

Case Officers Report of Delegated Action

Application No: WSCC/037/14/WC

Local Council: Horsham District Council

Site Address:

Wood Barn Farm, Adversane Lane, Broadford Bridge, Billingshurst, West Sussex,
RH14 9ED

Description of development

Temporary installation of security fence, gates and cabins in association with
planning permission LPA Ref: WSCC/052/12/WC

Relevant Planning History

WSCC/052/12/WC - 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 (Granted)

Environmental Impact Assessment

N/a

Consultations

Consultees and Comments

Horsham District Council – No objection raised. Requests condition to safeguard retained
trees.

West Chiltington Parish Council - No objection

Sussex Police – Supportive of the security measures being proposed

WSCC Highways - No objection, subject to a condition securing access management.

WSCC Landscape - No objection, subject to tree protection.

Representations (Main Points)

None received

Main Material Considerations

The main issues to be considered are whether the development:

- meets an identified need; and
- has an acceptable impact on local amenity and the landscape

Conclusions

The site is outside the 'built-up area', located instead in the 'countryside'. 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.

Identified Need

Due to the recent protest activity at similar sites, the applicant, following discussions with Sussex Police, has been advised to install security fencing and provide for on-site security staff prior to the commencement of operations. This is to ensure the safety and protection of staff and crew during operations, as well as of any protestors, and the environment if the site was to be accessed and emissions released through vandalism. It is therefore considered that there is a demonstrated need for the development to protect people and the environment.

Impact on local amenity and landscape

The fencing and gate around the drilling pad would stand at 4 metres in height and would consist of a concrete pad and mesh fencing, topped with barbed tape. Although not the most attractive design, its primary function is for security measures. Second to this, the fencing will also be employed as the tree root protection fencing, something which WSCC's Landscape Department raise no objection to. In addition to the fencing, security offices and cabins will be installed to a maximum of 3 metres in height. Three are located adjacent to the drilling pad and one near the site entrance.

Given the temporary period the fence and cabins would be erected for, their isolated location and limited public vantage points, it is not considered that they would result in unacceptable impacts on local amenity nor the landscape.

In conclusion, the application is considered acceptable for the temporary nature of the development.

Decision

Grant Planning Permission (time limited)

Conditions

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. The fencing, gates and structures hereby approved shall be removed from the site, and the site restored in accordance with the restoration scheme approved under planning permission WSCC/052/12 either:

- a) on or before the period ending 30 September 2017; or
- b) within three months of the cessation of the operations and need of the site

whichever occurs soonest.

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

3. The proposed development shall not take place other than in accordance with particulars of the application and the approved plans, 3261 BB SF 02 - Revision I, 3261 BB SF 03 - Revision F, 3261 BB SF 05 - Revision G, 3261 BB SF 06 - Revision G, 3261 BB SF 07 - Revision B, 3261 BB SF 08 - Revision A, 3261 BB SF 09 - Revision A, 3261 BB SF 10 - Revision C, 3261 BB SF 11 - Revision A, 3261 BB SF 12, Tree Protection Plan Sheet 1 of 3 (July 2014), Tree Protection Plan Sheet 2 of 3 (July 2014), Tree Protection Plan Sheet 3 of 3 (July 2014), save as varied by the conditions hereafter.

Reason: To ensure the development is carried out as proposed

4. 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 proposed method of access gate management

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

5. 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

Informatives

A. 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.

Crime & Disorder Act '98

Human Rights Act 1998

Article 8 of the European Convention safeguards the respect for family life and home whilst Article 1 of the first protocol concerns the non-interference with the peaceful enjoyment of

private property. Both rights are subject to conditions and interference with these rights may be permitted if the need to do so is proportionate. In this particular matter, the interests of those affected by the planned development have been fully considered as have the relevant considerations which may justify interference with particular rights. All of these are set out within the body of the report and are examined in the context of relevant planning considerations.


Equality Act 2010

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.

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).

In the absence of a requirement for the applicant to prepare a CFA, WSCC has carried out the appraisal in relation to this development to show how consideration of equality issues have influenced the decision-making process. This concluded that the development would not adversely affect those with 'protected characteristics'.

Date of Report Submission: 02/09/14	Case Officer Name: Chris Bartlett
	Case Officer's Signature 
Date of Final Report: 02/09/14	Reviewer's Signature
Reviewer: Jane Moseley	