

5 February 2013

**County Matter Mineral Application accompanied by an Environmental Statement**

**The siting and development of a temporary borehole, well site compound and access road including all ancillary infrastructure and equipment, on land at Wood Barn Farm, Broadford Bridge, for the exploration, testing and evaluation of hydrocarbons in the willow prospect.**

**Wood Barn Farm, Adversane Lane, Broadford Bridge, Billingshurst, West Sussex**

**Application No: WSCC/052/12/WC**

**Report by Strategic Planning Manager**

**Local Member: Pat Arculus**

**District: Horsham**

**Executive Summary**

This report concerns a proposal by Celtique Energie Weald Limited for the siting and development of a temporary borehole, well site compound and access road for the exploration, testing and evaluation of hydrocarbons at Wood Barn Farm, Broadford Bridge, near Billingshurst. The site would be used for the exploration, testing and evaluation of hydrocarbons. After evaluation, whether the site would be either retained or be restored would be dependant upon the finding of hydrocarbons and, if found, the commercial viability of the site. A separate planning application would be required for the production of any hydrocarbons.

Celtique Energie have stated that due to the geology present in that area, 'fracking' would not take place at Wood Barn Farm and they would use other 'conventional' drilling methods.

The report provides a generalised description of the site and a detailed account of the proposed development, and appraises it against the relevant policy framework from national to local level.

The main policies of relevance to this application are policies 1, 14, 26, 27, 53, 58, 60 of the West Sussex Minerals Local Plan; policies CP2 and CP15 of the Horsham District Council Core Strategy (2007); and policies DC6 and DC13 of Horsham District Council General Development Control Policies (2007).

WSCC's Principal Landscape Architect has objected due to insufficient protection of a category 'A' Oak tree. Five representations were received from members of the public, raising concerns about the impacts of traffic and from the site itself by way of noise and lighting.

**Consideration of Key Issues**

The main material planning considerations are whether:

- there is a need for the development;
- the development is acceptable in terms of highway capacity and road safety;
- the development is acceptable in terms of impact on local residents; and
- the development is acceptable in terms of impact on the environment.

### ***Need for the Development***

There is a clear need for oil and gas exploration in accordance with national and other policy. In addition, exploration wells are a valuable source of data on the sub-surface geological structure of Britain and greatly extend our knowledge of the nation's resources.

### ***Highway Safety***

The use of the site for the exploration, testing and evaluation results in a relatively low number of traffic movements. Even considering the worst case scenarios, the development is still not considered to result in significant impacts on the highway network or road safety. It is therefore considered that the impact on highway capacity and road safety is acceptable.

### ***Impact on Local Residents***

It is considered that the proposal would not have unacceptable impacts on local residents. Vehicular movements associated with the development are low and lighting is considered to have a negligible impact. Noise emissions during have been shown to be within an acceptable range and a condition for noise monitoring has been included. Given the temporary nature of hydrocarbon exploration, the development is considered acceptable.

### ***Impact on the Environment***

Given the temporary nature of the development and subject to the imposition of the recommended conditions, the impact of the development on the immediate environment and the surrounding landscape is considered to be minimal.

### **Conclusion**

Overall the proposed development for hydrocarbon exploration is considered to have minimal impacts in relation to the benefits gained from the development and it accords with the development plan and other material considerations, including the National Planning Policy Framework. It is considered, therefore, that the proposal is acceptable subject to the imposition of appropriate conditions to control the potential impacts as it progresses through the various stages of development.

### **Recommendation**

That planning permission be granted subject to the conditions and informatives set out in **Appendix 1** of this report.

1. **Introduction**

- 1.1 Celtique Energie Weald Limited are seeking permission for the siting and development of a temporary borehole, well site compound and access road for the exploration, testing and evaluation of hydrocarbons at Wood Barn Farm, Broadford Bridge, near Billingshurst. The site would be used for the exploration, testing and evaluation of hydrocarbons. After evaluation, whether the site would be either retained or be restored would be dependant upon the finding of hydrocarbons and, if found, the commercial viability of the site. A separate planning application would be required for the production of any hydrocarbons.

2. **Site and Description**

- 2.1 The proposed application site lies in Horsham District, approximately 7km to the south east of Horsham and 3km to the south of Billingshurst (see **Appendix 2 – Location Plan**). The main drill site and associated infrastructure lie within the Parish of West Chiltington.
- 2.2 At present the application site consists of agricultural land forming part of larger fields in pastoral use. The site is enclosed from the surrounding countryside by existing woodland blocks and tree coverage. The most significant areas of woodland consist of Pocock's Wood to the north-west and Prince's Wood approximately 150m to the east, the latter of which is designated as Ancient Woodland. Access to the site would be through an existing agricultural track which would be made suitable for development traffic.
- 2.3 The local area is generally characterised by gently undulating farmland enclosed by mature hedgerows and scattered woodland blocks. The settlement pattern comprises a network of farmsteads and associated agricultural workings alongside smaller villages, groups of residential properties and individual cottages and homes, some of which are Listed Buildings (the closest of which being Broadford Bridge Farmhouse some 500m to the south-east). The closest area of development lies approximately 300m to the south east and consists of a number of poultry houses at Homefield Farm. Further to the east of the poultry houses is the main farm house and other detached properties associated with the hamlet of Broadford Bridge. The most significant area of development is the village of Billingshurst which lies approximately 3km to the north of the site.
- 2.4 There is a network of public footpaths and bridleways in the locality offering access to farmed fields, residential properties and the countryside for visitors and residents. There are no Public Rights of Way crossing or adjoining the application site; the closet footpath passes approximately 320m to the north-west between Wood Barn Farm and Gay Street Farm.

3. **Relevant Planning History**

- 3.1 There is no planning history relevant to this application.

4. **The Proposal**

- 4.1 The applicant is seeking permission for the exploration and appraisal of a potential oil and gas reservoir. Minerals can only be exploited where they occur and having contemplated a range of options available for the placement of the site, the applicant considers that the proposed location represents the only viable location to keep noise levels to a minimum at residential receptors and reduce visual impacts. Given the rural locality of the target area and constraints affecting drilling, the applicant has proposed this location to represent the best option, viewing other potential sites as resulting in greater impacts.
- 4.2 The proposed development is made up of four separate phases – Phase 1 - Construction, Phase 2- Mobilisation and Drilling, Phase 3 - Testing, and Phase 4 – Retention/restoration. **Appendix 3 – Site Layout Plan** shows the development at Phase 2. Clearly there is a possibility that testing may indicate that the site is commercially viable. Therefore whether the site is retained or restored would depend upon the results from the testing phase. In order to bring the site into full production, the submission of a new planning application would be required.

***Phase 1: Construction of the Access Road and Well Site***

- 4.3 Phase 1 would involve vegetation and soil clearance with soil retained on site in separate top and sub soil bunds. The access road would consist of a tarmac entrance off the B2133 Adversane Lane with the remainder of the road consisting of crushed stone with soil bunds and drainage where required. The internal well site surface would also be formed with crushed stone compacted on top of a synthetic layer falling to a perimeter ditch which would be lined with an impermeable membrane to prevent ground contamination

***Phase 2: Mobilisation of the Drill Rig and Drilling Operations***

- 4.4 The rig would be brought onto site in sections and constructed on site with the associated infrastructure including 24 hour staff living accommodation. Drilling would be 24 hours a days, 7 days a week for the safety of the well and to make the operation as efficient as possible, with staff working 12 hour shifts. The tubing which would be set inside the drilled well and the drilling programme has been designed in accordance with industry practice and water supplies would be stored in tanks and delivered by tankers during daylight hours.
- 4.5 Mud and rock cuttings and the contents of the surface water ditches would be collected in purpose-built tanks, located on either a concrete pad or in skips and transported from the site by road for disposal at an authorised waste disposal facility. Normally 20 staff are on site during drilling operations and staff parking is provided within the site. Due to the drilling phase being 24 hour a day, for the health and safety of the rig crew, lighting would be required during the hours of darkness

***Phase 3a: Short Term Testing and Evaluation - Gas***

- 4.6 Until the drilling has been completed, the nature of the hydrocarbons will not be known – if indeed there are any present at all. Should gas be discovered, a short-term testing and evaluation programme would be required to give an indication of the presence and pressure of the gas discovered. This would be carried out with the rig on location and would begin with a short flow of gas

from the borehole into the onsite separator tank, to remove any water or other liquids, before the routine flare programme is undertaken. A routine flare programme involves piping the gas from the separator to the flare and testing the flow rate of the gas for no longer than 2 weeks, with the rig on site. This process requires just a small amount of gas which would then be burnt off by the burners rather than released untreated into the atmosphere. The flaring process generally takes place during daylight hours.

***Phase 3b: Short Term Testing and Evaluation - Oil***

- 4.7 Should oil be discovered, the well would be tested to give an indication of the presence and quality of oil discovered in the reservoir and this would be carried out with the rig on location for up to 2 weeks. Depending on the results from the first two weeks of testing, up to a further 12 weeks of testing may take place on site but would be carried out without the rig. Other than the rig and flaring equipment, oil testing requires the placement of storage tankers and separators within the well site compound, to enable processing of the oil. Natural crude oil always contains an element of gas and water which must be separated prior to testing. The oil is passed through the separator from the storage tanks, and any gas is flared off.

***Phase 4a: Restoration***

- 4.8 Should neither oil nor gas be discovered, or should testing conclude that commercial production is not suitable, the well would be abandoned by plugging the borehole in accordance with the procedures set by the governing body for the industry – the Department for Energy and Climate Change (DECC). The steel tubing, which is set inside the well, would be cut approximately 1.5 meters below the surface and capped with a steel plate and decommissioning of the rig would take approximately 3 days. All structures including welfare and support buildings, the rig, storage tanks, the well cellar and ditch lining would be removed, and any remaining drilling mud, cuttings and waste removed from the site. The land would be returned to its former use, using the native soils from the stored sub and top soil bunds. The site surface would be re-formed using the stored soils and allowed to regenerate naturally.

***Phase 4b: Retention***

- 4.9 If further off-site testing is required, the site would be retained until the results of the tests conclude whether the site can be taken into production or should be restored. Should the results of Phase 3 indicate that there are producible quantities of oil and gas in the reservoir, the site would be retained whilst an application for production is prepared and submitted to WSCC. During retention, the well would be capped in accordance with DECC procedures, and welfare and support building, the drill rig and storage tanks would be removed. Any remaining drilling mud, waste and other materials removed from the borehole, would be removed from the site. The perimeter ditches, linings, cellar, security fencing, access road and well site compound including parking would be retained for future use pending the grant of planning permission for production.

***Timescales***

4.10 The table below has been taken from the Environmental Statement and sets out the best estimate timescales for each phase of the development.

Phase	Best Case Scenario	Worst Case Scenario
<b>Phase 1</b> Construction	6 weeks	6 weeks
<b>Phase 2</b> Mobilisation and Drilling	6 weeks	10 weeks (includes a 4 week contingency)
<b>Phase 3a</b> Testing (gas)	1 week (includes mobilisation, 1 wk test with rig and flaring)	2 weeks (includes mobilisation, 2 weeks test with rig and flaring)
<b>Phase 3b</b> Testing (oil)	2 weeks – (1 week mobilisation, 1 week testing with rig and flaring)	14 weeks (2 weeks mobilisation, 12 weeks testing, but rig would not be at site during an extended test such as this)
<b>Phase 4a</b> Restoration	6 weeks	6 weeks
<b>Phase 4b</b> Retention	1 month	30 months

### ***Fracking***

4.11 The target reservoir is a conventional (non-shale) reservoir, sufficiently permeable that gas should flow naturally. Therefore Celtique Energie have stated that 'fracking' (hydraulic fracturing) will not take place at Wood Barn Farm and they will be using other 'conventional' methods.

## **5 Environmental Impact Assessment (EIA)**

5.1 The applicant formally requested a Scoping Opinion which was completed by WSCC on the 15 May 2012 in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (the 'EIA Regulations').

5.2 The application can be considered to fall within either Part 2(d) or Part 2(e) of Schedule 2 to the EIA Regulations in that it relates to 'extractive industry – deep drillings' and 'surface installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale'. Accordingly, the application was accompanied by an Environmental Statement.

## **6. Policy**

6.1 Planning applications must be determined in accordance with the statutory development plan unless material considerations indicate otherwise. For the purposes of the application, the following documents form the statutory development plan: the South East Plan (2009), the West Sussex Minerals Local Plan (2003), Horsham Local Development Framework (Core Strategy 2007) and Horsham Local Development Framework (General Development Control Policies 2007).

6.2 The key policies in the development plan, which are material to the determination of the application, are summarised below. In addition, reference is made to relevant national planning policy guidance and other policies that guide the decision-making process and which are material to the determination of the application.

***South East Plan (SEP) (2009)***

- 6.2 There are no policies relating to oil or hydrocarbon extraction, though paragraph 10.98 notes that where such resources occur, local planning authorities should make provision for them in their mineral development documents.

***West Sussex Minerals Local Plan (2003)***

- 6.3 Given the age of the Minerals Local Plan, only the policies which are consistent with the NPPF should be given full weight. The main policies from the West Sussex Minerals Local Plan which are in accordance with the NPPF and of relevance to the present application are:
- Policy 1 – Principles of Sustainable Development
  - Policy 14 – Seeks appropriate restoration, protecting the physical characteristics of the land
  - Policy 26 – Seeks protection for the surrounding area
  - Policy 27 – Having regard to the issues of Policy 26 and the limited duration of hydrocarbon exploration
  - Policy 53 – The incorporation of satisfactory means for the retention, protection and maintenance of existing trees.
  - Policy 58 – Requires appropriate stripping, handling and storage of soils
  - Policy 60 – Seeks appropriate protection from noise

***Horsham District Council Core Strategy 2007***

- 6.4 The main policies of the Horsham District Council Core Strategy of relevance to this application are policies CP2 which seeks protection of the District's environment and policy CP15 which seeks to protect the countryside area.

***Horsham District Council General Development Control Policies 2007***

- 6.5 The main policies of the Horsham District Council General Development Control Policies of relevance to this application are policies DC1 and DC6 which seek protection of the countryside and of woodland & trees respectively.

***National Planning Policy Framework***

- 6.6 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and has immediate effect. Most Planning Policy Statements and Planning Policy Guidance have been replaced by this new Framework. The NPPF is a material consideration in determining this planning application. At the heart of the NPPF is a presumption in favour of sustainable development.

- 6.7 The specific paragraphs within the NPPF that are relevant to this application are as follows:

- Paragraph 14 states that decision takers should *'approve development proposals that accord with the development plan without delay'*
- Paragraph 143 - Facilitating the Sustainable Use of Minerals, states that when developing noise limits, planning authorities should ***'recognise that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction'*** (emphasis added by planning officer)
- Paragraph 144 goes further, that when determining planning applications, planning authorities should;
  - *Give great weight to the benefits of the mineral extraction*
  - *Ensure that there are no unacceptable adverse impacts on the natural environment*
  - *ensure that any **unavoidable** (emphasis added by planning officer) noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source and,*
  - *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."*
- Paragraph 147: *"Minerals planning authorities should also:*
  - *when planning for on-shore oil and gas development, including unconventional hydrocarbons, clearly 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;*

## 7. Consultations

- 7.1 **Horsham District Council:** No response from the authority as a whole. However, the Environmental Health Officer has commented regarding noise, stating it 'unlikely that any of the identified receptors will be exposed to intrusive noise'. A condition to secure a Noise Management Plan has been recommended.
- 7.2 **West Chiltington Parish:** No objection
- 7.3 **Billingshurst Parish Council:** Although not in their parish, they were consulted and requested that certain concerns to be taken into account should development be granted. These included hedgerow cutting, improved signage and road improvements along the B2133, a speed reduction in the local area and vigilance over contamination to the local aquifers.
- 7.4 **Natural England:** Generic comments provided in relation to ecological features which may or may not affect the site.
- 7.5 **Environment Agency:** No objection subject to conditions seeking foul and surface water protection and pollution protection measures.
- 7.6 **Police:** Advice regarding crime prevention.
- 7.7 **Southern Water:** No objection



- 7.8 **WSCC Fire Service:** Advice regarding best practice for site layout regarding fire safety.
- 7.9 **WSCC Highways:** No objection subject to highways safety conditions
- 7.10 **WSCC Archaeology:** No objection subject to suitable archaeological safeguarding
- 7.11 **WSCC Ecology:** No objection subject to imposition of suitable ecological protection conditions
- 7.12 **WSCC Landscape:** Objection due to significant stress on the roots of a category 'A' tree.

## 8. **Representations**

8.1 The application was publicised in accordance with Schedule 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2010. In response to the erection of seven site notices located around the application site, an advertisement in the local newspaper and 40 neighbour notification letters, five representations were received, three in objection to the proposal with two having no objection in principle but expressing concern over some aspects of the proposal.

8.2 The objections and concerns raised related to:

- The impact of additional traffic on the local road network (vehicle numbers, congestion, mud/debris, speed of vehicles, accidents, noise)
- Impacts of lighting and noise from the proposal
- Impact of landscape
- Misleading publicity

## 9. **Consideration of Key Issues**

9.1 The main planning matters to consider in relation to this application are whether:

- there is a need for the development;
- the development is acceptable in terms of highway capacity and road safety;
- the development is acceptable in terms of impact on local residents; and
- the development is acceptable in terms of impact on the environment.

### ***Need for the Development***

9.2 The proposal for oil exploration accords with national minerals policy as well as local policies which aim to promote competitive markets in the UK and beyond, maximise the potential of the UK's conventional oil and gas reserves in an environmentally acceptable manner, and maintain the reliability of energy supplies.

- 9.3 Department for Communities and Local Government (DCLG) Mineral Planning Factsheet 2011 (onshore oil and gas) provides an overview of Onshore Oil and Gas supply in the UK. It is stressed that UK conventional oil and gas production off-shore is commonly agreed to decline significantly over the coming years and the UK is becoming a net importer of oil and gas. The UK economy is highly dependant on oil/gas with a large proportion of the UK's energy needs met by fossil fuels. Although onshore oil and gas extraction represents a small proportion of the UK production;
- capital expenditure to develop them is much smaller and they continue to be economically attractive,
  - they have and continue to make a modest contribution to the UK's requirements,
  - there is a ready and continuing need for oil and gas,
  - they are advantageous in terms of proximity of supply.
- 9.4 *In conclusion, there is a clear need for oil and gas exploration in accordance with national and other policy. In addition, exploration wells are a valuable source of data on the sub-surface geological structure of Britain and greatly extend our knowledge of the nation's resources.*

#### ***Impact on Highway Capacity and Road Safety***

- 9.5 The traffic and transport attributed to the development has been broken down into the four phases and it is anticipated that the second phase (Mobilisation of the Drill Rig and Drilling Operations) would have the greatest impact during peak hours. This phase is expected to last six weeks, generating approximately 15 peak hour movements.
- 9.6 Due to the fact that vehicular movements are less than 30 movements per hour, WSCC Highways are satisfied that a full junction capacity assessment is not required. Furthermore, they consider that the development would not have an impact on the operation of the highway network and view the volume of vehicles as an imperceptible impact.
- 9.7 *The use of the site for the exploration, testing and evaluation results in a relatively low number of traffic movements. Even considering the worst case scenarios, the development is still not considered to result in significant impacts on the highway network or road safety. It is therefore considered that the impact on highway capacity and road safety is acceptable.*

#### ***Impact on Local Residents***

- 9.8 The main impacts of the use of the site for exploration result from vehicular movements, noise and lighting.
- 9.9 Given the relatively low levels of vehicle movements associated with the development, it is not considered that these impacts would result in unacceptable impacts on the amenity of local residents.
- 9.10 With the drilling phase of the exploration being a 24 hour operation, concern has been raised regarding night time noise pollution. Horsham District Councils' Environmental Health Officer has comprehensively investigated this

and has raised no objection to the development. After seeking further information to substantiate the details submitted with the Environmental Statement, he believes that it is *'unlikely that any of the identified receptors will be exposed to intrusive noise. (Although) there may be occasions when atmospheric conditions facilitate the extended propagation of noise from the drilling operations, I would expect such events to be rare and therefore unlikely to be of any real significance'*.

- 9.11 Subject to a Noise Management Plan, which will monitor the development during the various phases of the development to ensure that noise from the site does not exceed the noise limits used in the assessments for the Environmental Statement, it is considered that exploration operations at the site would not result in unacceptable impacts on local residents.
- 9.12 The site lighting would mostly be at ground level, consisting of bulkhead lighting, horizontal strip lighting at cabin level and freestanding lighting standing at 3 metres in height (facing inwards and pointing downwards). The site benefits from the natural heavy tree and hedgerow cover giving good screening and in addition, soil bunding is proposed standing at 2 metres in height.
- 9.13 The drilling rig on the site must be illuminated at night for safety reasons. The site would, therefore, continue to be visible at night for an extended period should this application be granted. However, lighting would be installed to minimise off-site impacts using inward facing lighting. The impact on neighbouring residents, given the separation distances involved, is likely to be minimal. Consideration of the impact on the environment is given below. (see **Appendix 4 – Photographs of Similar Site Set-ups**)
- 9.14 *In conclusion, it is considered that the proposal would not have unacceptable impacts on local residents. Vehicular movements associated with the development are low and lighting is considered to have a negligible impact. Noise emissions during have been shown to be within an acceptable range and a condition for noise monitoring has been included. Given the temporary nature of hydrocarbon exploration, the development is considered acceptable.*

### ***Impact on the Environment***

- 9.15 Access to the site utilises an existing field access which would be modified to safely accommodate conventional and unconventional Heavy Goods Vehicles associated with the development. The access is located between two mature Oak trees (identified as T2 and T3 in the Arboricultural Constraints Assessment).
- 9.16 The root protection for tree T3 has been detailed at section 6.15 of the Environmental Statement. Such protection has received no objection from Horsham District Councils' Arboricultural Officer stating *"In regard to the retention and protection of retained trees on the site, I have examined the tree protection proposals and find them in general terms satisfactory. The access would ingress into and across the Root Protection Area's of another large roadside oak, rated as category 'A' in the tree report (T3). I have assessed the protective measures put forward to protect this tree in the Construction Programme, which involve the use of a sand and polystyrene base under steel road plating and a tarmac top dressing. This is in line with standard techniques*

*to disseminate the weight of HGV's, and is a satisfactory provision against root compaction."*

- 9.17 However, contrary to this, WSCC's Principal Landscape Architect has objected to the application, considering *"that the proposed entrance to the temporary site is likely to cause significant damage to the root protection area of an existing mature oak tree (numbered T3 in the tree survey). Lower crown branches of T3 would also be adversely affected by high vehicles if entering the site at this point. The tree survey values this tree as 'A1' – the highest quality tree. The applicant proposes to protect the rootzone area of T3 with a steel plate road construction which will be impervious. This area of the rootzone affected is identified in the tree survey as being the main zone of rooting for the tree owing to the existing road and ditch limiting root activity to the east. Called an 'offset rootzone' (according to BS 5837' Trees in Relation to Design, Demolition and Construction' 2012) this will exacerbate the negative impacts on T3."*
- 9.18 It has been the intention of the applicant to retain all trees during the development and it is considered that best efforts are being implemented to achieve this. If tree T3 does sustain root damage and requires removal in the future, it is not considered that this provides a sufficient reason to refuse the application.
- 9.19 Aside from tree T3, given the relatively short duration of the development and the location of the site within a heavily wooded area, the impact on the landscape and visual amenity is considered to be minimal. There may be some impact during the night resulting from site lighting and noise but this is considered to be negligible and temporary. The site would be restored or retained to a standard that would blend in with its surroundings, so any visual impacts would be temporary. Details of the access restoration would be agreed prior to restoration taking place.
- 9.20 *Given the temporary nature of the development and subject to the imposition of the recommended conditions, the impact of the development on the immediate environment and the surrounding landscape is considered to be minimal.*

## 10. Overall Conclusion and Recommendation

- 10.1 Overall the proposed development for hydrocarbon exploration is considered to have minimal impacts in relation to the benefits gained from the development and it accords with the development plan and other material considerations, including the National Planning Policy Framework. It is considered, therefore, that the proposal is acceptable subject to the imposition of appropriate conditions to control the potential impacts as it progresses through the various stages of development.
- 10.2 It is **recommended**, therefore, that planning permission be granted subject to the conditions and informatives set out at Appendix 1.

## 11. Equality - Customer Focus Appraisal

- 11.1 As part of the decision-making process, under the Equality Act, public bodies must have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and people who do not share it.

11.2 With very limited exceptions a Customer Focus Appraisal (CFA) must be provided to show how consideration of equality issues has influenced the decision-making process. The CFA will enable the decision-maker to consider the possible impact on customers and actions to mitigate or avoid any detrimental impact(s).

11.3 In the absence of a requirement for the applicant to prepare a CFA WSCC has carried out the appraisal in relation to this development (see Appendix 5). This concluded that the development would not adversely affect those with 'protected characteristics'.

## 12. **Resource Implications and Value for Money**

12.1 The proposal will have no resource implications for West Sussex County Council.

## 13. **Risk Management Implications**

13.1 The risks associated with determining this application are primarily political, where individuals and organisations may disagree with the decision.

13.2 If the decision is made to refuse the application, as with any decision regarding planning applications, there is a risk that this may be appealed, and that if the Planning Inspectorate decide in the appellant's favour, costs may be awarded.

## 14. **Crime and Disorder Act Implications**

14.1 The use of the site for oil/gas extraction has come to the attention of the Sussex Police who had identified it as a site for potential 'domestic extremism' from those opposing austerity measures. It is not considered that there is any action which can be taken within the County Council's powers to overcome these concerns.

## 15. **Human Rights Act Implications**

15.1 None identified.

Michael Elkington  
Strategic Planning Manager

### **List of Appendices**

Appendix 1 – Conditions

[Appendix 2 – Location Plan](#)

[Appendix 3 – Site Layout Plan](#)

[Appendix 4 – Photographs of Similar Site Set-ups](#)

[Appendix 5 – Customer Focus Appraisal](#)

Contact: Chris Bartlett, ext. 56864

## **Appendix 1: Conditions and Informatives**

### **CONDITIONS**

#### **TIME LIMITS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: To comply with Section 91 of the Town and Country Planning Act, 1990.*

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

*Reason: To secure the proper restoration of the site following the approved period for this temporary development.*

#### **APPROVED OPERATIONS PROGRAMME**

3. The development hereby approved shall be carried out in accordance with the particulars of the development contained in the application and plans and attached to planning application WSCC/052/12/12 (Environmental Statement dated July 2012, drawing numbers 3261/BB/02 Revision A, 3261/BB/03, 3261/BB/07 Revision B, 3261/BB/08 Revision B, 3261/BB/09 Revision A, 3261/BB/10 Revision A, 3261/BB/11 Revision A, 3261/BB/12 Revision A, 3261/BB/13, 3261/BB/15 Revision A, 3261/BB/17, 3261/BB/18 and the Grassland Management Plan (date stamped 15 Jan 2013), except as modified by condition hereafter.

*Reason: To ensure the development is carried out as proposed*

4. Prior written notification of the date of commencement for each phase of development works (Phase 1 - Construction, Phase 2 – Mobilisation and Drilling, Phase 3 - Testing and Phase 4 - Restoration/retention) hereby approved shall be sent to the County Planning Authority not less than seven days before commencement of each Phase.

*Reason: To inform the County Planning Authority of potential disruptive periods in the interests of amenity.*

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

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

## **HOURS OF WORKING**

6. Notwithstanding the 24 hour drilling associated with Phase 2 of the development, work at the site shall only be undertaken between the hours of 0700 and 1900 Mondays to Fridays and 0800 to 1300 on Saturdays. Notwithstanding the 24 hour drilling associated with Phase 2 of the development, no work shall occur on Sundays, Bank Holidays and Public Holidays.

*Reason: To protect the amenities of occupiers of nearby residential properties*

## **NOISE**

7. No plant or equipment shall be used on the site unless fitted and operated at all times with silencing measures to a standard not less than the manufacturer's UK standard specification for that equipment.

*Reason: In the interests of the amenities of occupiers of nearby residential properties*

8. Prior to the commencement of development, a Noise Management Plan shall be submitted to the County Planning Authority for approval in writing. The plan shall detail the monitoring of the site throughout the phases of development, including night-time working and shall be implemented upon approval for the duration of the permission. Should subsequent noise surveys establish the limits (which are specified within Chapter 9 of the Environmental Statement) are being exceeded; details for further mitigation and a timetable for implementation will be submitted to the County Planning Authority for approval. Upon approval from the County Planning Authority, the mitigation will be installed and retained for the duration of the permission.

*Reason: In the interests of the amenities of the residents of the locality; to ensure that noise from the site does not exceed the noise limits set out in the Environmental Statement.*

9. The operator shall use its best endeavours not to withdraw and replace during well drilling operations of Phase 2 the drilling string or set casing or place cement in the borehole, nor accept deliveries of drilling materials, water, casing, cement and other consumables and equipment between the hours of 22.00 and 07.00 other than in the case of an emergency. The operator shall notify the County Planning Authority in writing within 24 hours of any instance of failing to comply with the above operating hours.

*Reason: In the interests of the amenities of the residents of the locality.*

## **ECOLOGY**

10. No removal of hedgerows or trees shall be carried out on site between March to August inclusive in any year, unless otherwise approved in writing by the County Planning Authority. Where vegetation must be cleared during the bird breeding season a check for nesting birds by a suitably qualified ecologist will be required. Any vegetation containing occupied nests will be retained until the young have fledged. The location details of the compensatory nesting



provision are to be supplied to the County Planning Authority for approval prior to their erection.

*Reason: To avoid unacceptable adverse impacts on the natural in accordance National Planning Policy Framework paragraph 144*

## **LANDSCAPING**

11. Prior to commencement of the development a Tree Protection Plan shall be submitted to the County Planning Authority for approval in writing. The Plan shall be implemented in full following approval. No development shall commence until such approval has been given and the approved fencing is erected in full on site to the satisfaction of the WSCC Trees and Woodlands Officer. The protective fence line shall follow the edge of the root protection area in accordance with BS 5837 'Trees in Relation to Design, Demolition and Construction 2012 : Recommendations' unless by agreement with the County Planning Authority and be maintained throughout the development.

*Reason: In the interests of the amenity and of the environment of the development.*

12. Prior to the commencement of the development, a scheme showing details of construction materials, depth of construction, edge restraints and the construction methodology of any no dig construction required in accordance with BS5837:2012 shall be submitted to the County Planning Authority for approval in writing. No development shall take place until such approval has been given by the County Planning Authority. Once approved the scheme shall be adhered to in full.

*Reason: In the interests of the environment of the development.*

13. Prior to the commencement of the development, a landscape scheme detailing all planting and grassing proposals shall be submitted to the County Planning Authority for approval in writing. The scheme shall include details of species, planting sizes, soil amelioration and planting spacing. The approved scheme shall be implemented in full in the first planting season (Nov-Feb) following the commencement of the development. Once approved the scheme shall be implemented in full.

*Reason: In the interests of the environment of the development.*

14. Prior to the commencement of development a scheme of removal and reinstatement of the landscape features shall be submitted to the County Planning Authority for approval in writing. The scheme shall include the methodology for removal of the no dig surfacing. No development shall take place until such approval has been given. Once approved the scheme shall be carried out in full.

*Reason: In the interests of the environment of the development.*

## **ARCHAEOLOGY**

15. The developer shall arrange for an archaeological organisation or appropriately qualified archaeologists to observe the excavations and record archaeological

evidence that may be uncovered as a result of the development in accordance with a specification and timetable which shall be submitted to and approved in writing by the County Planning Authority prior to the commencement of development,

*Reason: In order to ensure that archaeological features and artefacts revealed during development works will be adequately recorded in accordance with paragraphs 132, 135, and 141 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.*

### **ACCESS TRACK RESTORATION**

16. Within one month from the commencement of development, a scheme of restoration for the access track shall be submitted for approval in writing by the County Planning Authority. Thereafter access track restoration shall form part of the overall restoration of the site as detailed in the Environmental Statement and which shall be completed in full.

*Reason: To ensure the landscape and ecology of the area is protected after the development has been completed.*

17. A scheme of aftercare specifying the steps to be taken to manage restored land shall be submitted for the written approval of the County planning Authority prior to the commencement of restoration. Thereafter the approved strategy shall be implemented in full.

*Reason: To ensure effective restoration and afteruse of the land to protect the landscape and ecology of the area.*

### **ACCESS / HIGHWAYS**

18. No development shall commence until the vehicular access and visibility splays, shown on drawing 3261/BB/15 Revision A, has been constructed. The access shall be maintained throughout the period of development.

*Reason: In the interests of highway safety*

19. Until the road(s), footways, and parking and turning areas serving the development have been constructed, surfaced and drained in accordance with the approved plans, Phases 2, 3 and 4 will not commence. Once provided, these elements shall thereafter be maintained throughout the development.

*Reason: To secure satisfactory standards of access for the proposed development.*

20. No development shall take place, including any works of demolition, until a Construction/Traffic Management Plan has been submitted to and approved in writing by the County Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the method of routing of vehicles during development,
- the loading and unloading of plant, materials and waste,

- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding/fencing,
- the provision of wheel washing facilities

Reason: *In the interests of highway safety and the amenities of the area.*

## **FIRE FIGHTING**

21. Prior to the commencement of development, a fire fighting plan shall be submitted to the County Planning Authority for approval showing the on site fire water tanks relocated near the main entrance to the well site compound. Once approved in writing by the County Planning Authority, the fire water tanks shall remain on site, in-situ throughout the development.

Reason: *In the interests of fire safety*

## **GROUNDWATER PROTECTION/DRAINAGE**

22. The development hereby permitted shall not be commenced until a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the County Planning Authority. The scheme for surface water shall include details preventing surface water draining onto public highway. The schemes shall be implemented as approved.

Reason: *To protect water quality and ensure compliance with the NPPF*

23. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the County Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for:

- the storage of plant and materials used in constructing the development;
- the storage of fuels, oils and chemicals;
- a scheme for recycling/disposing of waste resulting from construction works, including storage;
- details of the construction of the engineered site to prevent pollution;
- details of the drilling fluids, how they are used and stored on site.

All of the above must include detailed pollution prevention assessments and mitigation methods to prevent pollution of the water environment. Any changes to these components require the express written consent of the County Planning Authority. The scheme shall be implemented as approved.

Reason: *To protect water quality and ensure compliance with the NPPF*

## **INFORMATIVES**

- A. The reasons for granting planning permission are that the proposal accords with National Policy Guidance and complies with Development Plan Policies requiring that the proposed development is acceptable in terms of:

- The need for the development;

- Impact on highway safety;
- Impact on local residents; and
- Impact on the environment.

In determining the application and in applying the planning conditions, the following planning policies have been considered:

**South East Plan (2009)**

**West Sussex Minerals Local Plan (2003)**

- Policy 1 – Principles of sustainable development
- Policy 14 – Restoration of land
- Policy 26 – Impacts of oil development
- Policy 27 – Hydrocarbon duration
- Policy 53 - Landscaping
- Policy 58 – Soil for restoration
- Policy 60 – Noise monitoring

**Horsham District Council Core Strategy (2007)**

- Policy CP2 – Environmental Quality
- Policy CP15 – Rural Strategy

**Horsham District Council General Development Control Policies (2007)**

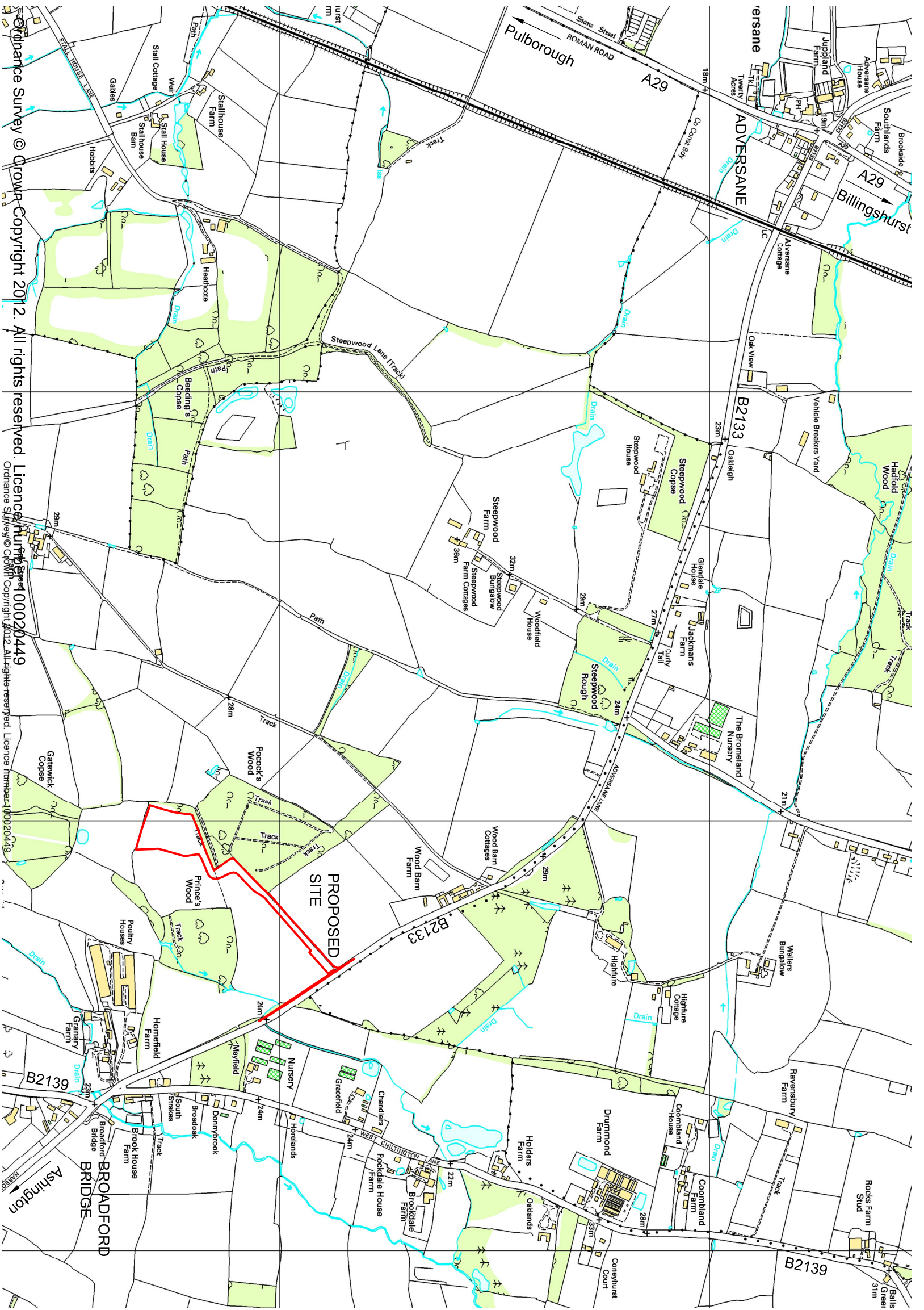
- Policy DC1 – Countryside protection and Enhancement
- Policy DC6 – Woodland and Trees

**National Policy**

National Planning Policy Framework (2012)

- B. In order to ensure that neighbouring properties are forewarned, prior to the commencement of drilling operations it is advisable that the applicant contacts neighbouring properties within 1km of the site, detailing the duration and nature of drilling operations.
- C. The applicant is advised that should protected species be present work must stop and Natural England informed. A license may be required from Natural England before works can re-commence, Natural England will advise.
- D. ***Section 278 Agreement of the 1980 Highways Act - Works within the Highway.***  
The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works, including details of highways signage. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
- E. The applicant's attention is drawn to the contents of the attached letter from Sussex Police's letter dated 10<sup>th</sup> September 2012 regarding guidance on site security.
- F. The applicant's attention is drawn to the requirement to provide for emergency access arrangements to the site and should ensure for themselves that the current and proposed measures at the site meet site specific fire safety requirements for this particular site and location that are normally sought by the County Fire Officer.

- G. The applicant's attention is drawn to the contents of the attached letter from the Environment Agency dated 27 September 2012 regarding other environmental consents and guidelines that may be necessary.
- H. The County Council has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



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**Proposed Site Location Plan**

Scale 1:10,000

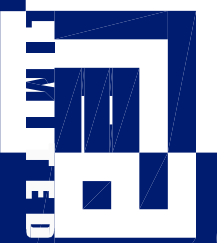
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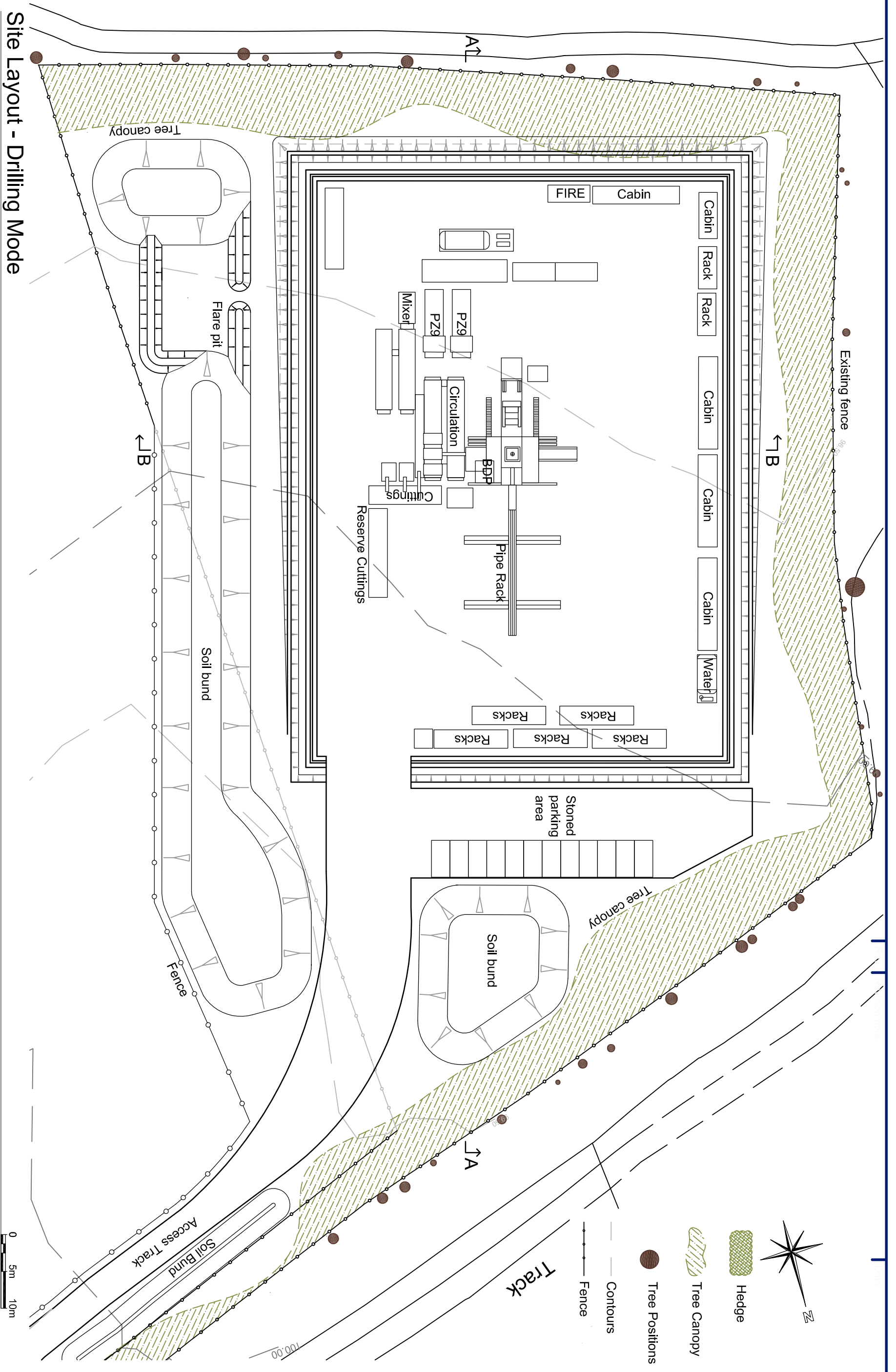


Dennett House  
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Client  
**Celtique Energie Petroleum**  
Broadford Bridge  
West Sussex

Drawn By <b>AJNE</b>	Date <b>July 2012</b>	Sheet Size <b>A3</b>
Drawing Title <b>Proposed Site Location Plan</b>	Revision <b>(1:10,000)</b>	
Job Title <b>Broadford Bridge Site</b>	Drawing Number <b>3261/BB/01</b>	

Site Layout - Drilling Mode  
Scale 1:500



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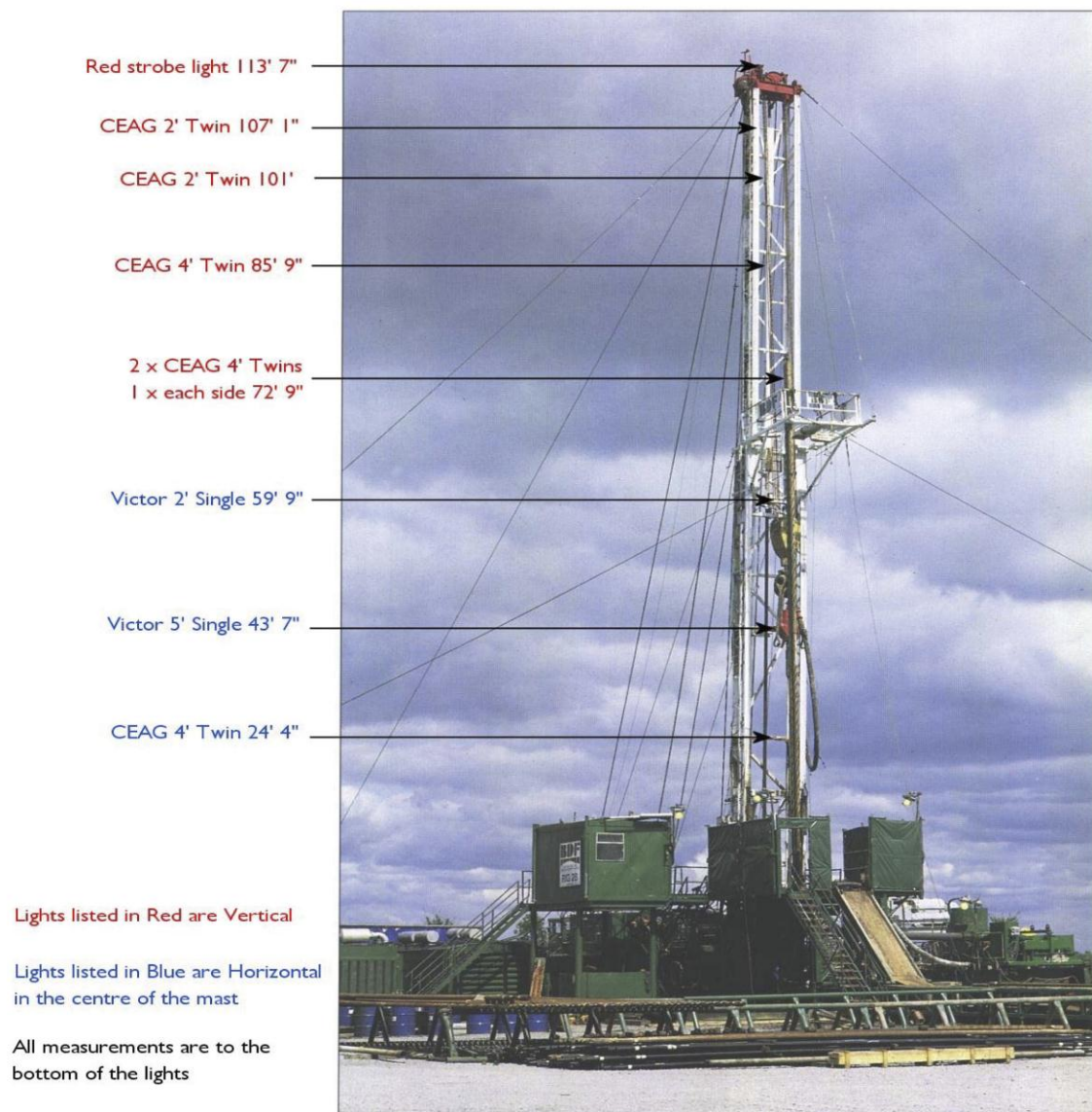
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Client	Dennett House Brighton Road Sway Lymington Hampshire SO41 6EB	
Job Title	Broadford Bridge Site	
Drawn By	AJNE	Date
Drawing Title	August 2012	Sheet Size
Drawing Number	3261/BB/10	A3
Revision	A	

### Mast Lighting BDF 28

- Red strobe light at top for aircraft warning, 35m above ground level.
- Inwards facing internal mast lighting, located along the length of the rig at the following locations (**Figure 5.1**);
  - 32.64m – CEAG ELLK 18w luminaire;
  - 30.78m – CEAG ELLK 18w luminaire;
  - 26.18m – CEAG ELLK 36w luminaire;
  - 22.22m – CEAG ELLK 36w luminaire (1 no. either side);
  - 18.25m – Victor Viscount VL51A 18w luminaire;
  - 13.32m – Victor Viscount VL51A 36w luminaire;
  - 7.44m – CEAG ELLK 36w luminaire.



**Figure 5.1:** Drilling rig BDF28 and lighting positions



### Gas Wellsite, Kirkleatham, Redcar

↓ Read more

→  
01/02



### Exploratory Gas Well, Ebberston Moor

↓ Read more



## Customer Focus Appraisal 2011

<b>Application no.</b>	<b>WSCC/052/12/WC</b>
------------------------	-----------------------

<b>Title of proposal</b>	The siting and development of a temporary borehole, well site compound and access road including all ancillary infrastructure and equipment, on land at Wood Barn Farm, Broadford Bridge, for the exploration, testing and evaluation of hydrocarbons in the willow prospect.		
<b>Proposal Address</b>	Wood Barn Farm, Adversane Lane, Broadford Bridge, Billingshurst, West Sussex		
<b>Date for Implementation</b>	Within 3 years of the grant of planning permission		
<b>Directorate</b>	N/a		
<b>Applicant</b>	Celtique Energie Weald Limited		
<b>CFA completed by (contact details)</b>	<b>Name:</b>	Chris Bartlett	<b>Email</b>
	<b>Tel:</b>	01243 756864	<a href="mailto:chris.bartlett@westsussex.gov.uk">chris.bartlett@westsussex.gov.uk</a>

### 1. What are the main aims and planned outcomes of the proposal?

The development intends to explore, test and evaluate the presence of hydrocarbons on land at Wood Barn Farm.

### 2. What information was used to analyse the impact of the proposal on customers, users and communities?

Consultation was undertaken as part of the planning process, comprising the erection of site notices, neighbour notifications, notification on the WSCC website and notification of statutory and non statutory consultees.

### 3. Are there any customers, users and communities who are negatively affected by the proposal? If so, explain which customers, users and communities and how they are negatively affected.

The development is not considered to negatively affect any customers, users or communities, who have protected characteristics.

### 4. Are there any customers, users and communities who are positively affected by this proposal? If so, explain which customers, users and communities and how they are positively affected.

The development is not considered to positively affect any customers, users or communities, who have protected characteristics.

**5. How does the proposal help to eliminate discrimination, harassment and victimisation?**

The development would not help to eliminate these factors but would not increase them either

**6. How does the proposal help to advance equality of opportunity between people who share a protected characteristic and those who do not?**

It does not, but does not hinder it either.

**7. How does the proposal help to foster good relations between persons who share a protected characteristic and those who do not?**

It does not, but does not hinder it either.

**8. What has been learnt from the analysis of the effect of the proposal on customers, users and communities? What changes were made to the proposal as a result?**

No changes were made.

**9. If no changes were made to the proposal following the analysis please explain why.**

No changes were considered necessary.

**10. How will the proposal be monitored and evaluated to make sure it continues to meet the equality duty owed to customers?**

The development would be monitored through the imposition of planning conditions.

**11. Who will be responsible for the monitoring and review?**

The development would be monitored by the County Planning Department

**12. Summary**

The proposed development is not considered to affect those with protected characteristics.

**To be signed by an Executive Director, Director or Head of Service to confirm that they have read and approved the content of the CFA and the Action Plan.**

Name

Date

Position in  
Company

Telephone

Email

<b>CFA ACTION PLAN</b>					
	<b>In Business Plan (Y/N)</b>	<b>Details of the action</b>	<b>Who will the action be reported to and how?</b>	<b>Person responsible</b>	<b>By when?</b>
<b>1</b>					
<b>2</b>					
<b>3</b>					
<b>4</b>					
<b>5</b>					
<b>6</b>					
<b>7</b>					
<b>8</b>					

You can add more lines to the Action Plan if necessary