

Alternative Sites Assessments

Proposed Broadford Bridge-1 Exploratory Well Site
Land at Wood Barn Farm, Adversane Lane,
Broadford Bridge, West Sussex

July 2012

Alternative Sites Assessment

Proposed Broadford Bridge-1 Exploratory Well Site Land at Wood Barn Farm, Adversane Lane, Broadford Bridge, West Sussex

Barton Willmore
Elizabeth House
1 High Street
Chesterton
Cambridge
CB4 1WB

Tel: 01223 345 555
Fax: 01223 345 550

Ref: 19630/A5/P4/JM/NF
File Ref: 19630.P4.ASA.JM
Date: July 2012

COPYRIGHT

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Barton Willmore Planning LLP.

All Barton Willmore stationery is produced using recycled or FSC paper and vegetable oil based inks.

CONTENTS

- 1.0 Introduction
- 2.0 Site Search Area
- 3.0 Planning Policy Review
- 4.0 Site Search Methodology & Results
- 5.0 Appraisal of Alternative Sites
- 6.0 Summary and Conclusions

1.0 INTRODUCTION

- 1.1 This Report has been prepared by Barton Willmore LLP on behalf of Celtique Energie Weald Ltd ("the client") to illustrate the comprehensive Alternative Sites Assessment (ASA) which was undertaken to identify a suitable site for the Proposed Development.
- 1.2 The development of onshore oil and gas facilities are constrained by a number of factors in relation to the environment, spatial planning policy and principles, and the technical limitations of exploring and extracting hydrocarbons. Striking the fine balance between a proposal that is both technically and environmentally acceptable is a complex and challenging exercise notwithstanding the need thereafter, to agree Terms with a willing landowner. Therefore an ASA is required for the early identification of planning constraints, environmental designations and technical limitations to inform the planning and design process.
- 1.3 Barton Willmore LLP specialise in the development of onshore oil and gas developments, and from our experience we have developed a thorough understanding of the issues and constraints which are commonplace in the development of proposals within this industry. As a result, we understand the importance of starting the planning process with a robust, comprehensive and methodical ASA in order to find the most environmentally and technically acceptable Site.
- 1.4 The ASA was undertaken to inform the selection of a suitable Site and was not an afterthought in the planning application process. This Report will evidence the methodology which is commonly used by Barton Willmore in identifying suitable sites for exploratory well sites, onshore in the UK. This Report is contains the following Sections;

Section 2	Site Search Area
Section 3	Planning Policy Review
Section 4	Site Search Methodology & Results
Section 5	Appraisal of Alternative Sites
Section 6	Summary and Conclusions

2.0 SITE SEARCH AREA

Identifying the Site Search Area

2.1 The focus of the investigation is land to the south of Billingshurst, West Sussex within PEDL 234 which covers an area of 300sqkm. PEDL 234 was awarded to Celtique Energie Plc and Magellan Petroleum UK in July 2008 with both parties having a 50% interest in the License. Geological data and recent seismic surveys have identified the Willow Prospect which may contain hydrocarbon reserves within the Triassic sands. The location of PEDL 234 is identified in **Figure 2.1**;

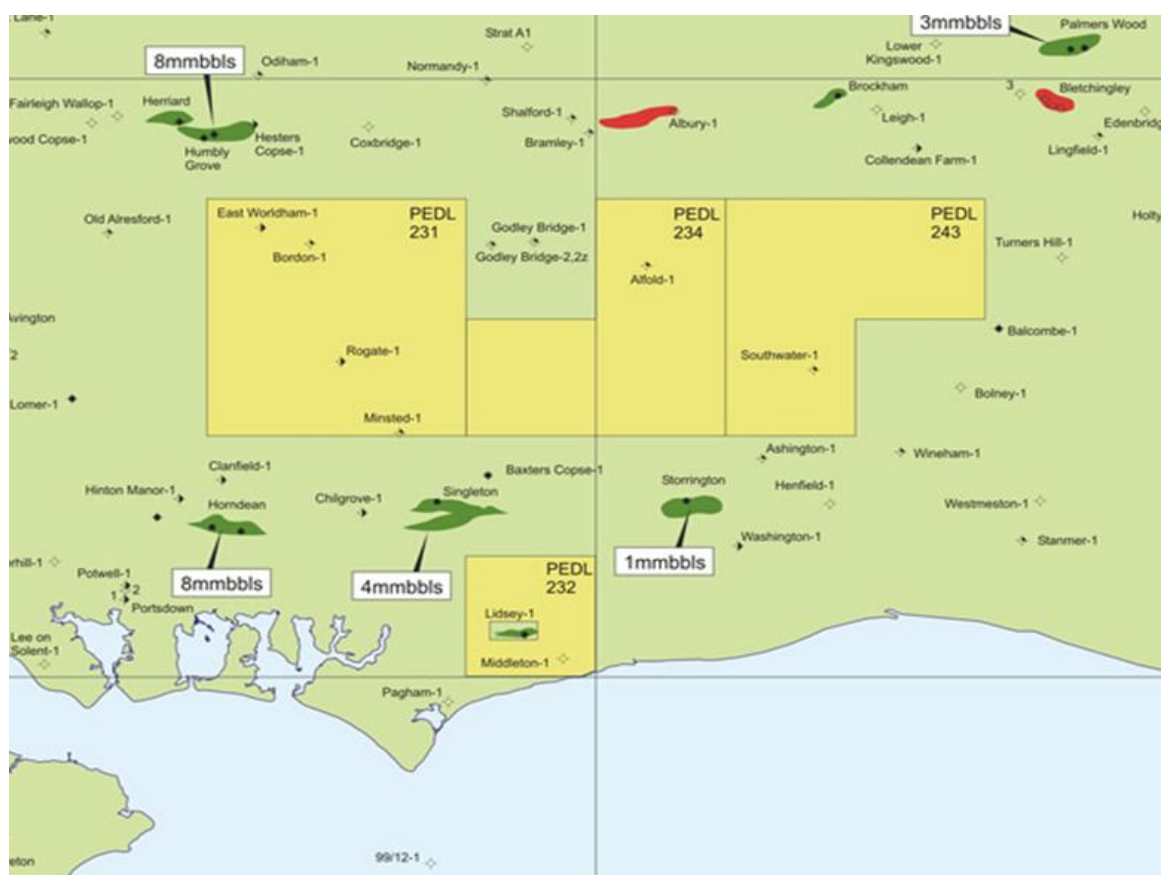


Figure 2.1 Location Map of PEDL 234

2.2 Having evaluated seismic data of the underground structures of the Weald Basin within PEDL 234, Celtique Energie and their geologists have identified a large structure deep within the basin. This structure or "the target reservoir" is a Triassic Sandstone approximately 2.5km below the surface and has been termed the "Willow" Prospect. The contour map below, illustrates the shape of the Willow Prospect deep below the surface (**Figure 2.2**).

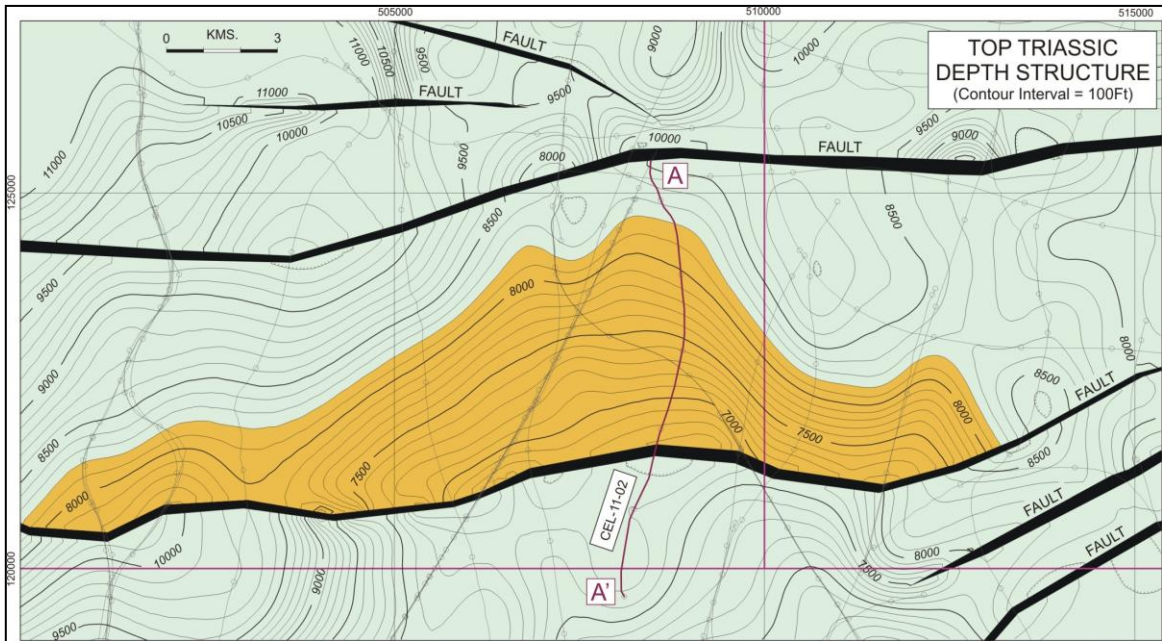


Figure 2.2 Contour map of the Willow Prospect

2.3 Based on the geological and seismic data, a search area was defined by the geologists using the subsurface contours, to indicate the extent of the target reservoir. The site search area was also reviewed by the Drilling Manager and Operations Manager for technical suitability before being sent to Barton Willmore (**Figure 2.3**).

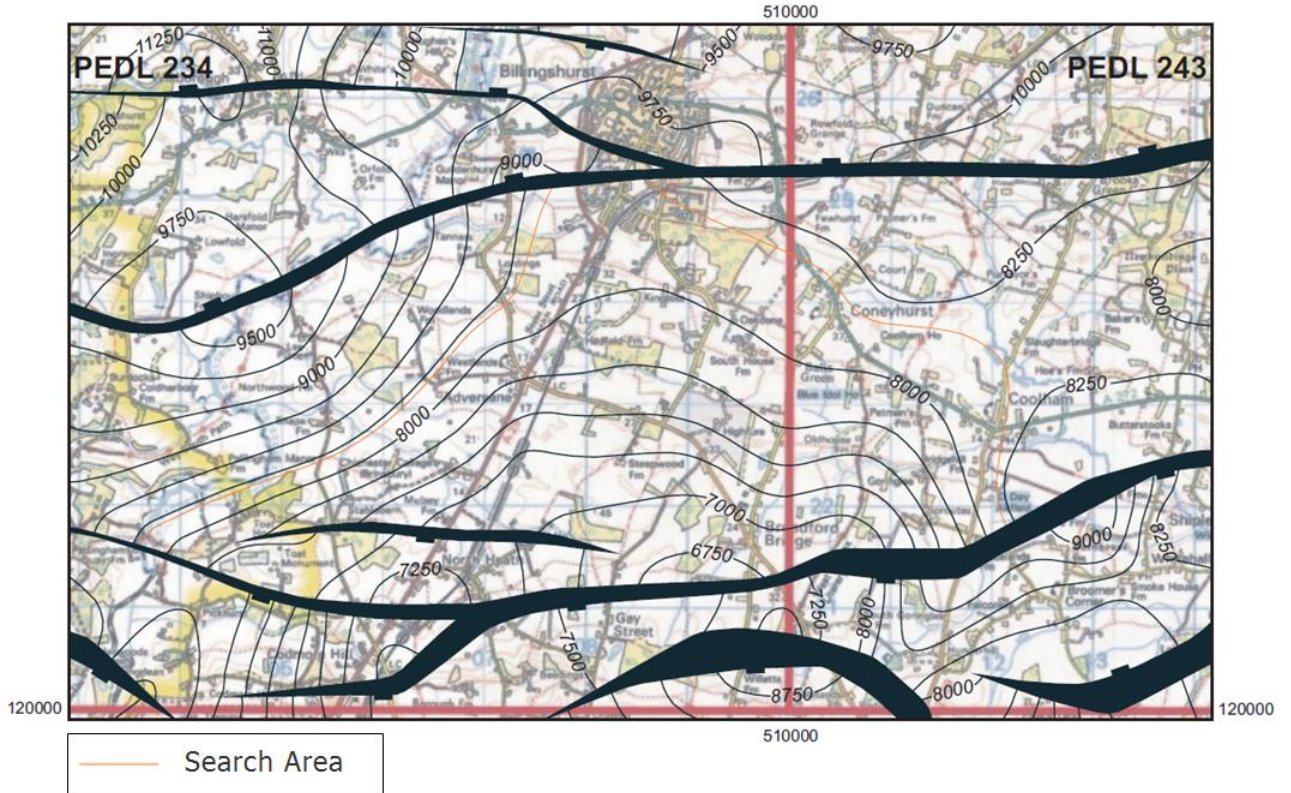


Figure 2.3 Site Search Area

Geographical Location

- 2.4 The search area is located south of the village of Billingshurst which falls within the District of Horsham, West Sussex. It lies approximately 13km south-west of Horsham and 9km north east of Pulborough. It extends more than 7km east to west from Toat Wood to Saucelands Farm and 3km north to south from Broadford Bridge to Little Gillmans Farm in Billingshurst, West Sussex.
- 2.5 The search area predominantly falls within the parishes of Billingshurst and West Chiltington and also covers small parts of Shipley and Thakeham. The River Adur runs in a predominantly north to south direction either side of Billingshurst with several tributaries running through the search area.

Environmental Context

- 2.6 The local area is predominantly rural in character with a significant number of farmsteads and associated agricultural workings alongside smaller villages, groups of residential properties and individual cottages and homes, some of which are Listed Buildings. There are a number of transport routes which travel through the area including the A29, A272, B2133 and the Pulborough to Parbrook railway line as well as countless other smaller farm roads and tracks.
- 2.7 Many of the smaller roads are lined by mature trees creating canopies over the roads and are often only capable of accommodating single lane traffic. Due to the rural nature of the area and the working farms, there is a network of public footpaths and bridleways which run through Billingshurst and offer access to farmed fields, residential properties and the countryside for visitors and residents. The quality of agricultural land is classified as Grade 3 – good to moderate quality agricultural land, and Grade 4 – poor quality agricultural land.
- 2.8 The natural environment is dominated by agricultural fields and woodland including both ancient and non-ancient woodland, of which most if not all, appears on the National Inventory of Woodland and Trees. The largest areas of ancient woodland within the search area include Toat Wood on the far west boundary, Marringdean Wood and Steepwood Copse in the centre of the search area and a small section of Beeding's Copse on the southern boundary. Notwithstanding the areas of ancient woodland, there is also extensive non-ancient woodland and tree coverage throughout the search area.

Summary

- 2.9 Having identified a technically suitable site search area and undertaken a brief review of the geographical and environmental context, a planning policy review is undertaken to establish the spatial planning policies which relate to the search area.

3.0 PLANNING POLICY REVIEW

National Planning Policy

3.1 The ASA was originally prepared in February 2011, prior to the publication of the draft National Planning Policy Framework (dNPPF) in July 2011 and the final document in March 2012 (the NPPF). During the initial Planning Policy Review in February 2011, the following national planning policy documents were reviewed but are now superseded by the NPPF;

- Minerals Policy Statement 1 (2006)
- Minerals Policy Statement 2 (2005)
- Planning Policy Statement 9 (2005)

3.2 The review of these planning policy documents is provided for reference in **Appendix ASA1** and following the publication of the NPPF, a review of the relevant policies is provided below. The NPPF does not change the conclusions drawn from the original ASA undertaken in February 2011, as the spatial planning principles on environmental protection, development in the countryside and minerals have been upheld. It should be noted that this Planning Policy Review focuses on policies which relate to the location of developments, and not the need for minerals which is included separately as part of the Planning, Need and Sustainability Statement and the Environmental Statement (ES).

National Planning Policy Framework (2012)

3.3 The NPPF was published in March 2012 and sought to reduce the “elaborate and forbidding” nature of planning policy through the publication of policies that are “relevant, proportionate and necessary”.

3.4 Planning policies are expected to support economic growth in rural areas to create a prosperous rural economy, creating jobs and prosperity “by taking a positive approach to sustainable development”. This includes “supporting the sustainable growth and expansion of all types of business and enterprise in rural areas” and promoting the “development and diversification of agricultural and other land-based rural businesses” (para 28).

- 3.5 In areas of flood risk, inappropriate development should be avoided “by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk” (para 100).
- 3.6 The planning system is expected to conserve and enhance the natural and local environment by;
- **“protecting and enhancing valued landscapes, geological conservation interests and soils;**
 - **recognising the wider benefits of ecosystem services;**
 - **minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;**
 - **preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and**
 - **remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate” (para 109).**
- 3.7 Acknowledging the rural location of the search area, we note that the NPPF states that the best and most versatile agricultural land should be protected where significant development can be accommodated on “areas of poorer quality land in preference to that of a higher quality” (para 112).
- 3.8 Similarly, great weight should be given to “conserving landscape and scenic beauty in National Park’s the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to landscape and scenic beauty” (para 115). This also includes the conservation of wildlife and cultural heritage and should be given great weight. Unless major developments in these designated areas are in the public interest, planning permission should be refused. This includes consideration of the following;

- **“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; and**
- **any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated (para 116).”**

3.9 Local planning authorities will aim to conserve and enhance biodiversity by applying the following principles when determining planning applications;

- **“if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;**
- **proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site’s special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;**
- **development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;**

- **opportunities to incorporate biodiversity in and around developments should be encouraged;**
- **planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and**
- **the following wildlife sites should be given the same protection as European sites:**
 - **potential Special Protection Areas and possible Special Areas of Conservation;**
 - **listed or proposed Ramsar sites;²⁶ and**
 - **sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites” (para 118).**

3.10 Planning policies and decisions are expected to prevent unacceptable risks from pollution and land instability (para 120). They should also aim to;

- **“avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;**
- **mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;**
- **recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;²⁸ and**

- **identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason."**

3.11 Good design is encouraged to "limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation" (para 125).

3.12 The NPPF acknowledges that minerals "can only be worked from where they are found" (para 142) and recommends that in line with policies contained in the NPPF, planning applications should be assessed to ensure that permitted operations do not have;

"unacceptable adverse impacts on the natural and historic environment or human health, including from noise, dust, visual intrusion, traffic, tip- and quarry-slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site; and take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality" (para 143).

3.13 The NPPF also acknowledges that "some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction". The reclamation of worked land is expected to be carried out at the earliest opportunity and the restoration and aftercare of mineral sites should be undertaken to the highest quality (para 143).

3.14 In determining applications, local planning authorities are expected to consider the following;

- **"give great weight to the benefits of the mineral extraction, including to the economy;**
- **as far as is practical, provide for the maintenance of landbanks of nonenergy minerals from outside National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage sites, Scheduled Monuments and Conservation Areas;**

- **ensure, in granting planning permission for mineral development, 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;**
- **ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source,³¹ and**
- **establish appropriate noise limits for extraction in proximity to noise sensitive properties;**
- **not grant planning permission for peat extraction from new or extended sites;**
- **provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances;**
- **not normally permit other development proposals in mineral safeguarding areas where they might constrain potential future use for these purposes;**
- **consider how to meet any demand for small-scale extraction of building stone at, or close to, relic quarries needed for the repair of heritage assets, taking account of the need to protect designated sites; and**
- **recognise the small-scale nature and impact of building and roofing stone quarries, and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites” (para 144).”**

3.15 When planning for onshore oil and gas developments minerals planning authorities are expected to distinguish between the three phases of development (exploration,

appraisal and production) and “address constraints on production and processing within areas that are licensed for oil and gas exploration or production” (para 147).

Regional Planning Policy

The South East Plan (2009)

- 3.16 On the 10th November 2010 a High Court judgement in the case brought by Cala Homes, considered that the powers set out in section 79 [6] of the Local Democracy, Economic Development and Construction Act 2009 could not be used to revoke all Regional Strategies in their entirety. As the effect of this decision is to re-establish Regional Strategies as part of the development plan this Chapter has considered the relevance of policies contained within the Regional Spatial Strategy (RSS) – the South East Plan (2009).
- 3.17 Mineral planning policies in the RSS are underpinned by sustainable development as a key principle and in providing minerals for both regional and national needs, developments should;
- Safeguard the region’s naturally occurring minerals and encourage the use of suitable alternative construction materials where appropriate;
 - Protect the environment and local amenity;
 - Minimise the adverse impacts of the transport of minerals and construction materials (RSS, para 10.61).
- 3.18 The RSS accepts that mineral working can have an adverse impact on the environment and local amenity and as a result extensive mineral workings will remain unavailable for development. The RSS promoted planning policies which manage specific impacts including noise, dust, good site management and effective restoration. The extraction or processing of minerals within areas of landscape and environmental importance will only be permitted in exceptional circumstances. The RSS recognises that with the increasing number of environmental designations, including the recently designated South Downs National Park, is likely to cause difficulties in maintaining some mineral reserves across the region (RSS, para 10.65).
- 3.19 Minerals are identified as making a crucial contribution to economic and development activity with oil currently being extracted in Hampshire and Surrey. The RSS acknowledges that there is no specific regional planning policy regarding hydrocarbons,

and it therefore notes the importance of planning authorities considering the availability of resources as part of the preparation of mineral development documents (RSS, para 10.98).

County Planning Policy

West Sussex Minerals Core Strategy

- 3.20 In light of the changes and proposed changes to the planning system under the Coalition Government including the revocation and restoration of the RSS and the Localism Bill, work on the West Sussex Mineral Core Strategy has been suspended. The Minerals Core Strategy Preferred Options were published in January 2007 and therefore hold little weight in the determination of planning applications. The planning application will therefore be considered below in the context of the adopted Minerals Local Plan (2003).

West Sussex Minerals Local Plan (2003)

- 3.21 A central objective to the West Sussex Local Plan is the principle of sustainable development and **Policy 1** states;

POLICY 1: THE MINERAL PLANNING AUTHORITY IS COMMITTED TO THE PRINCIPLE OF SUSTAINABLE DEVELOPMENT. MINERAL WORKINGS WILL BE PERMITTED ONLY WHERE: -

(a) WORKING PRACTICES WHICH CAUSE LEAST ENVIRONMENTAL HARM WILL BE FOLLOWED; AND

(b) OPPORTUNITIES TO CONSERVE AND ENHANCE THE ENVIRONMENT ARE INCORPORATED IN PROPOSALS TO RECLAIM THE LAND TO A STANDARD APPROPRIATE TO THE AGREED AFTER USE.

- 3.22 The Local Plan accepts that minerals are a finite resource and can only be worked where they naturally occur. In this respect, "natural mineral resources should not be sterilised by development which could take place elsewhere" (Local Plan, para 3.4). National, regional and local planning policy emphasise the value of the countryside and acknowledge the pressures being experienced in trying to balance conservation and development needs. National planning policy encourages the exploration and production of gas reserves in the UK which increases the security of domestic supply. There is potential for large quantities of both oil and gas in West Sussex and the Local Plan states;

“The main sources for hydrocarbons in West Sussex are the faults and folds in the Corallion Beds and the lower Oolites of the Jurassic period which have created structures that have trapped oil and gas. These extend under the whole County” (Local Plan, para 2.46 and **Figure 3.1**, below).



Figure 3.1 Hydrocarbon reserves in West Sussex: **Source:** *West Sussex Minerals Local Plan, page 15*

3.23 The Local Plan states that the underlying geology provides the foundation of the landscape of the County and that conflicts arise when minerals become of economic interest (Local Plan, para 4.1). The Mineral Planning Authority promote the preference for extraction outside of areas protected by statutory designation, although as previously acknowledged minerals can only be worked where they naturally occur and therefore planning applications for mineral working will need to satisfy certain criteria before receiving approval (Local Plan, para 4.4). It is also noted that the “best and most versatile” agricultural land must be protected from irreversible development.

POLICY 14: MINERAL WORKING MAY BE PERMITTED ON THE BEST AND MOST VERSATILE AGRICULTURAL LAND. WHERE THIS OCCURS, PRIORITY WILL BE GIVEN TO ENSURING THAT THE PHYSICAL CHARACTERISTICS OF THE LAND ARE RESTORED, SO FAR AS IT IS PRACTICAL TO DO SO, TO WHAT THEY WERE WHEN THE LAND WAS LAST USED FOR AGRICULTURE. THE APPROPRIATE FIVE YEAR AFTER-CARE SCHEMES WILL BE REQUIRED TO FOLLOW RECLAMATION. VARIATIONS FROM AN AGREED SCHEME WILL REQUIRE THE AGREEMENT OF THE MINERAL PLANNING AUTHORITY AFTER CONSULTATION WITH THE DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS

3.24 The benefits of mineral workings must outweigh the environmental disadvantages with particular regard to sustainable development principles. Planning application will be

rigorously examined to take account of the likely impact of mineral workings in the countryside. **Policy 12** states;

POLICY 12: SOME MINERAL WORKING MAY BE ACCOMMODATED WITHIN AREAS OF OUTSTANDING NATURAL BEAUTY, BUT MINERAL WORKINGS CONSIDERED LIKELY TO DAMAGE IRREVERSIBLY THE INTRINSIC QUALITIES OF THESE AREAS WILL BE REFUSED. THE HIGHEST STANDARDS WILL BE REQUIRED IN ALL MEASURES TO MITIGATE THE IMPACT OF WORKING AND TO PROMOTE RAPID RECLAMATION, UNLESS IT CAN BE DEMONSTRATED THAT RAPID RECLAMATION IS NOT PRACTICABLE. MINERAL APPLICATIONS WILL BE SUBJECT TO THE MOST RIGOROUS EXAMINATION WHICH WILL INCLUDE AN ASSESSMENT OF:

- (a) **THE NEED FOR THE DEVELOPMENT, IN TERMS OF NATIONAL CONSIDERATIONS OF MINERAL SUPPLY; AND THE IMPACT OF PERMITTING THE DEVELOPMENT, OR REFUSING IT, ON THE LOCAL ECONOMY;**
- (b) **WHETHER ALTERNATIVE SUPPLIES CAN BE MADE AVAILABLE AT REASONABLE COST; AND THE SCOPE FOR MEETING THE NEED IN SOME OTHER WAY;**
- (c) **ANY DETRIMENTAL EFFECT OF THE PROPOSALS ON THE ENVIRONMENT AND LANDSCAPE AND THE EXTENT TO WHICH THAT SHOULD BE MODERATED; AND**
- (d) **IN THE CASE OF EXTENSIONS TO EXISTING WORKINGS, THE EXTENT TO WHICH THE PROPOSAL WOULD ACHIEVE AN ENHANCEMENT TO THE LOCAL LANDSCAPE.**

3.25 Where mineral developments are proposed in sensitive locations, stringent test will be applied to ensure that the proposals concur with the criteria identified in **Policy 12**. In such instances, Environmental Statement will be required and must provide enough information that the Council is satisfied that planning permission can be issued. The Local Plan acknowledges that mineral working can affect residential amenity and the built environment through, for example, noise, dust and traffic impacts.

POLICY 19: IN CONSIDERING PLANNING APPLICATIONS FOR MINERAL EXTRACTION ATTENTION WILL BE GIVEN TO THE EFFECT UPON RESIDENTIAL AND OTHER AMENITY, AND MEASURES TO MITIGATE THE IMPACT.

3.26 Mineral working sites must be reclaimed at the earliest opportunity and should be practicable and appropriate to the area. **Policy 20** states;

POLICY 20: PLANNING PERMISSION FOR MINERAL EXTRACTION WILL ONLY BE GRANTED WHERE PROPOSALS FOR RECLAMATION WOULD BE PRACTICABLE AND APPROPRIATE FOR THE LOCATION, AND THAT RECLAMATION WOULD BE COMPLETED AT THE EARLIEST OPPORTUNITY.

- 3.27 Planning applications for mineral workings will only be approved where a comprehensive restoration programme including aftercare and after use, is agreed with the planning authority. **Policy 22** states;

POLICY 22: PLANNING APPLICATIONS FOR MINERAL WORKING WILL ONLY BE APPROVED WHERE THEY INCORPORATE EITHER DETAILED PROPOSALS FOR RECLAMATION, OR THE PRINCIPLES OF RECLAMATION REQUIRING THE SUBMISSION AND AGREEMENT OF MORE DETAILED PROGRAMMES AT A LATER DATE (OR DATES) TO BE AGREED WITH THE MINERAL PLANNING AUTHORITY. PROGRESSIVE RESTORATION WILL BE REQUIRED IN ACCORDANCE WITH PHASED WORKING SCHEMES, UNLESS IT CAN BE DEMONSTRATED THAT THIS IS NOT PRACTICABLE.

- 3.28 The Local Plan accepts that "exploration can normally be undertaken quickly and relatively unobtrusively" providing that a programme of reclamation is included as an integral part of the planning application submission (para 5.9). The location of hydrocarbon deposits is dependent upon seismic and other geological data which is most commonly carried out by the PEDL operator, and therefore the Local Plan does not allocate or identify hydrocarbon reserves or potential working areas. The onus is therefore on the developer to provide evidence as to why a particular site has been chosen and its suitability, and this is concluded in **Policy 26** and supported by **Policy 27** which state;

POLICY 26: APPLICATIONS FOR THE EXPLORATION, APPRAISAL AND/OR COMMERCIAL DEVELOPMENT OF OIL OR GAS RESOURCES WILL BE PERMITTED WHERE IT IS DEMONSTRATED TO THE SATISFACTION OF THE MINERAL PLANNING AUTHORITY THAT THE PROPOSAL PRESENTS THE BEST OPTION IN COMPARISON WITH OTHER ALTERNATIVE SITES WITHIN THE AREA OF SEARCH AND THAT THE PROPOSAL IS ACCEPTABLE IN RELATION TO THE SURROUNDING AREA. PARTICULAR ATTENTION WILL BE GIVEN TO

- (A) THE IMPACT ON OTHER COUNTRYSIDE RESOURCES;**
- (B) THE SITE ACCESS AND THE ROUTEING OF HEAVY VEHICLES;**
- (C) THE MEANS OF PROTECTING NEARBY RESIDENTS AND AMENITIES FROM THE EFFECTS OF THE OPERATIONS;**
- (D) THE SAFEGUARDING OF PUBLIC RIGHTS OF WAY; AND**
- (E) THE SAFEGUARDING OF WATER SUPPLIES AND THE WATER ENVIRONMENT.**

POLICY 27: PERMISSION FOR HYDROCARBON EXPLORATION WILL NORMALLY BE GRANTED SUBJECT TO COMPLIANCE WITH THE ISSUES ADDRESSED IN POLICY 26 HAVING REGARD TO THE LIMITED DURATION AND AREA OF THE ACTIVITY.

- 3.29 The County Council acknowledge that pre-application consultations will help to identify the main issues and in the instance where an Environmental Statement is required, a more formal pre-application stage may be appropriate. This will for example, assist in the identification of appropriate assessments required as part of an ES or Non-ES application for mineral working. Local planning policies specific to each of the identified disciplines will be included in the appropriate technical assessment. Applicants are also advised that a working scheme and details of all plant and machinery will be required, with **Policy 51** and **52** stating;

POLICY 51: APPLICANTS WILL BE REQUIRED TO INCLUDE IN PLANNING APPLICATIONS A SATISFACTORY WORKING SCHEME TO SHOW HOW WORKING WITHIN THE SITE IS INTENDED TO PROGRESS AND TO SHOW HOW RECLAMATION WILL FOLLOW CLOSE BEHIND EXCAVATION. UNWORKED AREAS WILL BE REQUIRED TO CONTINUE IN USE FOR FARMING OR BE MANAGED TO AN AGREED SPECIFICATION. APPROPRIATE ACCESS TO RECLAIMED AREAS WILL BE REQUIRED TO ENABLE AN APPROVED AFTERCARE SCHEME TO COMMENCE AT THE EARLIEST OPPORTUNITY.

POLICY 52: DETAILS WILL BE REQUIRED OF THE SITING AND APPEARANCE OF BUILDINGS, MACHINERY AND PLANT TOGETHER WITH PROPOSALS FOR THEIR REMOVAL WHEN NO LONGER REQUIRED IN CONNECTION WITH THE DEVELOPMENT.

- 3.30 Existing vegetation and trees should be retained, protected and maintained on site with soil bunds expected to provide additional planting where necessary to ensure the successful reclamation of the site, as advocated by **Policy 53**;

POLICY 53:

- (a) APPLICATIONS FOR MINERAL WORKINGS WILL BE REQUIRED TO INCORPORATE SATISFACTORY MEASURES FOR THE RETENTION, PROTECTION AND MAINTENANCE OF EXISTING TREES, HEDGEROWS AND SHRUBS WHERE APPROPRIATE.**
- (b) THE PROVISION OF SOIL BUNDS AND PLANTING WILL BE REQUIRED WHERE NECESSARY TO SCREEN WORKINGS AND TO CONTRIBUTE TO FINAL RECLAMATION SCHEMES.**

- 3.31 Public Rights of Way and their amenity should be safeguarded and promoted, with views from public areas across mineral workings taken into consideration along with proposals for landscaping and screening. **Policy 55** clarifies this position, stating;

POLICY 55: PUBLIC RIGHTS OF WAY WILL BE SAFEGUARDED AND PROMOTED. THE AMENITY OF RIGHTS OF WAY, (PARTICULARLY VIEWS ACROSS WORKINGS) WILL BE TAKEN INTO ACCOUNT IN CONSIDERING PROPOSALS FOR LANDSCAPING AND SCREENING MINERAL SITES. WHERE STOPPING UP IS NECESSARY TO ENABLE EXTRACTION TO TAKE PLACE, STEPS WILL BE TAKEN WHERE PRACTICABLE TO SECURE THE PROVISION OF ALTERNATIVE PATHS AFFORDING CONNECTIONS TO OTHER HIGHWAYS IN SUCH A WAY AS TO MAINTAIN THE INTEGRITY OF THE RIGHTS OF WAY NETWORK AS A WHOLE AND TO PROVIDE ACCESS TO SUCH PARTS OF THE ORIGINAL PATHS AS DO NOT NEED TO BE STOPPED UP. ALTERNATIVE PATHS AND ANY NECESSARY DIVERSIONS OF EXISTING PATHS WILL BE REQUIRED TO BE IN PLACE IN GOOD TIME. WHERE APPROPRIATE, RECLAMATION PROPOSALS WILL BE SOUGHT TO INCREASE THE RIGHTS OF WAY NETWORK AND TO ENSURE THE REINSTATEMENT AT THE EARLIEST OPPORTUNITY OF THE ORIGINAL RIGHT OF WAY.

- 3.32 The Local Plan also seeks to promote measures to protect the quality of water supplies and ensure that mineral extraction would have no adverse impact on the water table. **Policy 56** states:

POLICY 56: THE QUALITY OF SURFACE AND GROUND WATER SUPPLIES WILL BE PROTECTED AND STEPS WILL BE TAKEN TO ENSURE THAT PROPOSED MINERAL

EXTRACTION WILL HAVE NO ADVERSE EFFECT UPON THE WATER TABLE WHICH WOULD BE LIKELY TO CAUSE SIGNIFICANT ENVIRONMENTAL DAMAGE, FLOODING OR ADVERSELY AFFECT WATER RESOURCES.

- 3.33 As in commonplace in the development of hydrocarbon well sites, the soil which is stripped or cut from the construction of the site must be retained, to prevent the site being reinstated with non-native soil. Furthermore this soil must be appropriately handled as such that its quality is protected. This is supported by **Policy 58**;

POLICY 58: APPROPRIATE STRIPPING, HANDLING AND STORAGE OF SOILS PRIOR TO AND DURING MINERAL WORKING WILL BE REQUIRED IN ORDER TO PROTECT ITS QUALITY PENDING RE-SPREADING. SOILS REQUIRED FOR RESTORATION MUST BE RETAINED ON THE SITE.

- 3.34 Following on from **Policy 56, Policy 59** advocates the imposition of suitable conditions to ensure the proper control of drainage and the efficient discharge of water from any mineral working sites;

POLICY 59: CONDITIONS WILL BE IMPOSED UPON PLANNING PERMISSIONS TO ENSURE THAT THE DRAINAGE AND DISCHARGE OF WATER IS EFFICIENTLY AND PROPERLY CONTROLLED WITHIN THE SITE.

- 3.35 A noise assessment would accompany any planning application for the development of an exploratory well site and this would address policies within the Local Plan regarding noise. This includes **Policy 60** which states;

POLICY 60: CONDITIONS WILL BE IMPOSED REQUIRING THAT ACCEPTABLE MAXIMUM LEVELS OF NOISE ARE NOT EXCEEDED AND APPROPRIATE MONITORING POINTS WILL BE IDENTIFIED ON SITE BOUNDARIES AND/OR AT APPROPRIATE LOCATIONS OUTSIDE THE SITE.

- 3.36 In accordance with regular well site practice, the Local Plan seeks to suppress dust levels from mineral workings and **Policy 61** states;

AND BY WATERING (OR BOWSING) AREAS REGULARLY USED BY VEHICLES, AND BY THE USE OF DUST EXTRACTORS.

SPRINKLING WATER ON MATERIAL AT APPROPRIATE STAGES IN PROCESSING,

- 3.37 Protection of the local amenity is important in choosing a location for the development of a hydrocarbon well site. Measures to protect local amenity through the control of lighting, working hours associated with the operation of the site and buffer zones will be incorporated into any planning application in support of **Policies 62, 63** and **64**;

POLICY 62: CONDITIONS WILL BE IMPOSED ON PLANNING PERMISSIONS TO CONTROL THE ARTIFICIAL LIGHTING OF SITES IN THE INTERESTS OF LOCAL AMENITY.

POLICY 64: BUFFER ZONES TO REDUCE THE IMPACT OF OPERATIONS UPON THE NEIGHBOURHOOD MAY BE REQUIRED, PARTICULARLY IN RELATION TO RESIDENTIAL AREAS AND OTHER NOISE SENSITIVE USES.

CONSIDERING NEIGHBOURHOOD AMENITIES;

Local Planning Policy

Horsham District Council Core Strategy (2007)

3.38 The Horsham Core Strategy sets out “the key elements of the planning framework for the District, primarily over the period to the end of March 2018, but with a view to providing the basis for a longer term spatial strategy within which the economic, social and environmental needs of the District can be met” (para 1.3, Core Strategy). The Core Strategy Spatial Objectives are;

- 1) To protect and enhance the diverse character and local distinctiveness of the District;**
- 2) To integrate the need for protection of the natural, built and historic environment (including the natural resources) of the District with the need to allow the continued evolution of both the countryside and the character and environment of settlements;**
- 3) To ensure that new development in the District is of high quality;**
- 4) To enable the provision of a sufficient number of dwellings to meet the requirements of regional planning policy to 2018, including that specified by the West Sussex Structure Plan 2011 – 2016;**
- 5) To provide for business and employment development needs, particularly for existing local businesses;**
- 6) To meet the diverse needs of the communities and businesses of the District;**
- 7) To promote and enhance community leisure and recreation facilities, and to assist the development of appropriate tourism and cultural facilities;**
- 8) To enhance the vitality and viability of Horsham town centre and the centres of the smaller towns and villages in the District;**
- 9) To reduce the expected growth in car based travel by seeking to provide choice in modes of transport wherever possible.**

- 3.39 The Core Strategy takes full regard of the need to ensure sustainable development and the protection of the landscape character of the District. In this respect **Policy CP2** states;

POLICY CP 2

Environmental Quality

The high quality management of the District’s environment will be encouraged and supported through a combination of promotional measures, including grant aid where appropriate, and careful appraisal of development proposals to ensure that they provide for enhancement by:

- a. minimising the emission of pollutants, including noise, odour and light pollution, into the wider environment;**
- b. having no adverse effects on water quality, reduce water consumption, reducing flood risk to new development and ensuring that flood risk to existing development is not increased;**
- c. minimising waste generation and the consumption and use of energy, including fossil fuels, and taking account of the potential to utilise renewable energy sources;**
- d. utilising sustainable construction technologies; and**
- e. incorporating facilities for recycling of water and waste.**

- 3.40 Our Site Selection Methodology takes full account of environmental constraints and opportunities within the area of search and any planning application submission will be accompanied by assessments from suitably qualified consultants, to ensure the environmental quality of the area is maintained.

Horsham District Council General Development Control Policies (2007)

- 3.41 Whilst the Core Strategy forms the overarching document in the Local Development Framework (LDF), the Horsham District Council General Development Control Policies (GDPC) document sets out the policies which planning applications for the use of land and buildings will be determined against. “For proposals on sites where no specific policy applies, applications will be considered on their merits and against the spatial objectives set out in the Core Strategy” (para 1.6, GDPC).

- 3.42 The GDPC acknowledges that trees and woodland make a significant contribution to the character of the District and **Policy DC6** states;

POLICY DC 6

WOODLAND AND TREES

Felling of protected trees will only be permitted in exceptional circumstances, and, where unavoidable, replacement planting with suitable species will be required.

Applications for surgery to protected trees where the proposals are contrary to best arboricultural practice, and/or would detract from the amenity value of the trees in question will be refused.

- 3.43 The desirability of protecting an archaeological site and its setting will be a material consideration in determining a planning application and opportunities will be taken to promote the educational and amenity value of archaeological sites and ancient monuments. **Policy DC10** states;

POLICY DC 10

ARCHAEOLOGICAL SITES AND ANCIENT MONUMENTS

Planning permission will not be granted for proposals that would cause unacceptable harm to important archaeological sites or their settings. Where there is evidence that archaeological remains may exist on a site, the Council will require applicants to submit an archaeological assessment prior to the determination of a planning application.

If, in exceptional circumstances, permission is granted on such sites, preservation in situ of important archaeological remains will be sought.

If preservation of archaeological remains by record is agreed to be appropriate, the applicant will be required to arrange and fund the excavation, investigation, recording, reporting and publication of findings to an acceptable professional standard. Where practicable, measures should be taken to raise awareness of any archaeological work during the construction phase.

- 3.44 There are a number of Listed Buildings within the search area and whilst the listed status seeks to protect the quality of the building, **Policy DC13** also seeks to protect the setting of such buildings and states;

POLICY DC 13

LISTED BUILDINGS

Development affecting a Listed Building or its setting will not be permitted unless the proposal:

- a. **has no adverse effect on the special architectural or historic character and appearance of the building or its setting;**
- b. **uses building materials, finishes and building techniques, including those for features such as walls, railings, gates and hard surfacing, that respect the Listed Building and its setting;**
- c. **incorporates landscaping, where appropriate, having regard to the character and appearance of the Listed Building;**
- d. **is of appropriate scale and design;**
- e. **results, where relevant, in the removal of unsympathetic features and the restoration or reinstatement of missing features; and,**
- f. **would ensure the continued preservation and use of the building.**

Proposals involving the total or partial demolition of a Listed Building will not be granted unless it can be demonstrated that;

1. **its condition makes it uneconomical to repair, renovate, or adapt to any reasonable use; or,**
2. **in the case of partial demolition it would improve the character and appearance of the building or protect features of interest and importance.**

4.0 SITE SEARCH METHODOLOGY AND RESULTS

Methodology

- 4.1 The following Site Selection Methodology is commonly used by Barton Willmore LLP in identifying potential sites for the development of hydrocarbon well sites. This part of the Site Selection process is a purely desk based exercise, with site visits being undertaken following the selection of potential sites.
- 4.2 The identification of potential sites begins by marking out the primary and secondary target search areas which are based on geological and seismic data, using Geographical Information Systems (GIS). The environmental constraints within these two search areas and the immediate surrounding vicinity are then layered onto the map using the same programme. Finally, a 400m radius is plotted around all known residential buildings and represents a suitable "buffer zone" between residential properties and the development of any potential hydrocarbon well sites, to limit noise intrusion prior to the carrying out of a full noise assessment.
- 4.3 The parcels of land within the search areas which are left unaffected by any of these constraints are the first to be appraised in terms of suitability. These sites are assessed in relation to access, existing natural screening, views into and out of the site, agricultural land classification, flood risk and any other relevant features, taking into consideration any allocations in the adopted Local Plan and Proposals Map. There is a degree of flexibility with this Methodology as well as some limitations which should be taken into consideration;
- The 400m buffer zone process can sometimes identify non-residential buildings such as barns, broiler breeder houses and other outbuildings. Where a residential building appears to be an anomaly i.e. in a remote location or small in size, clarification over the building use can usually be clarified through the Council's Public Access website or through a site visit. This can however, be time consuming and will only be carried out where without this building the site may be otherwise suitable for development i.e. there are no other buildings or environmental constraints or where there is established natural screening;
 - The 400m buffer zone can be reduced to 300m where no suitable sites are identified. The industry accepted, minimum standard for mitigating noise intrusion is considered to be 300m from the source and whilst our experience

indicates that 400m is a more suitable distance, there are instances where it may be acceptable or necessary to reduce this distance. This is particularly the case where a site has other merits such as high tree cover, an existing access or a willing landowner;

- Some areas are constrained by a high variety of environmental designations and in these instances the GIS layers can sometimes “hide” the graphic which denotes an environmental designation. It is therefore important that the Constraints Plan is read in conjunction with a separate OS base map such as an Explorer Map, the adopted Local Plan or Proposals Map.

Sites Identified

- 4.4 Using the Methodology as outlined above, a total of seven potential sites were identified and are illustrated below (**Figure 4.1**).

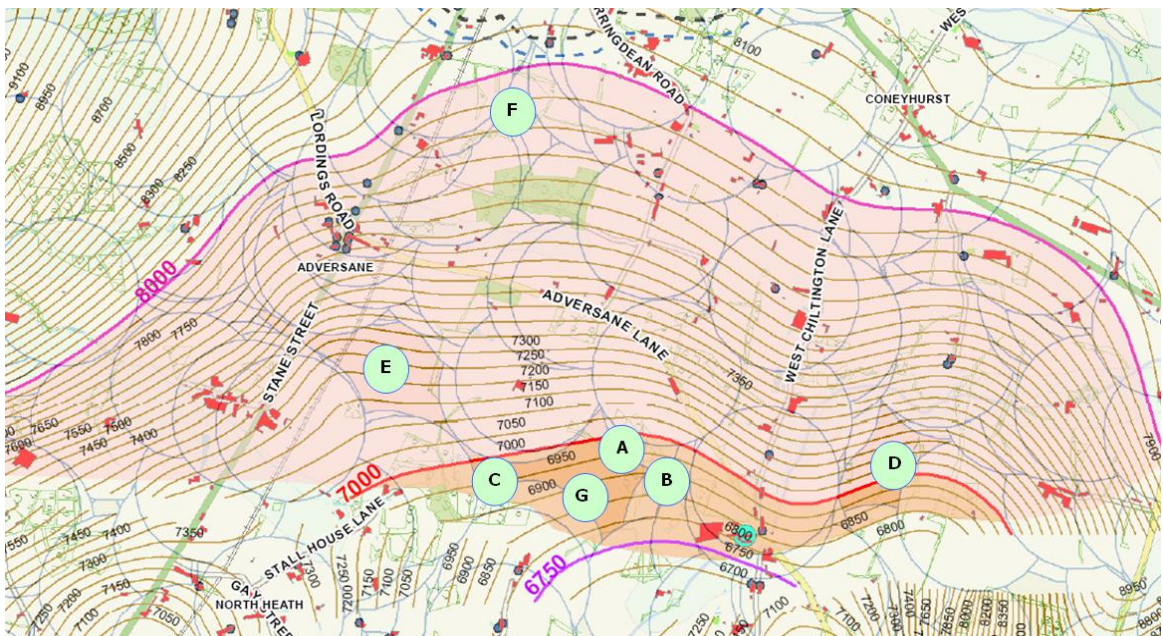


Figure 4.1 Potential Exploratory Well Sites

- 4.5 The potential Sites were identified from **A–G**, in no order of preference, and a review of each Site is provided in the following Section – Section 5 Appraisal of Alternative Sites.

5.0 APPRAISAL OF ALTERNATIVE SITES

5.1 This Section considers the Alternative Sites which were identified using the Site Search Methodology as previously discussed.

Desk Based Exercise

Site A

5.2 **Site A** falls within the primary search area and is located to the north-west of Broadford Bridge. The Site is illustrated in **Figure 5.1** below;

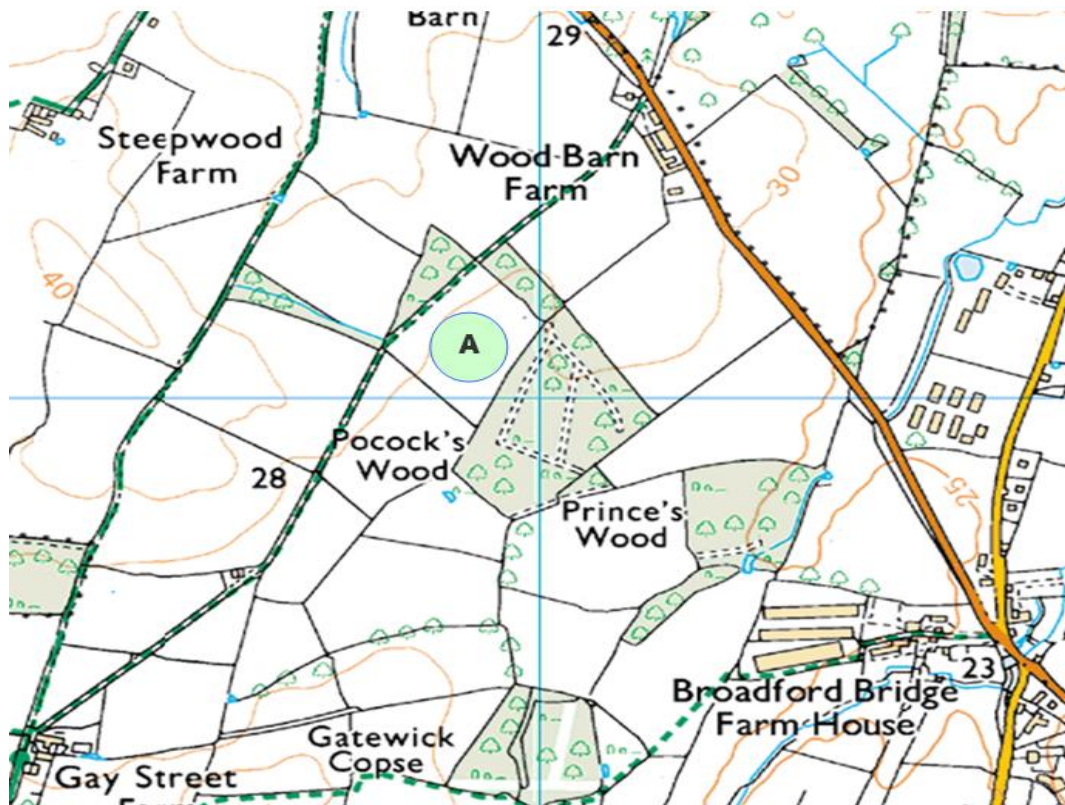


Figure 5.1 Location Map of Site A

5.3 **Site A** is well screened by mature, existing non-ancient woodland and access would be taken from the B2133 Adversane Lane which runs in a north westerly direction to the north of the Site, providing direct access to the A29 and A24. There is a public footpath which runs from the northern boundary along the western boundary of Pocock's Wood. The gradient of the land rises from 25m AOD in the southern quadrant of **Site A** to 30m in the northern half of the Site. **Site A** does not impinge on any environmental designations and would be more than 300m from the nearest residential property.

Moreover, the existing mature trees would provide additional noise attenuation to the residential properties to the north of **Site A**. From the desk based exercise, Site A was considered suitable for development and a site visit was undertaken on 16 March 2011 to assess the site, using Public Rights of Way (PROW) for access.

- 5.4 The site visit confirmed the extent of the existing woodland which provided visual screening to the potential well site location and confirmed the distance between the Site and surrounding residential properties. However, the visibility splays leading north from the farm onto the B2133 Adversane Lane were poor and highway access was not considered suitable. Moreover, the existing internal farm track and PROW would need significant works and there was also evidence that surface water management on the road would require mitigation. It was also considered that there may be some conflict between the operation of the farm which includes pastureland for cows, and users of the PROW may result.



Figure A1: The B2133 looking north west from the entrance to Wood Barn Farm



Figure B1: Flooded internal access road



Figure B2: Site A looking south

Site B

- 5.5 **Site B** represents the Application Site at Broadford Bridge. It falls within the primary search area to the north-west of Broadford Bridge and is identified in **Figure 5.2**;



Figure 5.2 Location Map of Site B

- 5.6 **Site B** is located within mature woodland and is well screened from all sides, although Prince's Wood is designated as Ancient Woodland. The mature tree cover provides additional noise attenuation. There are a number of large outbuildings to the south east of Site B at Broadford Bridge Farmhouse which consists of egg stores and broiler breeder houses. The site is not constrained by public footpaths or bridleways and existing internal farm tracks provide access to the Site. Site B was considered suitable for development and a site visit was undertaken on 16 March 2011.
- 5.7 The site visited confirmed the extensive woodland surrounding the site, and an existing agricultural access road was identified off the B2133 Adversane Lane which would provide suitable access into the Site. It was noted that there were powerlines crossing the land and substantial Oak trees line the B2133 but it was considered that design measures could mitigate any impacts. Moreover, from this access there were sufficient existing visibility splays into and out of the site (**Photos B1 – B3**).



Photo B1: The B2133 looking east



Photo B2: The B2133 looking west



Photo B3: Looking south towards Prince's Wood from the B2133

- 5.8 Site B was considered suitable for the development of a well site and was the preferred location for development in respect of planning, technical requirements and geological indicators.

Site C

- 5.9 **Site C** falls within the primary search area and is well screened by Beeding's Copse to the south and west. The land falls and rises significantly between 30-40m+ AOD so not only would a significant amount of cut be required to construct the site but also, it would potentially be very visible from the north and east on such high ground (**Figure 5.3**).

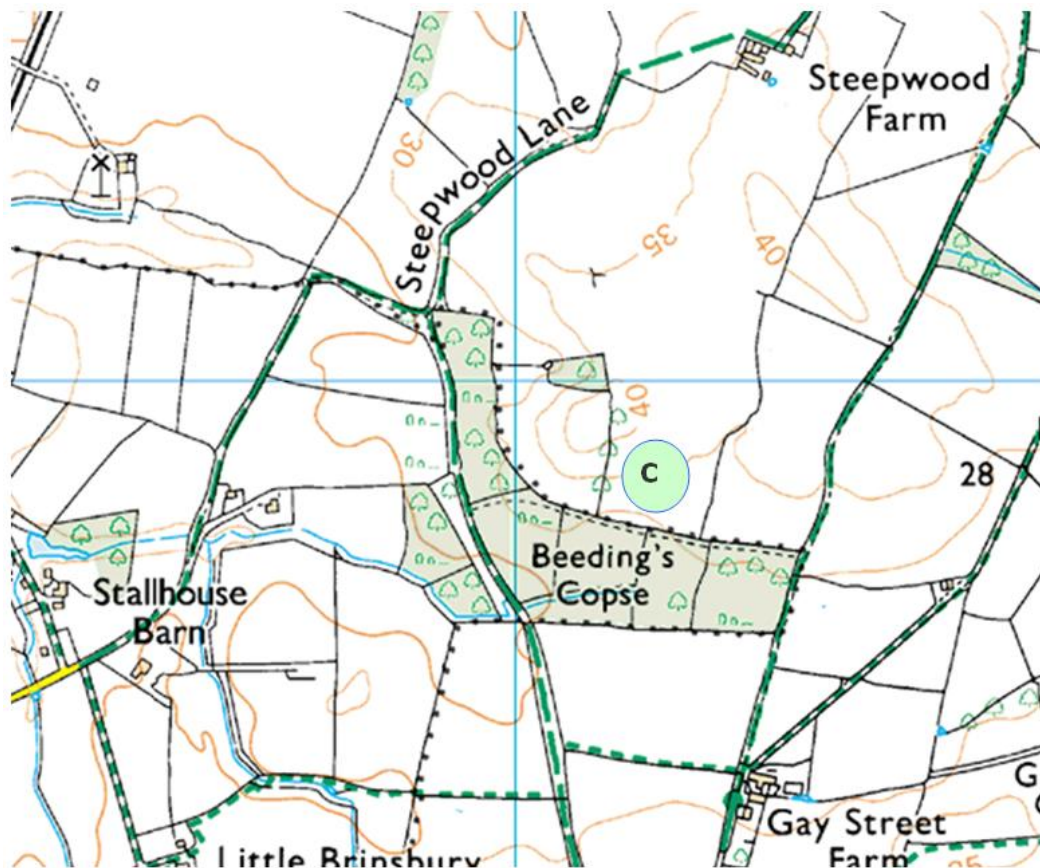


Figure 5.3 Location map of Site C

5.10 Access to the Site is also significantly constrained and there is a network of public footpaths and bridleways in the vicinity of the Site. Any access road would either need to come from the A29 and across the railway line which would require the construction of a railway crossing, or from Stallhouse Lane via an underpass beneath the A29 (height restricted) and then along a public bridleway or from a new access off the B2133 Adversane Lane to the north. Neither of these highway options were considered favourable because of the disruption they would cause during construction. Furthermore, the Site is identified as being an "Archaeological Site" in Horsham District Council's adopted Core Strategy (2007), and is also adjacent to areas of ancient woodland in the Copse. Site C was not considered a suitable location for development.

Site D

5.11 **Site D** is located within the secondary search area with a small section falling in the primary search area. The Site location is identified in **Figure 5.4**;

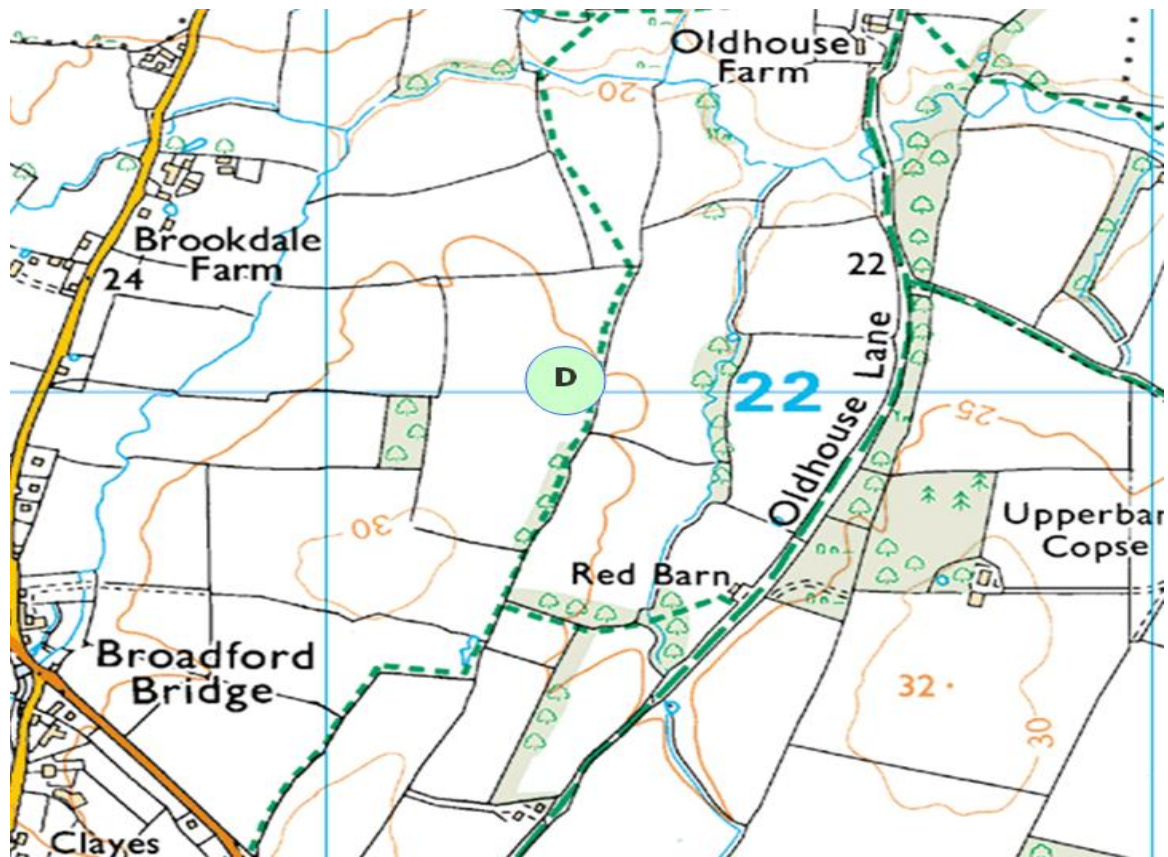


Figure 5.4 Location of Site D

- 5.12 **Site D** is surrounded by a number of constraints including networks of public footpaths, interlinked sections of the River Adur and one of the UK's 15 National Trails. A Site in location D would be on higher ground (30-25m AOD) adjacent to several sections of the River Adur which is located in a valley with a ground height of 20m AOD. Whilst surface water drainage and flood risk management could reduce the risk of contamination, the adopted Core Strategy (2007) and data from the Environment Agency indicates that this area is at risk of flooding.
- 5.13 National Trails are maintained by Natural England and a section of the South Downs National Trail runs along Oldhouse Lane which also provides a public bridleway. Access, as well as the presence of a well site in one of the adjoining fields, were not considered to be acceptable at this Site, especially as other Sites appeared to be more suitable (**Site A** and **Site B**) and less detrimental in comparison. In a site visit on 16 March 2011, the constraints of access to the site were confirmed with a narrow existing entrance, poor visibility splays and overhead powerlines across the site (**Photo D1**).



Photo D1: Existing public footpath leading towards Site D with power cables overhead

- 5.14 Site D was discounted on the basis that access was unsuitable, and Sites A and B were preferable.

Site E

- 5.15 **Site E** is located in the secondary search area and falls in proximity to the A29 and the Pulborough to Parbrook railway line which runs in parallel to each other on the western boundary of the search area (**Figure 5.5**).

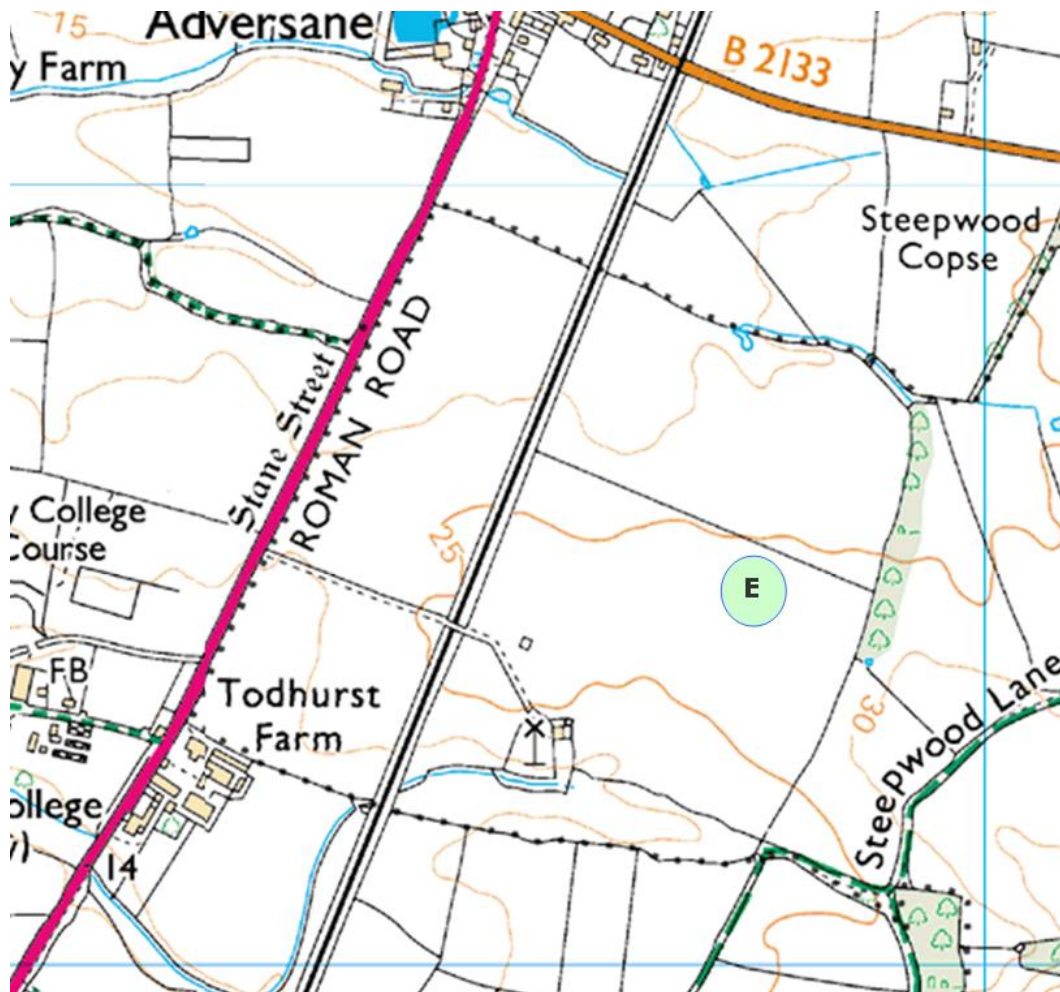


Figure 5.5 Location map of Site E

- 5.16 **Site E** consists of an open rural landscape where there is limited natural screening or woodland. Whilst the benefit of the Site is that it does not encroach on any environmental designations, the open nature of the landscape means that the site could lead to significant visual intrusion for the surrounding farmsteads, residents of Adversane, and road users as well as visitors to Chichester College and Brinsbury Golf Course. Site access would be from the A29 and the existing farm track however, National Rail have confirmed that the existing railway line crossing would not be suitable for HGV's associated with the construction of the well site. Any new access from the A29 would be faced with the same issue of crossing the railway line. There is a bridleway to the south east of **Site E** – Steepwood Lane, but the development or use of this for HGV's and construction access is unlikely to be suitable. Site E was therefore not considered suitable for development.

Site F

- 5.17 **Site F** is located in the secondary search area, at a considerable distance from the primary search area. The Site is identified in **Figure 5.6**;

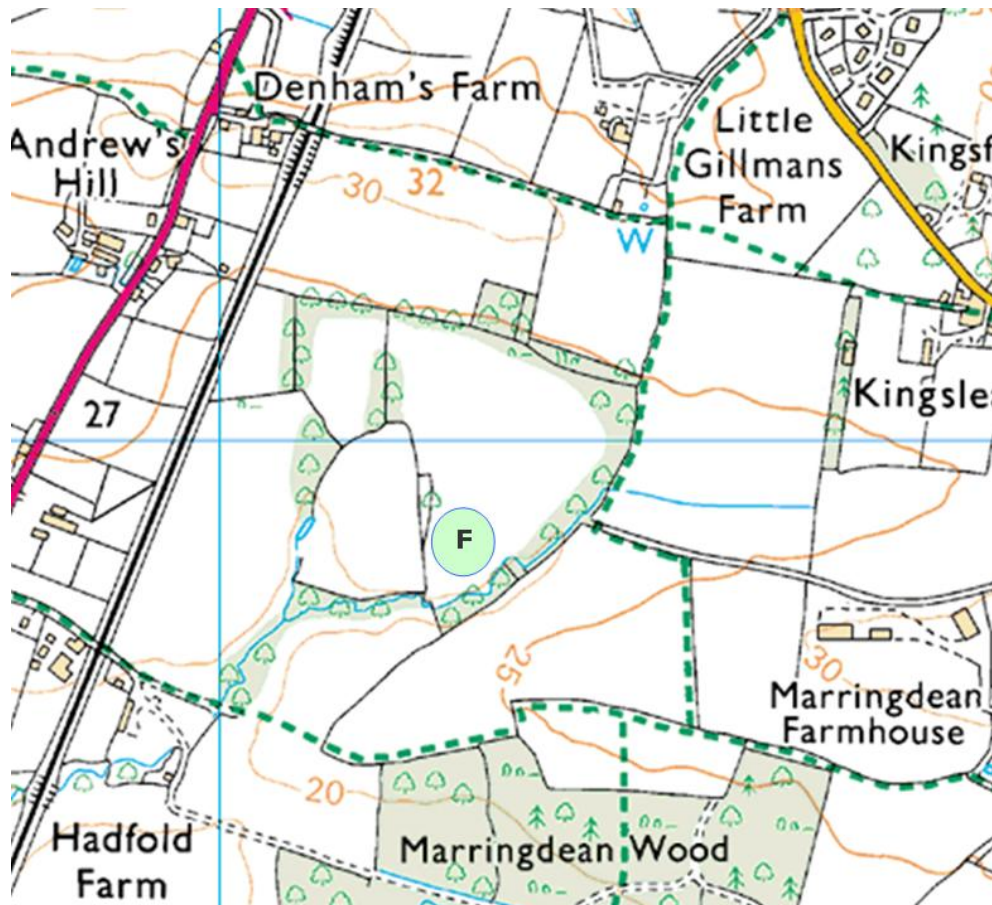


Figure 5.6 Location Map of Site F

- 5.18 The Site is the smallest of the potential well site locations and falls on lower lying ground at approximately 20m AOD. There are open watercourses which run alongside the southern to eastern boundary although the land is generally at the same gradient throughout this Site, descending from 25m AOD to the north of the Site. There is mature existing mature woodland around the site which is non-ancient in designation and would provide significant natural screening.
- 5.19 During a site visit to Billingshurst on 16 March 2011, it was agreed in principle that the railway crossing was unlikely to be suitable for HGV access. This was confirmed in writing with Network Rail in the weeks following the site visit (**Photo F1**).



Photo F1: *Railway crossing at Site F*

Site G

5.20 **Site G** is located within the primary search area in proximity to Site A and Site B, and is illustrated by **Figure 5.7**;

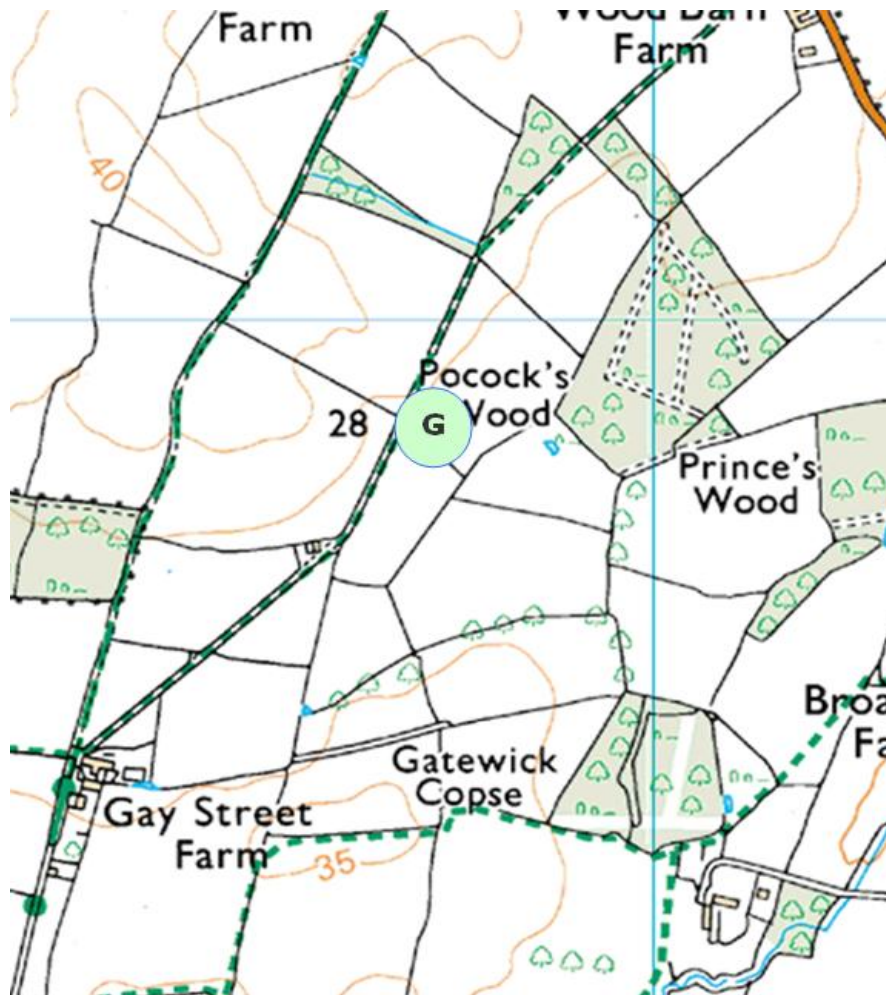


Figure 5.7: Location Map of Site G

- 5.21 Limited investigation into **Site G** has been undertaken because of the proximity to **Site A** and **Site B**, both of which provide more favourable options for development due to their extensive natural screening and potential access routes. **Site G** provides limited on site natural screening but the adjacent woodland areas of Pocock's Wood, Prince's Wood, Beeding's Copse and Gatewick Copse would screen views of the development. Properties on Gay Street would be likely to see the development as would the occupants of Steepwood Farm. A longer access road would also be required, and therefore Site G was considered unsuitable for development.

Site Selection Summary

- 5.22 Sites A and B were considered to be suitable for development and were the preferred locations in respect of geology and planning for the well site. Site C, D, E and G were discounted and there was considered to be some potential in Site F if a suitable alternative access could be identified. Having contacted the landowners, it was confirmed that both Site A and Site B were owned by the same Farm. Further on site

investigations were undertaken with the landowners on 4 May 2011 to assess the sites in greater detail. It was considered that pre-application discussions should be held with the Planning Authority in this case West Sussex County Council (WSCC), to determine which site would be more suitable for development.

Pre-Application Discussions with WSCC

- 5.23 Pre-application discussions were held with WSCC on 17 August 2011 in which the potential to develop Site A or Site B were discussed. In conclusion, it was considered that Site B was the preferred development site because Site A would require a longer access road avoiding the existing Farm entrance, would require trees which were likely to be habitats for bats to be felled for access and due to the historic medieval field pattern. Site B was considered to benefit from an existing access off the B2133 which had good visibility leading onto an existing access road. It was also considered to be well screened and felling of trees was unlikely to be a requirement in this location. On this basis, Site B was chosen as the Application Site.

6.0 SUMMARY AND CONCLUSIONS

6.1 This Alternative Sites Assessment, illustrates the robust and comprehensive assessment which has taken place to identify a site which is suitable in respect of technical, environmental and planning requirements. This Assessment illustrates the site selection process which has taken place including reference to the Development Plan and other material considerations, geological, seismic and drilling limitations, and environmental designations.

Seismic Data

6.2 This Assessment identifies the geological and seismic data which has been evaluated to determine the target drilling location, and how this impacts on the potential location of well sites. This target is a Triassic Sandstone approximately 2.5km below the surface which has been termed the Willow Prospect. The identification of the target location below the surface, technically constrains where well sites can be developed on the surface which must also be balanced with environmental and planning considerations.

Geographical and Environmental Context

6.3 The search area which was used to identify a suitable well site to explore the Willow Prospect falls within the parishes of Billingshurst and West Chiltington, and is predominantly rural in character. The existing characteristics of the area were taken into consideration when developing the Alternative Sites Assessment including agricultural land quality, Listed Buildings, the River Adur and other watercourses, highway access and agricultural tracks, the location of residential properties and villages, and recreational amenities including PROW and woodland.

The Development Plan and other Material Considerations

6.4 The location of the well site accords with the policies in the Development Plan at a regional, County and local level, and meets other material considerations in the NPPF. In accordance with the Development Plan, the Application Site will not have a detrimental impact on the existing character of the area, environmental designations or the local amenity.

Alternative Sites and the Application Site

- 6.5 Using the methodology outlined in this Assessment, a number of potential well site locations were identified and evaluated. A number of sites were discounted at the desk based stage because there were issues which could not be mitigated against including archaeological designations, highway access issues over the railway line, visibility splays on the highway and the recreational value of existing PROW and National Trails.
- 6.6 Two potential sites were identified as being suitable for development and a systematic approach to identifying the constraints and merits of each was undertaken. This involved correspondence and engagement with the landowners and WSCC in designing a proposal which balanced all the influencing factors including technical, environmental and planning conflicts, and landowner agreements. The result is a well screened development which benefits from the use of an existing agricultural access and track that does not require the felling of any Ancient Woodland trees to accommodate the development, or any of the substantial Oak trees on the B2133. Based on the details outlined herein, the Application Site is considered to be the most appropriate site for the Proposed Development.

Appendix ASA1

National Planning Policy

Minerals Policy Statement 1 (MPS1)

1.1 MPS1 published in November 2006 sets out the overall policy approach to minerals planning in England. It states in its introductory paragraph that minerals including gas, are essential to the nation's prosperity and quality of life, not least in helping to create and develop sustainable communities. Furthermore mineral developments are different from other forms of development because minerals can only be worked where they naturally occur. MPS1 identifies the important considerations which should be addressed in Mineral Plans which amongst other matters includes the safeguarding of reserves, supply, the protection of heritage and countryside and environmental protection. Annex 4 of MPS1 deals with the Government's Energy Policy and the role of onshore gas developments. The Energy Policy seeks;

- To cut carbon dioxide emissions by 60% by 2050, with real progress by 2020;
- To maintain the reliability of energy supplies;
- To promote competitive markets in the UK and beyond; and
- To ensure that every home is adequately and affordably heated.

1.2 Paragraph 3.2 of MPS1 Annex 4 notes that conventional gas development broadly consists of three phases – exploration, appraisal and production. Each phase requires a separate planning permission and there should be no presumption in favour of consent for subsequent stages if an earlier stage is permitted. Nor should possible effects of a later stage not yet applied for constitute grounds for refusal at an earlier stage.

1.3 Local authority policies are required under paragraph 3.8 of MPS1 Annex 4, to indicate that subject to the effects of the environment being properly addressed and mitigated and a satisfactory restoration and aftercare plan prepared, applications for exploration may be favourably considered.

Minerals Policy Statement 2 (MPS2)

1.4 MPS2 published in March 2005, sets out the principles to be followed in considering the environmental effects of mineral working in order to encourage sensitive working. Technical annexes on noise and dust support that guidance in recognition that these by-products of minerals extraction activity have a noticeable environmental impact. Paragraph 17 of MPS2 states that applications which are in accordance with the relevant

development plan should be allowed, unless material considerations indicate otherwise. MPS2 continues, advising developers that any potential adverse effects on local communities, environmental damage or loss of amenity must be kept to an acceptable minimum through the design of the proposals.

Planning Policy Statement 9 (PPS9)

1.5 PPS9 "Biodiversity and Geological Conservation" was published in 2005 and replaced the 1994 Planning Policy Guidance Note 9 (PPG9) on nature conservation. PPS9 sets out policies on biodiversity and geological conservation with the Government's objective being that "planning, construction, development and regeneration should have minimal impacts on biodiversity and enhance it wherever possible" (PPG9, page 2). In achieving this vision, the Government identify the objectives for the planning system as;

- The promotion of sustainable development;
- The conservation enhancement and restoration of England's wildlife and geology; and
- The contribution that enhancing biodiversity and green spaces can make to rural renewal and urban renaissance.

1.6 PPS9 states that planning decision should prevent harm to biodiversity and geological conservation areas. Where significant harm would result if planning permission is granted, the planning authority must be satisfied that the development cannot reasonably be located elsewhere where less harm would occur, and in such instances where the development cannot be relocated adequate mitigation measures must be put in place. In the case that neither the harm nor mitigation measures can be provided, appropriate compensation measures should be sought. Only in instances where none of these measures can be negotiated should planning permission be refused.

1.7 Ancient Woodland is prevalent in the search area for the proposed development and PPS9 identifies such designations as "a valuable biodiversity resource for both its diversity of species and for its longevity as woodland" (PPS9, page 6). Planning authorities are advised to "not grant planning permission for any development that would result in its loss or deterioration unless the need for, and benefits of, the development in that location outweighs the loss of the woodland habitat". Opportunities for enhancement and conservation, particularly of biodiversity rich "aged" or veteran trees, should be promoted.