



**KIMMERIDGE OIL & GAS LIMITED  
BROADFORD BRIDGE EXPLORATORY WELL SITE**

**PLANNING STATEMENT**

<b>PROPOSAL:</b>	<b>AMENDMENT OF CONDITION NO.1 OF PLANNING PERMISSION REF: WSCC/032/17/WC TO ENABLE THE RETENTION OF SECURITY FENCING, GATES &amp; CABINS FOR A FURTHER 18 MONTHS.</b>
<b>LOCATION:</b>	<b>WOOD BARN FARM, ADVERSANE LANE, BROADFORD BRIDGE, BILLINGSHURST, WEST SUSSEX RH14 9ED</b>
<b>DOC REF:</b>	<b>KOGL-BB-PA-2018 S73-SF-1.1</b>
<b>DATE:</b>	<b>14<sup>TH</sup> JUNE 2018</b>



**APPROVAL LIST**

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**REVISION RECORD**

<b>VERSION</b>	<b>DATE</b>	<b>DESCRIPTION</b>
<b>1.0</b>	31 <sup>st</sup> May 2018	Draft for Review
<b>1.1</b>	14 <sup>th</sup> June 2018	Submission Draft

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## Table of Contents

1. Introduction .....	3
1.1 Planning History .....	3
1.2 The Proposal .....	3
1.3 Site and Surroundings .....	4
2. Compliance with The Development Plan .....	4
2.1 West Sussex Mineral Local Plan (MLP) (2003) .....	4
2.2 Horsham District Planning Framework (HDPF) (2015).....	5
2.3 Overall Assessment of Compliance .....	5
3. Overall Conclusion .....	6

### APPENDIX 1: SITE LOCATION PLAN



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## 1. INTRODUCTION

### 1.1 Planning History

Kimmeridge Oil & Gas Limited (“the Applicant”) is a wholly-owned subsidiary of UK Oil & Gas Investments PLC (“UKOG”), an investment company focused on oil and gas assets in the Weald Basin.

On 11<sup>th</sup> February 2011 the Mineral Planning Authority, West Sussex County Council (“WSCC”), consented a temporary borehole for the exploration, testing and evaluation of hydrocarbons at Wood Barn Farm, Adversane Lane, Broadford Bridge, Billingshurst, West Sussex<sup>1</sup> (“original well consent”). In addition, to provide for site security and to deter unauthorised access WSCC consented the temporary installation of a security fence, gates and cabins in association with the development<sup>2</sup> (“original enclosure consent”).

As work progressed in 2017 it became clear that more time would be needed to allow for the completion of works. In response to applications submitted, WSCC authorised a 12 months extension of time for the works<sup>3</sup> and the associated security fence, gates and cabins<sup>4</sup>.

Exploration drilling and testing for hydrocarbons has been completed and the site is being retained to enable the review of data from the Broadford Bridge well and sidetrack (“BB-1/1z”) and other wells that will determine the future use of the site. However, it has become clear that the data required to complete the review process will not be available within the consented timeframe. The Applicant has therefore submitted a planning application seeking to extend the life of the well site for a further period of 18 months which automatically triggers the need for a further planning application to extend the life of the surrounding security fencing, gates and cabins to ensure site security during the review process and the following period of site restoration.

### 1.2 The Proposal

The extension proposal is seeking authorisation to vary the wording of the amended enclosure consent *Condition 1* to read as follows:

1. *The fencing, gates and structures hereby approved shall be removed from the site:*
  - a) *on or before the period ending 31<sup>st</sup> March 2020; or*
  - b) *within the first planting season following cessation of the operations on site; whichever occurs soonest.*

The purpose of this Statement is to consider the effect of the extension proposal adopting an assessment approach consistent with the *Planning and Compulsory Purchase Act 2004*, section 38(6).

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<sup>1</sup> West Sussex County Council planning consent reference WSCC/052/12/WC.

<sup>2</sup> West Sussex County Council planning consent reference WSCC/037/14/WC.

<sup>3</sup> West Sussex County Council planning consent reference WSCC/029/17/WC.

<sup>4</sup> West Sussex County Council planning consent reference WSCC/032/17/WC.

### 1.3 Site and Surroundings

The site comprises a worked farm that accommodates a well site in retention mode. Temporary earth bunding delineates a stable, flat and drained well pad formed of crushed stone overlaying an impermeable membrane.

The well site and its crushed stone access track (leading east to the B2133) are enclosed by a boundary fence and entrance gates with security cabins deterring unauthorised access.

The site is within the Parish of West Chiltington approx. 7km south-east of Horsham and 3km south of Billingshurst. The surrounding area is characterised by gently undulating farmland, mature hedgerows and woodland blocks restricting visual access (see *Appendix 1: Site Location Plan*).

## 2. COMPLIANCE WITH THE DEVELOPMENT PLAN

The Development Plan for the site comprises:

- West Sussex Mineral Local Plan (2003); and
- Horsham District Planning Framework (2015).

### 2.1 West Sussex Mineral Local Plan (MLP) (2003)

When dealing with a type of development for which there is bespoke policy, it is logical to take that policy as the starting point in the determination process. While the Development Plan must be read as a whole, it follows that the greatest weight should be attributed to bespoke policy. The dominant policy for consideration in this case is ***Oil and Gas Policy: 26 and 27*** given that the proposal is infrastructure ancillary to hydrocarbon exploration development.

#### 2.1.1 Compliance with Dominant Policy: MLP Oil and Gas Policy 26 and 27

The site has been assessed as being of “low” ecological value<sup>5</sup> and the ecological integrity and conservation status of protected or notable natural heritage populations would not be compromised<sup>6</sup> by the extension proposal. In addition, WSCC Landscape Department found the visual effects of the original enclosure proposal to be acceptable<sup>7</sup> and the extension proposal would not materially change this finding. Furthermore, following implementation of the original enclosure consent, a “*Tree Protection Plan*” has been successfully implemented to protect the road-side Oaks and other mature species within the site. Accordingly, the proposal would not compromise the countryside resources consistent with *riterion (A) of Policy 26* and NPPF para 144<sup>8</sup>.

Sussex Police found the original enclosure proposal acceptable<sup>9</sup> and the extension proposal would not materially change this finding. Within this context, the proposal would not compromise the protection of residential amenities consistent with *riterion (C) of Policy 26*.

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<sup>5</sup> Broadford Bridge-1 Exploratory Well Site (Consented WSCC/052/12/WC) ES (July 2012) - Chapter 7: Ecology, para 7.135.

<sup>6</sup> Broadford Bridge-1 Exploratory Well Site ES (Consented WSCC/052/12/WC) (July 2012) - Chapter 7: Ecology, para 7.126.

<sup>7</sup> WSCC Delegated Action Report dated 2<sup>nd</sup> September 2014 – Consultations.

<sup>8</sup> WSCC Decision Notice WSCC/052/12/WC - Permitting Exploration, Testing & Evaluation at Broadford Bridge: Reasoned justification for Condition 11: Ecology.

<sup>9</sup> WSCC Delegated Action Report dated 2<sup>nd</sup> September 2014 – Consultations.

The proposal is in compliance with **MLP Oil and Gas Policy 26** with no material conflict identified.

**MLP Oil and Gas Policy 27** engages “duration” and the “area of activity” as material planning considerations. The extension proposal would not materially change the nature or duration of effects assessed as part of the original enclosure consent; they remain temporary, reversible and subject to an agreed programme of restoration and aftercare to be delivered as part of the original well consent. The developed site occupies a small footprint, screened by mature woodland adopting best available techniques to minimise the scope for adverse effects. The proposal’s compliance with **Policy 26**, when combined with the above assessment of acceptability, is sufficient to demonstrate compliance with **Policy 27**.

### 2.1.2 Compliance with Other Policies

**MLP Countryside Policy 14** calls for the physical characteristics of the land to be restored “to what they were when the land was last used for agriculture”. As above, the original enclosure consent engages the programme of restoration and aftercare agreed as part of the original well consent.

**MLP Landscaping Policy 53** has been satisfactorily addressed by virtue of the “Tree Protection Plan” agreed to discharge the original well consent **Condition 11: Landscaping**. The extension proposal would manage and maintain the mitigation already committed on site.

Development has progressed adopting working practices and best available techniques that ensure the scope for environmental harm is minimised. Opportunities to conserve and enhance the environment have been incorporated as part of the development. None of these benefits would be lost as a result of the extension proposal consistent with the core planning principle of **MLP Policy 1: Sustainable Development**.

## 2.2 Horsham District Planning Framework (HDPF) (2015)

The HDPF does not contain dominant policy designed to address oil and gas development. It does contain policies designed to promote sustainable development and protect natural and built heritage. The relevant policies are considered below.

**HDPF Policy 1: Sustainable Development**, establishes that local decision-takers will apply the NPPF’s “**presumption in favour of sustainable development**”<sup>10</sup>. Having established compliance with the MLP when read as a whole the proposal is “sustainable development”. The decision taking guidance of **HDPF Policy 1** and the NPPF will inform the final planning balance.

Having established compliance with **MLP Oil and Gas Policy 26**, the proposal is consistent with the relevant criteria of **HDPF Policy 24: Environmental Protection** and **HDPF Policy 31: Green Infrastructure and Biodiversity** policies designed to protect the District’s high-quality environment by maintaining/enhancing its natural heritage. Similarly, compliance with **MLP Landscaping Policy 53**, is sufficient to establish consistency with the relevant criteria of **HDPF Policy 25: The Natural Environment and Landscape Character** and **HDPF Policy 30: Protected Landscapes**.

## 2.3 Overall Assessment of Compliance

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<sup>10</sup> National Planning Policy Framework (2012), para 14, page 4 – the ‘**bold type**’ derives from the Framework.

The extension proposal's temporary and reversible effects are acceptable when considered against an environmental base-line that contains the developed site. Any residual effects would be satisfactorily addressed by the agreed programme of restoration and aftercare to be delivered as part of the original well consent.

The extension proposal gives rise to no new or additional material effects beyond those previously considered acceptable. Accordingly, no new policy conflicts arise. When read as a whole, the proposal is in overall compliance with the Development Plan. This is a benefit attributed significant weight in favour of approving the proposal.

### **3. OVERALL CONCLUSION**

The Applicant has established the proposal to be "*sustainable development*" in principle and design, consistent with the Development Plan and the NPPF where relevant. The proposal engages the "*presumption in favour of sustainable development*", requiring decision takers to approve compliant proposals without delay. Accordingly, the Applicant respectfully request that planning permission be consented.





## **APPENDIX 1: SITE LOCATION PLAN**



Broadford Bridge  
Security Fence, Gates & Cabins Planning Statement

KOGL-BB-PA-2018 S73-SF-1.1

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