area of Outstanding Natural Beauty. It is an exceptionally beautiful medieval landscape covering 564 square miles across the counties of East and West Sussex, Kent and Surrey. The National Planning Policy Framework (NPPF) gives great weight to conserving landscape and scenic beauty in AONBs as outlined in paragraphs 115-116. Development proposals within an AONB need to pay particular attention to its character and conserve and enhance its natural beauty. Planning permission should be refused for a major development except in exceptional circumstances and where it can be demonstrated the development is in the public interest and its benefits outweigh the adverse impacts resulting from the development.

The High Weald AONB Unit

The High Weald AONB Unit is funded by Defra and a partnership of the 15 local authorities covered by the High Weald to provide advice on how to conserve and enhance the AONB. The advice provided by the AONB Unit assists public bodies and statutory undertakers to meet their duty as set out in Section 85 of the Countryside and Rights of Way Act 2000 to have regard to the purpose of conserving and enhancing the natural beauty of AONBs in making decisions that affect it.

Unlike National Park authorities, the High Weald AONB Unit is not a statutory body but an advisory one. It is not a local planning authority and the responsibility for determining planning applications remains with the 15 local authorities. The AONB Unit is not a statutory consultee on planning matters and it remains each local planning authority's decision whether or not they seek its advice on a particular planning application.

The High Weald AONB Management Plan

The scope of the advice in this letter is set by the statutory High Weald [AONB Management Plan](#), which has been adopted by all partner authorities, as 'their policy for the management of the area and for the carrying out of their functions in relation to it'. The comments are advisory and are the professional views of the AONB Unit's Planning Advisor on the potential impacts on the High Weald landscape. They are not necessarily the views of the High Weald AONB Joint Advisory Committee.

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WSCC/040/17/BA Lower Stumble, London Road, Balcombe

Key:

HW AONB Components

Geology Landform Water Systems

— G1 watercourses

■ G1 ponds

■ G2 sandstone outcrops

Settlement

■ S2 historic farmsteads

Routeways

— R1 historic routeways PROW

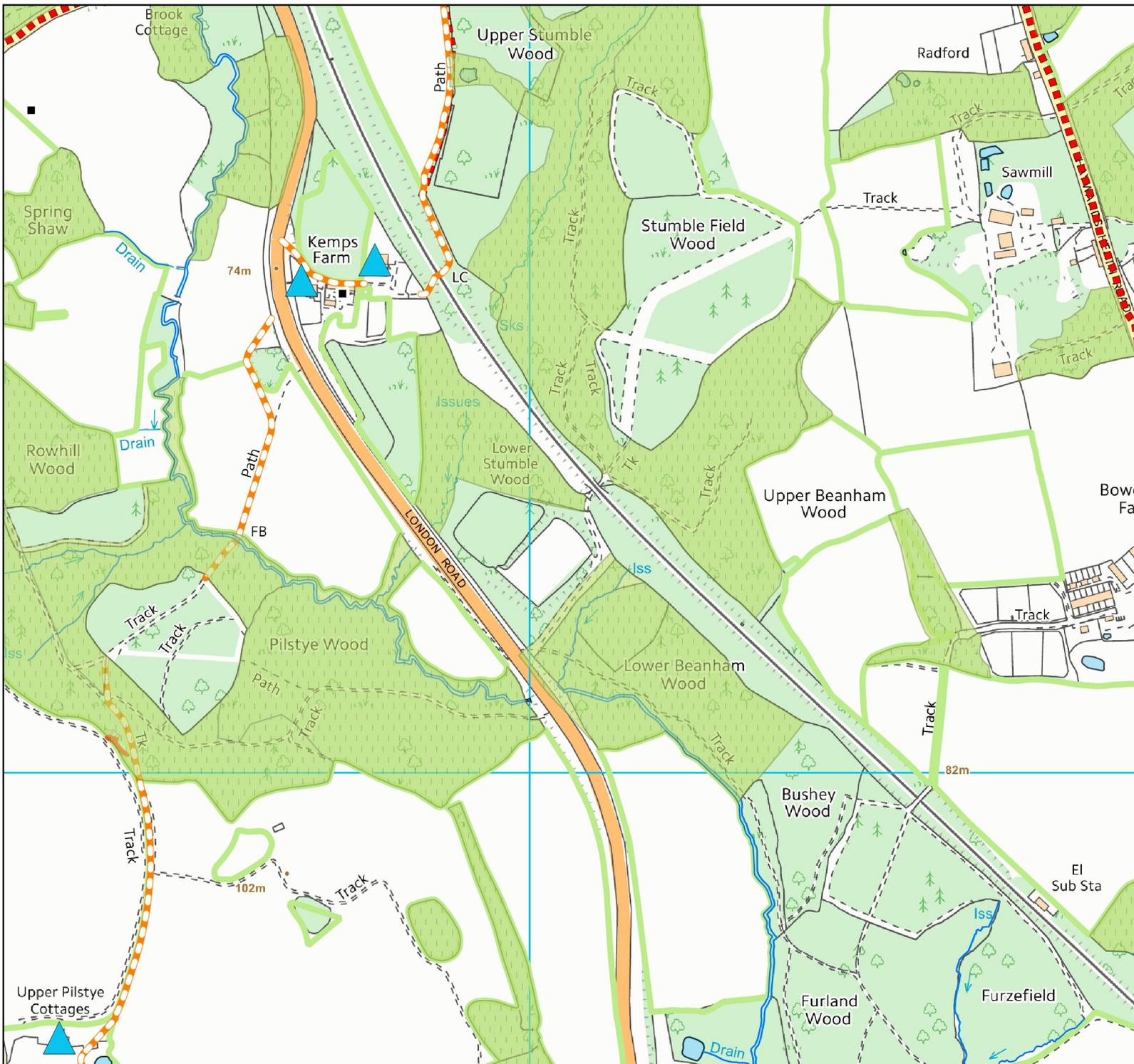
— R1 historic routeways roads

Field & Heath

— FH3 historic field boundaries

Woodland

■ W1 ancient woodland



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For further info please refer to the High Weald AONB Management Plan, which may be downloaded from our website (see address below).

Researched and produced by the High Weald AONB Unit

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