

**APPLICATION NUMBER: WSCC/079/19  
COUNTY MATTER MINERAL**

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015**

To: Mr Nigel Moore  
Zetland Group Limited  
The Innovation Centre  
Vienna Court  
Kirkleatham Business Park  
Redcar  
Redcar and Cleaveland  
TS10 5SH

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development, that is to say:

**Amendment of condition no. 1 of planning permission WSCC/032/18/WC extending the permission by 24 months to enable the completion of phase 4 site retention and restoration at Wood Barn Farm, Adversane Lane, Broadford Bridge, Billingshurst, RH14 9ED**

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions) submitted to this Council on 20 December 2020 and subject to the conditions specified hereunder:

**TIME LIMITS**

1. This permission shall be for a limited period only expiring on 31 March 2022, 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 (ref. Well Site Restoration Layout Plan – KOGI-BB-PA-XX-09).

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

**APPROVED OPERATIONS PROGRAMME**

2. Only Phase 4 - Restoration/retention is permitted under this approval. Phase 1 – Construction, Phase 2 - Mobilisation and Drilling and Phase 3 – Testing shall not be carried out or revised in the lifetime of this approval. For the avoidance of doubt, hydraulic fracturing ('fracking') is not permitted under this permission.

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

Date ..... **14 July 2020** ..... Signed: **Michael Elkington**, Head of Planning Services

**IT IS IMPORTANT THAT YOU READ THE NOTES IN APPENDIX A**

## CONTINUATION SHEET

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3. The development hereby approved shall not take place other than in accordance with the approved drawings:

- Site Location Plan - 26059 P1;
- Site of Application – KOG-L-BB-PA-XX-02;
- Existing Site Entrance Layout Plan - KOG-L-BB-PA-XX-03;
- Existing Access Track 2 Layout Plan - KOG-L-BB-PA-XX-04;
- Existing Site Entrance Layout Plan - KOG-L-BB-PA-XX-05;
- Existing Well Site Retention Mode Layout Plan - UKOG-BB-PA-XX-06;
- Existing Well Site Retention Mode Sections - KOG-L-BB-PA-XX-07;
- Well Site Parking Layout Plan - KOG-L-BB-PA-XX-08; and
- Well Site Restoration Layout Plan – KOG-L-BB-PA-XX-09,

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 of Phase 4a - Restoration hereby approved shall be sent to the Minerals Planning Authority not less than seven days before commencement of the Phase.

*Reason: To inform the Minerals 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. Work at the site, including HGVs entering and leaving the site, shall only be undertaken between the hours of 0700 and 1900 Mondays to Fridays and 0800 to 1300 on Saturdays. 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.*

## CONTINUATION SHEET

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8. No development shall be carried out unless in full accordance with the Noise Management Plan (ref KOGL-BB-DOC-XX-06 and dated 21 August 2014) which shall be adhered to and retained throughout the duration of the permission. Should monitoring of noise indicate that the limits (which are specified within Chapter 9 of the Environmental Statement) are being exceeded, details of further mitigation and a timetable for implementation will be submitted to the Minerals Planning Authority for approval.

*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.*

### LANDSCAPING AND ACCESS TRACK RESTORATION

9. No development shall be carried out unless in full accordance with the following documents which shall be adhered to in full and where relevant, form part of the overall restoration of the site:

- Tree Protection Plans – KOGL-BB-DOC-XX-01;
- Tree Protection Plan Methodology – KOGL-BB-DOC-XX-02;
- Methodology for the removal and reinstatement of the access track and no-dig surfacing at the access off Adversane Lane – KOGL-BB-DOC-XX-03; and the
- Landscape Proposals – KOGL-BB-DOC-XX-05;

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

10. A scheme of aftercare specifying the steps to be taken to manage restored land shall be submitted for the written approval of the Minerals 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

11. The vehicular access and visibility splays, shown on drawing KOGL-BB-PA-XX-05, shall be retained and maintained throughout the duration of the permission.

*Reason: In the interests of highway safety.*

12. The development shall be undertaken in full accordance with the Construction Traffic Management Plan document (ref KOGL-BB-DOC-XX-04 and dated 14 August 2014).

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

## CONTINUATION SHEET

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### FIRE FIGHTING

13. The fire water tanks shown on approved plan UKOG-BB-PA-XX-06 shall remain on site, in the approved position and available for immediate use throughout the development.

*Reason: In the interests of fire safety.*

### GROUNDWATER PROTECTION/DRAINAGE

14. The approved groundwater protection/drainage scheme to dispose of foul and surface water and accompanying drawings 'Surface Water Distribution at Site Entrance Plan - KOG-L-BB-PA-XX-10' and 'Site Ditch Construction Details – KOG-L-BB-PA-XX-11' shall be adhered to and retained throughout the duration of the permission.

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

15. The approved Construction Method Statement and accompanying drawings 'Cellar Construction Detail - KOG-L-BB-PA-XX-12' and 'Site Ditch Construction Details - KOG-L-BB-PA-XX-11' shall be adhered to and retained throughout the duration of the permission.

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

### LIGHTING

16. No lighting or floodlighting shall be used on the site.

*Reason: To minimise the nuisance and disturbances to the surrounding area.*

### INFORMATIVES

- A. In accordance with paragraph 38 of the National Planning Policy Framework, the County Planning Authority has approached the determination of this application in a positive and creative way, and has worked proactively with the applicant by:

- Providing pre-application advice;
- Discussing issues of concern as early as possible, including those raised by consultees and third parties; and
- Giving them the opportunity to provide further information/changes to overcome material impacts

As a result, the Minerals Planning Authority has been able to recommend the grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision, please see the report by contacting County Planning at West Sussex County Council or visiting the website at [www.westsussex.gov.uk/planning](http://www.westsussex.gov.uk/planning).

## **APPENDIX A: TOWN AND COUNTRY PLANNING ACT 1990**

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT IS RECOMMENDED THAT YOU CONSULT A SOLICITOR IF YOU ARE IN ANY DOUBT.

### **1 Appeals to the Secretary of State**

- (a) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- (b) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get online at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk) or by writing to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.
- (c) The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (d) The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- (e) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

### **2 Purchase Notices**

- (a) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- (b) In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

- 3 Further correspondence about this application should quote the reference number at the top right hand corner of the form.