



**UKOG (234) LTD
BROADFORD BRIDGE EXPLORATORY WELL SITE**

PLANNING STATEMENT

PROPOSAL:	AMENDMENT OF CONDITION 1 OF PLANNING PERMISSION REF: WSCC/078/19/WC EXTENDING THE PERMISSION BY 24 MONTHS TO ENABLE THE RETENTION OF SECURITY FENCING, GATES AND CABINS.
LOCATION:	WOOD BARN FARM, ADVERSANE LANE, BROADFORD BRIDGE, BILLINGSHURST, WEST SUSSEX, RH14 9ED
DOC REF:	UKOG-BB-PA-2021-S73.FGC
DATE:	NOVEMBER 2021



APPROVAL LIST

NAME		TITLE
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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
1.4	Structure of this Statement	4
2.	Development Description	4
2.1	Well Site Security Fence and Gates.....	4
2.2	Highway Junction Gates	4
2.3	Security Cabins	4
3.	Compliance with the Development Plan	5
3.1	West Sussex Joint Minerals Local Plan.....	5
3.2	Horsham District Planning Framework	6
3.3	Overall Assessment of Compliance	7
4.	The Influence of Other Material Planning Consideration	7
4.1	National Planning Policy	7
4.2	Wider Benefits for Hydrocarbon Development.....	9
4.3	Overall Assessment of Influence.....	9
5.	Final Planning Balance	10

APPENDIX 1: SITE LOCATION PLAN



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1. INTRODUCTION

1.1 Planning History

UKOG (234) Ltd (the 'Applicant') is a wholly-owned subsidiary of UK Oil & Gas PLC (UKOG), a company focused on oil and gas assets in the Weald Basin and onshore Turkey.

On 11th February 2011 the Mineral Planning Authority, West Sussex County Council (WSSC), consented a temporary borehole for the exploration, testing and evaluation of hydrocarbons¹ (the 'original well consent') at Wood Barn Farm, Adversane Lane, Broadford Bridge, Billingshurst, West Sussex (the 'Site'). In addition, to provide site security and deter unauthorised access WSSC consented the temporary installation of fencing, gates and cabins in association with the development² ('original enclosure consent').

Since the date of these consents, the drilling and testing of hydrocarbons has completed and the Site has been retained to enable a review of the data alongside data from the operational Horse Hill Well Site in Surrey. Both well sites penetrate the same Kimmeridge limestone reservoirs and initial findings indicated that the two sites may access the same continuous oil deposit. In addition, a planning application has been submitted for further wells to target the same formations at Loxley in Surrey and the data from this site may also inform future operations at Broadford Bridge.

To enable the review process to complete, WSSC has extended the life of the original consents until 31st March 2022. However, delays at Horse Hill and Loxley that could not have reasonably been foreseen by the Applicant have prevented the acquisition of data. Accordingly, the future use of Broadford Bridge has yet to be determined which means restoration at this time would be premature.

Therefore, the Applicant has submitted a further application to extend the life of the original well consent for a period of 24 month until the 31st March 2024 to enable the review of data to complete. Recognising the on-going need for site security the Applicant hereby submits a further application respectfully requesting that the enclosure consent be extended by a similar period of 24 months.

1.2 The Proposal

To ensure sufficient time is allowed for data retrieval and appraisal from either the Horse Hill and/or the Loxley Well Sites this application is seeking to vary the wording of condition 1 of consent WSSC/078/19, to read:

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 [insert the well site decision notice reference number] either:

- a) on or before the period ending 31st March 2024; or*
- b) within 3 months of the cessation of the operations and need of the site whichever occurs soonest.*

¹ West Sussex County Council planning consent reference WSSC/052/12/WC.

² West Sussex County Council planning consent reference WSSC/037/14/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 Chilton 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**).

1.4 Structure of this Statement

The purpose of this Planning Statement is to consider the acceptability of the proposal, adopting an assessment approach consistent with the *Planning and Compulsory Purchase Act 2004*, section 38(6) and the *Town and Country Planning Act 1990*, section 70(2) this Planning Statement is structured accordingly:

- **Chapter 2: Development Description**
- **Chapter 3: Compliance with the Development Plan**
- **Chapter 4: The Influence of Other Material Planning Consideration**
- **Chapter 5: Final Planning Balance**

2. DEVELOPMENT DESCRIPTION

The proposed development comprises three elements:

2.1 Well Site Security Fence and Gates

The security fence comprises 2.2m high close-mesh wire paladin panels mounted on 0.8m high vertical concrete barrier foundations (total height 3m) topped with concertina barbed wire. The fence is powder coated and has a dark green finish to recess its visual appearance within the open countryside. The security gates span the width of the access track and they match the fence specification, design and colour finish.

2.2 Highway Junction Gates

The junction gates span the width of the junction bell-mouth being 10m wide. They are 2.5m high and they match the well site fence specification, design and colour finish.

2.3 Security Cabins

Set within the site (approximately 50m in from the public highway) is a flat-roofed glass-reinforced plastic cabin (W = 3m, H = 3m, L = 2m) the purpose of which is to control vehicular access to the site.

Set within the compound is a security accommodation cabin (W = 3.03m, H = 3m, L = 7.83m) and an additional security cabin (W = 3.03m, H = 3m, L = 5.98m) the purpose of which is to ensure site safety and security while in the restoration/retention mode.

3. COMPLIANCE WITH THE DEVELOPMENT PLAN

The Development Plan for the Site comprises:

- West Sussex Joint Minerals Local Plan (JMLP) (July 2018 Partial Review March 2021); and the
- Horsham District Planning Framework (HDPF) (2015).

3.1 West Sussex Joint Minerals Local Plan

When dealing with a type of development for which there is a 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 policies. The proposal is ancillary to hydrocarbon development for which the dominant policy for consideration is **JMLP Policy M7a: Hydrocarbon development not involving hydraulic fracturing**.

3.1.1 Compliance with Dominant Policy: JMLP Policy M7a: Hydrocarbon Development not Involving Hydraulic Fracturing

Criterion (a) states that proposals for exploration and appraisal ‘including extensions of time’ to existing sites will be permitted subject to criteria compliance. The relevant criteria for consideration in this case are:

- **Criterion (a)(iii):**

ES Chapter 7: Ecology, assessed the Site to be of ‘low’ ecological value³ and that the integrity and conservation status of the area would not be compromised⁴. WSCC Landscape Department found the visual effects of the original enclosure proposal to be acceptable⁵ and the extension proposal would not materially change this finding. 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.

Sussex Police found the original enclosure proposal acceptable⁶ and the extension proposal would not materially change this finding.

Taking account of these findings, the effects of the proposal upon the natural environment is acceptable consistent with *criterion (a)(iii)*.

- **Criterion (a)(iv):**

High-quality aftercare and restoration programmes are proposed as part of the consented well site application inclusive of the fence-line, gates and cabin footprint. Implementation of the programmes would be secured by planning condition consistent with *criterion (a)(iv)*.

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

³ Broadford Bridge-1 Exploratory Well Site ES (July 2012) - Chapter 7: Ecology, para 7.135.

⁴ Broadford Bridge-1 Exploratory Well Site ES (July 2012) - Chapter 7: Ecology, para 7.126.

⁵ WSCC Delegated Action Report dated 2nd September 2014 – Consultations.

⁶ WSCC Delegated Action Report dated 2nd September 2014 – Consultations.

techniques to minimise the scope for adverse effects. Taking account of these findings, the proposal is in compliance with **JMLP Policy M7a** with no material conflict identified.

3.1.2 Compliance with Other Policies

The agreed programmes for restoration and aftercare detailed within the associated well site 3rd amendment application demonstrate compliance with **JMLP Policy M15: Air and Soil** and **JMLP Policy M24: Restoration and Aftercare**.

Having established compliance with **JMLP Policy M7a.(a)(iii)**, relating to the effects upon the natural environment, the proposal is consistent with **JMLP Policy M23: Design and Operation of Mineral Developments**, and its relevant criteria. The remote and secluded location of the Site minimises the potential for conflict with pre-existing land-uses and areas recognised for their natural heritage consistent with **JMLP Policy M23(a)** and **JMLP Policy M17: Biodiversity and Geodiversity**.

Proper regard has been paid to the local context and landscape character of the Site, which then informed the assessment of effects and the mitigation brought forward consistent with **JMLP Policy M23(b)** and **JMLP Policy M12: Character**. 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 into the development as built and none of these benefits would be lost as a result of the extension proposal.

Consistent with **JMLP Policy M22: Cumulative Impact**, the proposal would not give rise to an unreasonable level of disturbance to the environment, residents, businesses and visitors resulting from adverse effects experience cumulatively with other operational sites.

3.1.3 Overall Assessment of Compliance

The predicted environmental effects of the proposal are low and further reduced by their temporary and reversible nature. The proposal gives rise to no new or additional effects beyond those previously considered acceptable and therefore no new policy conflicts arise. When read as a whole, the proposal is in overall compliance with the JMLP.

3.2 Horsham District Planning Framework

The HDPF does not contain a dominant minerals policy designed to address oil and gas development. It does contain planning 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**'⁷. Having established compliance with the JMLP 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 **JMLP Policy M7a(iii)**, the proposal is consistent with the relevant criteria of **HDPF Policy 24: Environmental Protection**, **HDPF Policy 31: Green Infrastructure and Biodiversity**, **HDPF Policy 25: The Natural Environment and Landscape Character** and **HDPF Policy 30: Protected Landscapes**, policies designed to protect the District's high-quality environment by minimising its exposure to pollutants and maintaining/enhancing its natural heritage.

⁷ National Planning Policy Framework (July 2021), para 10, page 5, the '**bold type**' derives from the Framework.

The proposal is in compliance with **HDPF Policy 26: Countryside Protection**, which recognises the ‘*extraction of minerals*’ (criterion 2) as being appropriate development outside built-up area boundaries. In addition, it would be consistent with the siting and design criteria of **HDPF Policy 33 Development Principles**. In accordance with both policies, the proposal would not lead to a significant increase in the overall level of activity in the countryside and nor would it compromise its key features or wider landscape character.

3.3 Overall Assessment of Compliance

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.

4. THE INFLUENCE OF OTHER MATERIAL PLANNING CONSIDERATION

Section 38(6) of *The Planning and Compulsory Purchase Act 2004*, and section 70(2) of the *Town and Country Planning Act 1990*, provide for the influence of other material considerations.

4.1 National Planning Policy

4.1.1 National Planning Policy Framework (NPPF)

The purpose of the planning system is to contribute to the achievement of ‘*sustainable development*’⁸. This means meeting the needs of the present, without compromising the ability of future generations to meet their own needs⁹. The planning system has three overarching objectives, which are to be pursued in mutually supportive ways. They are:

- a) economic objective: to help build a strong, responsive and competitive economy by, amongst other things, coordinating the provision of infrastructure;
- b) social objective: to support strong, vibrant and healthy communities; and an
- c) environmental objective: to protect and enhance the natural, built and historic environment by, amongst other things, using natural resources prudently, minimising waste and pollution and mitigating/adapting to climate change by moving to a low carbon economy.

To ensure sustainable development is pursued in a positive way, at the heart of the Framework is a ‘*presumption in favour of sustainable development*’¹⁰.

NPPF Chapter 17: Facilitating the sustainable use of minerals, contains the dominant policies for consideration. A sufficient supply of minerals (including hydrocarbons) is ‘*essential*’ to provide the infrastructure, buildings, energy and goods that the country needs. Before considering extraction, the contribution that substitute, secondary or recycled materials would make to indigenous supplies must

⁸ National Planning Policy Framework (July 2021) para 7, page 5.

⁹ National Planning Policy Framework (July 2021) page 5, footnote 4 - resolution 42/187 of the United Nations General Assembly.

¹⁰ National Planning Policy Framework (July 2021) para 10, page 5.

be considered so far as is practicable¹¹. Since minerals are finite and can only be worked where found, 'best use' needs to be made of them¹².

Plan-making and decision-making policies specific to environmental topics are provided¹³, along with the overarching guidance that, when determining planning applications, 'great weight should be given to the benefits of mineral extraction, including to the economy'¹⁴.

Linking the benefits of hydrocarbon development to the wider economy engages **NPPF Chapter 6. Building a strong, competitive economy**. Businesses should be helped to invest, expand and adapt and 'significant weight'¹⁵ should be placed on the need to support economic growth and productivity. Areas should 'build on their own strengths', policies should recognise the 'specific locational requirements of different sectors'¹⁶ and decisions should support a prosperous rural economy by enabling 'the development and diversification of agricultural and other land-based rural businesses'¹⁷.

Decision-makers should recognise that 'sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements'. In these circumstances, it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable¹⁸.

Having identified the dominant planning policies, other relevant policies are found within:

- **NPPF Chapter 14. Meeting the challenge of climate change, flooding and coastal change**, 'the planning system should support the transition to a low carbon future' in ways that 'contribute to radical reductions in greenhouse gas emissions, minimise vulnerability... improve resilience... and support renewable and low carbon energy and associated infrastructure'¹⁹.
- **NPPF Chapter 15. Conserving and enhancing the natural environment**, planning decisions should protect and enhance valued landscapes, sites of biodiversity or geological value and recognise the intrinsic character and beauty of the countryside. Development should be prevented from generating unacceptable levels of pollution, mitigation should be engaged where appropriate and remediation sought²⁰.

Addressing pollution, new development should be appropriate for its location taking account of human health, existing living conditions and the surrounding natural²¹. Addressing amenity, new development should integrate with existing businesses and community facilities and suitable mitigation should be engaged to avoid the imposition of unreasonable restrictions²².

- **NPPF Chapter 16. Conserving and enhancing the historic environment**: heritage assets are an 'irreplaceable resource' and 'great weight' should be given to their conservation²³.

¹¹ National Planning Policy Framework (July 2021) para 210(b), page 59.

¹² National Planning Policy Framework (July 2021) para 209, page 59.

¹³ National Planning Policy Framework (July 2021) para 210-11, page 59-60.

¹⁴ National Planning Policy Framework (July 2021) para 211, page 60.

¹⁵ National Planning Policy Framework (July 2021) para 81, page 23.

¹⁶ National Planning Policy Framework (July 2021) para 81, page 23.

¹⁷ National Planning Policy Framework (July 2021) para 84(b) page 23.

¹⁸ National Planning Policy Framework (July 2021) para 85, page 24.

¹⁹ National Planning Policy Framework (July 2021) para 152, page 45.

²⁰ National Planning Policy Framework (July 2021) para 174, page 50.

²¹ National Planning Policy Framework (July 2021) para 185, page 53.

²² National Planning Policy Framework (July 2021) para 187, page 54.

²³ National Planning Policy Framework (July 2021) para 189, page 55.

NPPF decision-taking policy is addressed within *Chapter 5: Final Planning Balance*.

4.1.2 National Planning Practice Guidance (NPPG)

Minerals ‘*make an essential contribution to the country’s prosperity and quality of life*’²⁴. Decision-makers should recognise that:

- minerals can only be worked where they naturally occur so locations for the economically viable and environmentally acceptable extraction may be limited;
- adverse effects are likely but they can be made acceptable with effective mitigation; and
- when considering the need for hydrocarbon development decision-makers should take account of government energy policy which is predicated upon supply from a variety of sources inclusive of onshore oil and gas²⁵.

NPPG procedural guidance relating to the use of planning conditions is considered below at paragraph 4.3 as part of the overall assessment of the influence of the other planning considerations in this case.

4.2 Wider Benefits for Hydrocarbon Development

The near identical reservoir geology of the Broadford Bridge well site and the exploration and appraisal wells at Horse Hill indicate that the Kimmeridge limestone and Portland sandstone reserves may be linked²⁶. Therefore, one of the material benefits derived from retaining the Broadford Bridge well site would be the potential confirmation of a Kimmeridge/Portland ‘*Geological Concept*’; namely the presence of an open and continuous natural network of hydrocarbon deposits capable of flowing to surface without stimulation. Confirming the nature and extent of this regional system will be key to the future commercial recovery of deposits across the Weald Basin formation.

4.3 Overall Assessment of Influence

An extension of time for the enclosure development at Broadford Bridge would keep alive a Site that has the potential to;

- assist the UK’s transition to a long-term low-carbon future without compromising the energy security or sustainable growth in the short-to-medium term; and
- provide valuable information to help inform future mineral exploration and extraction across the wider Weald basin formation.

NPPG states ‘*it will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale) and that ‘further permissions can normally be granted permanently or refused if there is clear justification for doing so*’²⁷.

The ‘*clear rationale*’ called for derives from the potential benefits recorded above. Hydrocarbon exploration is active within the Weald Basin but has yet to yield the data necessary to determine the connectivity and similarity of its geological formations. This data will determine if the Broadford Bridge Site has the potential to play a major role in the future recovery of the fuel, feedstocks and energy supplies essential to the UK economy.

²⁴ National Planning Practice Guidance, Minerals, para 001.

²⁵ National Planning Practice Guidance, Minerals, para 124.

²⁶ The Kimmeridge limestone reservoirs are the primary target of the Broadford Bridge wells.

²⁷ National Planning Practice Guidance, Minerals, para 014.

Within this context the Applicant considered the option of applying for a *'permanent consent'* but discounted it on the grounds of prematurity. Should the future review of data establish resource recovery to be viable and feasible the Applicant would seek to authorise production by way of a further temporary planning application only. The approach adopted by the Applicant is consistent with NPPG procedural advice relating to the use of planning conditions and having established compliance with the environmental protection policies of the Development Plan, there is no *'clear justification'* to refuse the proposal.

The proposal achieves a high degree of consistency with the other relevant material considerations in this case; a benefit that weighs significantly in favour of consent. These findings are taken forward to *Chapter 5: Final Planning Balance*.

5. FINAL PLANNING BALANCE

The proposal is *'sustainable development'* in principle and design. It is consistent with the Development Plan and it engages the NPPF ***'presumption in favour of sustainable development'*** with full force. It draws strong support from the other material considerations engaged in this case and it represents the kind of investment envisaged by Government energy policy if the UK is to make the *'best use'* of its mineral resources²⁸ and deliver the sustainable growth called for by the NPPF.

Applying the presumption means that the scales of the planning balance do not start from an even keel; they are tilted significantly in favour of sustainable development. The presumption requires decision-makers approve development proposals that accord with the development plan. Accordingly, the Applicant respectfully requests that planning permission be consented without delay.

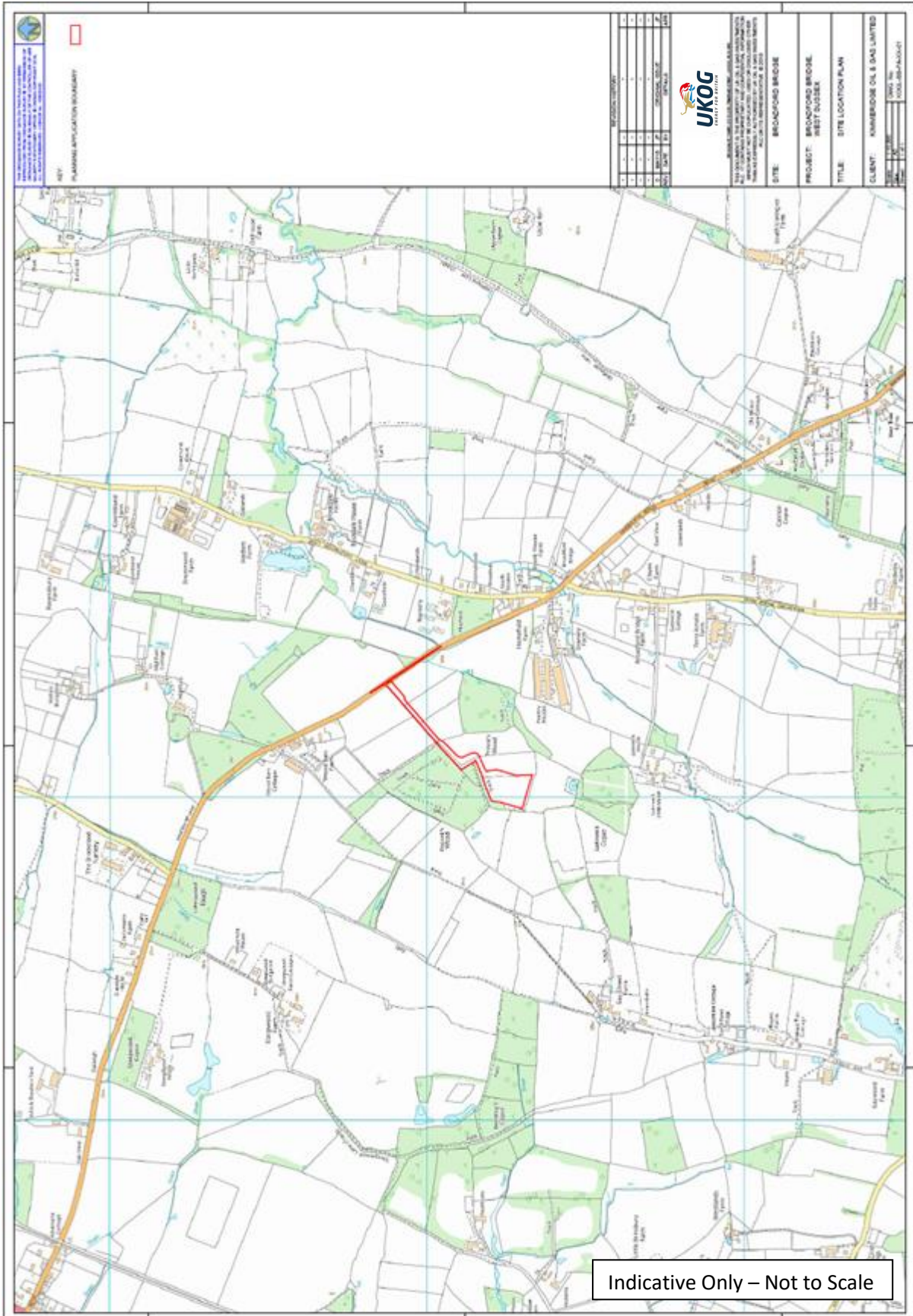
²⁸ National Planning Policy Framework (July 2021) para 209, page 59.



APPENDIX 1: SITE LOCATION PLAN



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Planning Statement

UKOG-BB-PA-2021-S73.FGC

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