



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

PLANNING STATEMENT

PROPOSAL:	AMENDMENT OF CONDITION 1 OF PLANNING PERMISSION REF: WSCC/002/22 EXTENDING THE PERMISSION BY 24 MONTHS TO ENABLE THE COMPLETION OF PHASE 4 SITE RETENTION AND RESTORATION.
LOCATION:	WOOD BARN FARM, ADVERSANE LANE, BROADFORD BRIDGE, BILLINGSHURST, WEST SUSSEX, RH14 9ED
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TABLE OF CONTENTS

1. INTRODUCTION 5

 1.1 The Need for an Extension of Time..... 5

 1.2 The Proposal 6

 1.3 Site and Surroundings 6

 1.4 Environmental Impact Assessment..... 7

 1.5 Biodiversity Net Gain 7

 1.6 Structure of this Statement 7

2. DEVELOPMENT DESCRIPTION..... 8

 2.1 Retention Mode 8

 2.2 Restoration Mode 8

 2.3 Aftercare 8

3. COMPLIANCE WITH THE DEVELOPMENT PLAN..... 9

 3.1 West Sussex Joint Minerals Local Plan..... 9

 3.2 Horsham District Planning Framework 11

 3.3 Overall Assessment of Compliance 12

4. THE INFLUENCE OF OTHER MATERIAL PLANNING CONSIDERATION 12

 4.1 National Energy Policy 12

 4.2 National Climate Change Policy 14

 4.3 National Planning Policy 15

 4.4 Other Government Statements, Strategies and Statistics 16

 4.5 Wider Benefits for Hydrocarbon Development..... 19

 4.6 Overall Assessment of Influence..... 20

5. FINAL PLANNING BALANCE 22

APPENDIX 1: SITE LOCATION PLAN

APPENDIX 2: ECOLOGICAL HABITAT ASSESSMENT 2023 REPORT

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1. INTRODUCTION

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

On 11th February 2011, West Sussex County Council (WSSCC), consented a temporary borehole for the exploration, testing and appraisal of hydrocarbons at Wood Barn Farm, Adversane Lane, Broadford Bridge, Billingshurst, West Sussex (the 'original consent')¹.

Following the discharge of conditions attached to the original consent, a programme of works commenced on 16th September 2014. Having completed *Phase 1: Construction*, the programme was put on hold by the then operator Celtique Energie Weald Limited (CEWL). UKOG completed acquisition of CEWL in August 2016 and in spite of commencing *Phase 2: Drilling*, in May 2017 the approved *Phase 3: Testing*, could not be completed before the consent expired on 15th September 2017. Accordingly, WSSCC permitted a 1-year extension of time until 15th September 2018².

Having completed *Phase 3: Testing*, in March 2018 the Applicant intended to perform an expeditious appraisal of the data but this work was consciously delayed because of the discoveries made at the Horse Hill well site in Horley, Surrey. Similar to Broadford Bridge, Horse Hill penetrates the same Kimmeridge limestone reservoirs and initial findings indicated that the two sites may access the same continuous oil deposit.

On 1st November 2017 Surrey County Council (SCC) permitted a further 3-years testing and appraisal of HH-1³ and the drilling of a second borehole (HH-2). Given the similarities between the two sites, the outcome of this further work would be material in determining the future use of Broadford Bridge.

To enable decision making at Broadford Bridge to benefit from this work, WSSCC have permitted extensions of time up until 31st March 2024⁴. However, delays at Horse Hill and delays at Loxley, Surrey (a new exploration well site in the Portland sandstone and Kimmeridge limestone) make the restoration of Broadford Bridge premature. Accordingly, the Applicant respectfully requests a further extension of time.

1.1 The Need for an Extension of Time

The future use of Broadford Bridge will be determined by the appraisal of data from either:

- **Horse Hill Well Site**
Whilst drilling and initial appraisal work were completed in 2020, further assessment work has been delayed by an ongoing legal challenge of SCC's decision to grant planning permission for hydrocarbon production. The challenge was dismissed in the High Court of Justice (December 2020) and in the Court of Appeal (February 2022) and is now being considered in the Supreme Court. The uncertainty generated has delayed the work necessary to establish the connectivity and similarity of the geological formations common to Horse Hill and Broadford Bridge.
- **Loxley Well Site**
In June 2019, the Applicant submitted a planning application to SCC to authorise hydrocarbon exploration, testing and appraisal from a new well site at Loxley in Surrey. The well site is in the same Petroleum Exploration and Development Licence area (PEDL234) as Broadford Bridge and will target the same Kimmeridge limestone reservoirs. SCC refused planning permission in

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

² West Sussex County Council planning consent reference WSSCC/029/17/WC.

³ Surrey County Council Planning Consent reference RE16/02556/CON.

⁴ West Sussex County Council planning consent reference WSSCC/032/18/WC, an 18-month extension of time up until 31st March 2020 and WSSCC/079/19 a 24-month extension of time up until 31st March 2022.

November 2019 but consent was granted on appeal by the Secretary of State for Levelling Up, Housing and Communities in June 2022. Implementation of the consent has since been delayed by an ongoing legal challenge of this decision which was dismissed in the High Court of Justice (July 2023) but leave to challenge this ruling at the Court of Appeal is now being considered.

Data from either of the above sites will help determine the extent of the reserves, the mix of hydrocarbons, the flow rates and the pressures at play within the target formations. This information will help determine the need for further testing and appraisal at Broadford Bridge and its potential for commercial success. Put simply, the data is critical for the future planning of the Broadford Bridge Site.

Whilst the authorised purpose of Broadford Bridge remains the recovery of hydrocarbons, the borehole sunk has the potential to be re-purposed for the recovery of geothermal heat.

- **New Opportunity**

UKOG have been assessing the site's potential to operate as a private agricultural heat source for commercial fruit, vegetable, or tea production, uses which have proved viable in other rural locations. Whilst UKOG are confident of the heat supply, additional time is needed to identify a viable heat demand and any development needs that may flow.

UKOG accept that should a viable heat 'off-taker' be identified, a further planning permission would be required to authorise the re-purposing of the site for geothermal energy and agricultural production.

1.2 The Proposal

To enable sufficient time for data retrieval and appraisal from either the Horse Hill or Loxley this application seeks to vary the wording of condition 1 of consent WSCC/002/002, to read:

This permission shall be for a limited period expiring on 31st March 2026, by which date all operations shall have ceased, all buildings, plant and machinery, including foundations and hard standings shall have been removed and the site restored in accordance with the approved restoration and aftercare schemes.

This extension would mean that the Site would be held in *Phase 4; Retention*, mode for a further 24-months beyond the current expiry date of 31st March 2024. For the avoidance of doubt, *Phase 4; Retention*, does not allow for any further drilling or testing activities as operations have completed. The 24-month period of data review and appraisal would be followed immediately by *Phase 4; Restoration*, commencing and completing within the planting season (October-March).

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. A concrete well cellar and a conductor pipe have been sunk into the ground and cemented to surface through which the BB-1/1z wells have been installed.

Upon completion of *Phase 3: Testing*, BB-1/1z were suspended and permanent barriers to flow installed within the wells. All operational plant and machinery has been removed and the stone surface cleaned and retained along with the perimeter drainage ditches. A standard shipping container has been installed over the wellhead assembly and all valves closed.

The well site and its crushed stone access track in-off the B2133 are enclosed by a boundary fence which was authorised under a separate planning permission. This has been retained along with entrance gates and on-site security cabins to deter 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**).

1.4 Environmental Impact Assessment

The Environmental Statement (ES), dated July 2012 that informed the original consent assessed the likely effects of hydrocarbon exploration, testing and evaluation at the Site. The current proposal amounts to an ‘*extension of time*’ that constitutes ‘*Schedule 2 development*’ under the terms of *The Town and County Planning (Environmental Impact Assessment) Regulations 2017*⁵. Therefore, the likelihood of significant adverse effects arising from the proposal must be considered.

The ES established that if significant adverse effects were to occur, they would be experienced within *Phase 1: Construction*, and *Phase 2: Mobilisation and Drilling*⁶ alone. Accordingly, extending the timeframe for *Phase 4: Retention & Restoration*, is not likely to give rise to significant adverse effects. The proposal would not change the nature or duration of the effects assessed as acceptable by WSCC when issuing the original consent and subsequent extensions of time.

The Site has been developed subject to mitigation embedded within the design and secured by planning conditions. The environmental impacts do not depart from the acceptable outcomes predicted within the ES. In October 2023, the Applicant performed a Phase 1 Habitat Survey and an updated Ecological Appraisal (attached at **Appendix 2**) which finds the habitat surrounding the Site unchanged from that originally assessed in 2012 and re-assessed in 2018, 2019 and 2021 prior to further extensions of time. Having completed *Phase 3: Testing*, all plant and machinery was removed and operations ceased. The Site is now in *Phase 4 Retention*, mode and is non-active.

In summary, the development, as extended, would not give rise to any significant effects beyond those previously considered and found to be acceptable. The proposal does not constitute EIA development.

1.5 Biodiversity Net Gain

The Government is currently conducting a consultation on the content of newly proposed biodiversity net gain (BNG) regulations. Views were sought in January 2022 and a summary of the Government’s responses was published in February 2023.

Section 4 of the summary considers the application of BNG objectives to different types of development. Under the sub-heading ‘Changes to minerals permissions and varying existing permissions’ the Government establish that with regard to Section 73 applications, they intend to apply the BNG requirement only where the original permission was granted after commencement of mandatory BNG. The original permission in this case was granted before any mandatory requirement which means this application is exempt from the need to demonstrate BNG.

1.6 Structure of this Statement

This Statement adopts an assessment approach consistent with the *Planning & Compulsory Purchase Act 2004*, S.38(6) and the *Town & Country Planning Act 1990*, S.70(2) and is structured:

- **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**

⁵ Town and County Planning (Environmental Impact Assessment) Regulations 2017, Schedule 2(1) table row No.13: Changes and Extension (b).

⁶ Broadford Bridge-1 Exploratory Well Site ES (July 2012) - Chapter 15: Statement of Significance, para 15.4.

2. DEVELOPMENT DESCRIPTION

2.1 Retention Mode

The Site will be held in *Phase 4; Retention*, mode. If the future review of data indicates no further development is needed the wells would be plugged and abandoned consistent with the *Oil and Gas UK Guidelines for the Abandonment of Wells*.

2.2 Restoration Mode

Restoration would commence with the removal of well site concrete and compacted stone for off-site recycling. The access track would then be removed consistent with the details agreed to discharge original consent *Condition 11 & 14: Landscaping*, namely:

- *'Methodology for the removal and reinstatement of the access track and no-dig surfacing at the access of Adversane Lane'*;
- *'Tree Protection Plan Methodology'*⁷ and the accompanying *'Tree Protection Plans'*; and,
- *'Landscape Proposals'*⁸.

Restoration would complete within the first available planting season following retention. The works would be consistent with the *'Landscape Proposals'* allowing for new tree and hedgerow planting, new wooden post and rail fencing and grass seeding to return the site to permanent pasture.

2.3 Aftercare

A period extending 5 years from the completion of restoration allowing for:

- Annual Inspections of re-seeded grassland;
- Annual Inspections of New/Replacement Hedge Planting: with new and replacement plants receiving an annual pruning; hedges/groundcover to be trained and edged twice a year; and
- Annual inspections of New/Replacement Tree Planting: to review the progress across restored areas allowing for the replacement of failures to the original specification if needed.

The schedule for re-seeded grassland management would be as follows:

YEAR 1	
TASK	DESCRIPTION
1	Initial treatment will be carried out as described above.
2	The Site will be rolled with a light, grassland roller and spread with a fertilizer to promote growth.
3	The grass will be cut across the year as described above. Alternatively, it may be grown for silage or hay, cut in May/June and subsequently grazed.
4	Any weeds will be sprayed with an appropriate weed killer.
5	All stock/cattle will be removed from newly seeded area in adverse weather conditions to prevent damage.
6	Areas of failure to be identified and re-seeded within the planting season.
YEAR 2 & 3	
TASK	DESCRIPTION
1	Annual inspection.
2	Carry out additional restoration and compensate the owner or the land user for any loss.

The schedule for new/replacement tree and hedge management would be as follows:

⁷ Details agreed to discharge condition 11 of App Ref: WSCC/052/12/WC which were then secured as part of the development consented by App Ref: WSCC/029/17/WC by condition 9.

⁸ Details agreed to discharge condition 14 of App Ref: WSCC/052/12/WC which were then secured as part of the development consented by App Ref: WSCC/029/17/WC by condition 9.

YEAR 1-3	
TASK	DESCRIPTION
1	Annual pruning of trees.
2	Bi-annual trimming of hedge/ground cover.
3	All stock/cattle will be removed in adverse weather conditions to prevent damage.
4	Areas of failures identified and re-planted within the planting season.
YEAR 4 – 5 TREES	
Perform an annual inspection and replace losses if required.	

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

3.1.1 Vision & Strategic Objective 11: Oil & Gas

The JMLP is predicated upon a *‘Vision’* for West Sussex in 2033. It provides the direction of travel for sustainable minerals development. The relevant statements for consideration are that West Sussex:

- *Will be a place where minerals are produced in ways which conserve and enhance the beautiful outdoors of West Sussex... for the benefit of current and future generations.*
- *Will have contributed to the supply of minerals, in particular... oil and gas, to support growth.*
- *Will be a place where the production and transportation of minerals does not detract from it having thriving communities and being a special place to live and visit.*
- *Will ensure minerals have been produced in a manner that protects and enhances the historic and natural environment... and contributes to a low carbon, circular economy.*
- *Will be a place where mineral sites are restored to the highest standards...⁹*

The vision is transposed into sector specific *Strategic Objectives*. The *‘Oil & Gas’* objective reads:

Strategic Objective 11: *To protect the environment and local communities in West Sussex from unacceptable impacts of any proposal for oil and gas development, whilst recognising the national commitment to maintain and enhance energy security in the UK¹⁰*

The strategic objective is transposed into planning policy. When dealing with development for which there is a bespoke policy, it is logical to take that policy as the starting point for 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 dominant policy for consideration is ***JMLP Policy M7a***.

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

Proposals for exploration and appraisal *‘including extensions of time’* to existing sites will be permitted subject to criteria compliance.

- ***Criterion (a)(i):*** when granting the original consent, WSCC considered *ES Chapter 5: Need & Alternative Sites*, which recorded 7.No alternative locations applying a range of technical,

⁹ West Sussex JMLP (July 2018 Partial Review March 2021), para 2.2, page 7.

¹⁰ West Sussex JMLP (July 2018 Partial Review March 2021), para 2.3.13, page 11.

environmental and planning constraints. The Broadford Bridge Site emerged as the ‘best option’, having adopted a site selection approach consistent with the *criterion (a)(i)* guidance.

- **Criterion (a)(ii):** WSCC Highways Department found the traffic effects of *ES Chapter 10: Transport and Access* to be ‘imperceptible’¹¹ and a further temporary extension of time would not materially change this finding thereby maintaining compliance with *criterion (a)(ii)*.
- **Criterion (a)(iii):** *ES Chapter 7: Ecology*, assessed the Site to be of ‘low’ ecological value¹² and that the integrity and conservation status of the area would not be compromised¹³. In October 2023, the Applicant performed an updated Ecological Habitat Assessment (attached at **Appendix 2**). This establishes the ecological environment has not materially changed over time and the effects of the proposal upon the natural environment remains acceptable.

Having considered *ES Chapter 8: Landscape and Visual Impact*, and *ES Chapter 9: Noise*, WSCC found residential amenity effects to be ‘minimal’¹⁴. The Site is not constrained by public footpaths or bridleways. *ES Chapter 11 Ground and Groundwater Protection*, found there to be no major aquifers present and a limited local reliance on groundwater supplies¹⁵. The risk of groundwater pollution is inherently ‘low’ and has been further reduced by the implementation of mitigation secured by the original consent *Conditions 22 & 23: Groundwater Protection/Drainage*. It is material to note the drilling and flow testing of hydrocarbons has completed and the well site is now dormant. Taking account of these findings, the effects of the proposal upon the ground and groundwater is acceptable.

ES Chapter 15: Statement of Significance, records ‘negligible’ environmental effects¹⁶ meaning the proposal would not give rise to any unacceptable effects consistent with *criterion (a)(iii)*.

- **Criterion (a)(iv):** high-quality aftercare would be secured by the agreed programme detailed at paragraph 2.3 above consistent with *criterion (a)(iv)*.
- **Criterion (a)(v):** ground and groundwater pollution prevention measures have been embedded within the Site to ensure no unacceptable effects arise consistent with *criterion (a)(v)*.

The extension of time would not change the nature or duration of effects assessed within the original ES; they remain temporary and reversible. The Site occupies a small footprint, screened by mature woodland adopting best available techniques to minimise the scope for adverse effects. Taking account of these findings, the proposal is in compliance with **JMLP Policy M7a**.

3.1.3 Compliance with Other Policies

The programmes for restoration (see paragraph 2.2) and aftercare (see paragraph 2.3) demonstrate compliance with **JMLP Policy M15: Air & Soil** and **JMLP Policy M24: Restoration & Aftercare**.

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

¹¹ WSCC Planning Committee Report dated 5th February 2013, Agenda Item 8: Exploration, Testing & Evaluation at Broadford Bridge: para 9.6.

¹² Broadford Bridge-1 Exploratory Well Site ES (July 2012) - Chapter 7: Ecology, para 7.135.

¹³ Broadford Bridge-1 Exploratory Well Site ES (July 2012) - Chapter 7: Ecology, para 7.126.

¹⁴ WSCC Planning Committee Report dated 5th February 2013, Agenda Item 8: Exploration, Testing & Evaluation at Broadford Bridge: para 9.13.

¹⁵ Broadford Bridge-1 Exploratory Well Site ES (July 2012) - Chapter 11: Ground and Groundwater Protection, para 11.86.

¹⁶ Broadford Bridge-1 Exploratory Well Site ES (July 2012) - Chapter 15: Statement of Significance, para 15.4.

ES Chapter 8: Landscape & Visual Impacts, paid proper regard to the local context and landscape character of the Site, which then informed the assessment of effects and need for mitigation consistent with **JMLP Policy M12: Character**. None of these benefits are lost as a result of the proposal.

There would be no unacceptable effects with regard to lighting, noise, dust, odours, vibration or emissions derived from traffic generation consistent with **JMLP Policy M7a.(a)(ii) and (iii)**, **JMLP Policy M18: Public Health and Amenity**, and **JMLP Policy M20: Transport**.

There would be no unacceptable effects with regard to ground and groundwater consistent with **JMLP Policy M7a.(a)(v)**, **JMLP Policy M16 Water Resources**, and **JMLP Policy M19: Flood Risk Management**.

Consistent with **JMLP Policy M22: Cumulative Impact**, the proposal would not give rise to an unreasonable level of disturbance to the environment, residents, businesses or visitors.

JMLP para 8.12.8, states extensions of time ‘*may be acceptable provided there is a need for the activity and they do not result in unacceptable impacts on the environment or communities*’. The ‘*need*’ for the extension is recorded above at paragraphs 1.1 and 1.2. Restoration of the Site would be premature given the reasonable prospects of new data from existing and new sites coming forward in 2024 and 2025; information that will help determine the need for further testing and appraisal at Broadford Bridge and its potential for commercial success.

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 mineral policies that address oil and gas development. It does contain planning policies designed to promote sustainable development and protect environmental assets. The relevant policies are considered below.

HDPF Policy 1: Sustainable Development, applies the National Planning Policy ‘**presumption in favour of sustainable development**’¹⁷. 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.

ES Chapter 13: Socio-Economics, found that economic vitality would be introduced to the District through the procurement of locally supplied services and materials¹⁸. Moreover, agricultural diversification would be supported by a steady income stream that would supplement the existing agricultural business. The proposal would not compromise these benefits consistent with **HDPF Policy 10: Rural Economic Development**.

Having established compliance with **JMLP Policy M7a(i), (iii) and (v)**, 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 high-quality environment.

Having demonstrated the Site to be the ‘*best option*’ consistent with **JMLP Policy M7a(i)**, 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 areas. In addition, it would be consistent with the siting and design criteria of **HDPF Policy 33 Development Principles**. Consistent with both policies, the proposal would not lead to a material increase in the overall level of activity in the countryside and nor would it compromise its key features or landscape character.

¹⁷ National Planning Policy Framework (July 2021), para 10, page 5, the ‘**bold type**’ derives from the Framework.

¹⁸ Broadford Bridge-1 Exploratory Well Site ES (July 2012) - Chapter 13: Socio-Economics, para 13.60.

3.3 Overall Assessment of Compliance

The environmental effects of the proposal are low and further reduced by their temporary and reversible nature. It 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 complies with the Development Plan. This is a benefit which attracts significant weight in favour of 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 Energy Policy

Government energy policy is set out in the following primary legislation and policy statements.

4.1.1 The Energy White Paper: Meeting the Energy Challenge (2007)

The Government used the paper to set out its international and domestic energy strategy in response to climate change, rising fuel prices and the need for substantial new investment in the UK's energy generating infrastructure. It promotes a diverse energy mix within which fossil fuels will continue to play an 'essential role'¹⁹. To ensure security of the supply, a crucial element of the Government's energy strategy is to maximise production of the UK's domestic energy sources.

4.1.2 The Energy Act 2008 & Climate Change Act (2008)

The Act's implemented the legislative aspects of the paper, ensuring the long-term delivery of the UK's energy and climate change strategy. The Energy Act 2008, has three principal objectives, one of which is to maintain the commitment to energy security. It confers a duty upon the Government and the UK energy industry to report and closely monitor energy markets allowing for timely intervention to mitigate supply side shocks. The Climate Change Act 2008, established a legally binding target to reduce the UK's greenhouse gas emissions by at least 80% below base year levels by 2050, to be achieved through action at home and abroad.

4.1.3 The Energy White Paper: Powering our Net Zero Future (2020)

This paper represents the freshest thinking of our Government on energy policy setting out how we transition to clean energy by 2050 while retaining the 'essential reliability, resilience and affordability of our energy, as the bedrock of a modern, productive economy'²⁰. The material considerations are:

- The UK's domestic oil and gas industry has a 'critical role' in maintaining the country's energy security²¹. The Government wants the natural gas sector to 'evolve' and secure future supplies while promoting an increased use of low-carbon options where possible.²²
- When the wind is not blowing or the sun shining²³ the UK will need the essential back-up of 'gas-fired generation with Carbon Capture and Storage (CCS)' to compliment an increased contribution from renewables; gas will play a 'key role' in decarbonising electricity system at low cost²⁴

¹⁹ The Energy White Paper: Meeting the Energy Challenge (2007) - Maximising economic production from our domestic fossil fuel reserves, page 20.

²⁰ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 10.

²¹ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 134.

²² Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 84.

²³ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 43.

²⁴ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 47.

- Hydrogen needs to be produced at scale by mid-2020; *‘methane reformation with CCS will be the most cost-effective production method for low carbon hydrogen at scale’*²⁵.
- The UK’s domestic oil and gas industry *‘is a major contributor to our economy’*²⁶. A source of high-quality jobs (around 147,000 in 2018) within supply chain clusters which includes the South East of England²⁷. Moving forward, the Government will ensure the licensing of UK exploration *‘continues to be compatible with our climate change ambitions’*²⁸.

The UK will continue to rely on natural gas for *‘decades to come’*²⁹, even as we work to *‘eliminate carbon emissions from the entire energy system including those from gas’*³⁰. There is a *‘great potential for the [oil and gas] sector to play an important part in the energy transition’* consistent with the **Prime Minister’s Ten Point Plan for a Green Industrial Revolution** (November 2020)³¹ which states that decarbonising the UK economy is predicated upon *‘Britain’s ability to make hydrogen and capture carbon’*³² and specifically *‘low-carbon hydrogen’* produced at scale with CCS.

This approach will *‘develop resilient supply chains, support jobs and position UK companies at the forefront of an exciting growing global market, as well help things like industrial processes, industrial heat, power, shipping and trucking to make the shift to net zero’*³³.

4.1.4 Energy Act 2023

This legislation was introduced to mitigate the effects of rising energy demand (as the world emerged from the COVID-19 pandemic) and rising energy prices (a result of the Ukraine invasion). In addition, the Bill acknowledges the need for transition in our energy system, cited **Powering Up Britain**³⁴, as the dominant policy driver. It brings together the **Energy Security Plan** and **Net Zero Growth Plan** and sets out how the UK will build an energy system fit for the future; that achieves net zero by 2050 and boosts economic growth. The Bill provides for a cleaner, more affordable and secure energy system based on a foundation of greater energy independence.

After decades of reliance on imported fossil fuels, the new mission is to replace them with cheaper, cleaner, domestic sources of energy. This will mean we will largely be powered by renewables and new nuclear plants *‘while recognising the vital role that UK oil and gas will play in the transition’*³⁵.

The Government’s vision is to power the UK through affordable, home-grown, clean energy which means *‘maximising the vital production of UK oil and gas’*³⁶.

²⁵ Business Models for Carbon Capture, Usage and Storage: A consultation seeking views on potential business models for carbon capture, usage and storage, Department of Business, Energy and Industrial Strategy (July 2019) page 46.

²⁶ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 134.

²⁷ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 135.

²⁸ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 132

²⁹ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 135.

³⁰ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 84.

³¹ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 135.

³² The Ten Point Plan for a Green Industrial Revolution, November 2020: HM Government, page 3.

³³ The Ten Point Plan for a Green Industrial Revolution, November 2020: HM Government, page 10.

³⁴ Powering Up Britain (March 2023), Department for Energy Security & Net Zero.

³⁵ Powering Up Britain (March 2023), Department for Energy Security & Net Zero, Introduction, Page 5.

³⁶ Powering Up Britain (March 2023), Department for Energy Security & Net Zero, Energy Security Plan, page 15.

4.2 National Climate Change Policy

4.2.1 The Climate Change Act (2008) (2050 Target Amendment) Order 2019

The 2019 Order aims to achieve a 100% reduction in net UK emissions of targeted greenhouse gasses by 2050. Before the draft was laid before parliament, the Secretary of State '*(a) obtained and took into account the advice of the Committee on Climate Change [CCC]*' which included the recommendations of the '*Net Zero: The UK's contribution to stopping global warming*' report (May 2019). The report performed a review of the latest scientific evidence on climate change '*including last year's Intergovernmental Panel on Climate Change Special Report on Global Warming of 1.5°C*³⁷.

The CCC's '*Sixth Carbon Budget - The UK's path to Net Zero*' (December 2020) represents the freshest thinking on climate change policy. It provides a '*Balanced Net-Zero Pathway*' reducing carbon emissions by 78% below 1990 levels in 2035³⁸ consistent with the highest ambitions of the Paris Agreement³⁹. The material considerations are:

- The demand for electricity in 2035 is set to increase by 50%⁴⁰ calling for new low-carbon generation⁴¹ which will be met largely through the scaling up of renewables and, '*to ensure security of supply*', new dispatchable and flexible generation, the bulk of which will be met by gas, CCS and hydrogen.
- Even if fossil fuel consumption falls in line with the recommended pathway, there will be a challenge to meet the UK's gas demand given the decline in North Sea production and pipeline imports from Norway; this suggests the UK will '*continue to require additional gas supplies beyond these sources until 2045 and potentially beyond 2050*'.⁴²
- Additional needs could be met by either UK onshore gas or imported liquefied natural gas (LNG).⁴³ Estimates indicate that the greenhouse gas (GHG) emissions from LNG are likely to be higher and '*could be much higher*⁴⁴ resulting in additional GHG emissions of up to 6.7-11.5 MtCO₂e in 2035 compared to UK onshore domestic gas⁴⁵. Accordingly, the CCC advocate that the UK adopt a policy to limit GHG emissions from the production/supply of fossil fuels consumed in the UK to help deliver the reduction required '*without biasing consumption towards imports with a higher emissions footprint*⁴⁶.

³⁷ House of Lords, Secondary Legislation Scrutiny Committee 53rd Report of Session 2017-19 (20 June 2019), Proposed Negative Statutory Instruments under the European Union (Withdrawal) Act 2018, Drawn to the special attention of the House: Draft Climate Change Act 2008 (2050 Target Amendment) Order 2019, para 3 page 2.

³⁸ The 6th Carbon Budget and Net Zero, Committee on Climate Change (Dec 2020), page 38.

³⁹ The 6th Carbon Budget and Net Zero, Committee on Climate Change (Dec 2020), page 49.

⁴⁰ Policies for the 6th Carbon Budget and Net Zero, Committee on Climate Change (Dec 2020), page 118

⁴¹ Policies for the 6th Carbon Budget and Net Zero, Committee on Climate Change (Dec 2020), page 120.

⁴² Committee on Climate Change advice to the UK Government on compatibility of onshore petroleum with UK carbon budgets, letter to the Secretary of State, Department for Business, Energy & Industrial Strategy, 31st March 2021, para 1, page 3.

⁴³ Committee on Climate Change advice to the UK Government on compatibility of onshore petroleum with UK carbon budgets, letter to the Secretary of State, Department for Business, Energy & Industrial Strategy, 31st March 2021, para 2, page 3.

⁴⁴ As immediately above - bullet point 2, sub-dash 1, page 3.

⁴⁵ As immediately above - bullet point 2, sub-dash 2, page 3.

⁴⁶ As immediately above - bullet point 2 of 3, page 4.

- Gas consumption is set to fall with reductions ‘offset by new demand for gas to produce hydrogen’.⁴⁷ Production needs to shift from being theoretical to a commercial reality;⁴⁸ and the CCC state the choice is between:
 - ‘Green hydrogen only’: produced using zero-carbon electrolysis alone would substantially limit hydrogen’s potential contribution to achieving Net Zero; or a
 - ‘Blue hydrogen bridge’: from the scalable production of hydrogen using CCS.⁴⁹

The CCC advocate the ‘Blue hydrogen bridge’⁵⁰ to reduce emissions quickly, develop the role for hydrogen across the economy and reduce the risks of not achieving Net-Zero.⁵¹

The measures necessary to achieve net-zero have yet to be brought forward by government within national planning or energy policy. The CCC report made it clear it would require widespread and major interventions across a range of areas of national life requiring actions that ‘must be supplemented by stronger approaches to policy for industry, land use, HGVs, aviation and shipping, and GHG removals’⁵². The NPPF and NPPG are unchanged; the policy with respect to minerals (including hydrocarbons) remains that they form an essential part of the UK’s fuel and energy supply.

4.3 National Planning Policy

4.3.1 Overarching National Policy Statement for Energy (EN-1) (2011)

Fossil fuel plays a ‘vital role’ in providing reliable electricity supplies and is an ‘important role’⁵³ in our energy mix as the UK makes the transition to a low carbon economy. It finds the UK’s domestic gas market to be robust but warns that the risk of shortfalls in supply ‘cannot be ruled out nor that there may need to be significant rises in wholesale gas prices to balance the market’⁵⁴. It concludes that further infrastructure (beyond that which exists) is needed⁵⁵.

In September 2021 a replacement draft EN-1 was published for consultation. In spite of the likely reduction in demand for oil and gas in the future, it recognises the ‘key role’ that oil and gas can play in helping the UK meet its net zero commitment. It concludes ‘clear action will need to be taken to build on the proven capabilities within the sector to lead in new and emerging energy technologies’⁵⁶.

4.3.2 National Planning Policy Framework (NPPF)

The NPPF has a ‘presumption in favour of sustainable development’⁵⁷ at its heart. **NPPF Chapter 17: Facilitating the sustainable use of minerals**, states a sufficient supply of minerals (including hydrocarbons) is ‘essential... to provide the infrastructure, buildings, energy and goods that the country needs’⁵⁸. Since minerals are a finite resource and can only be worked where they are found, ‘best use’ needs to be made of them.⁵⁹

⁴⁷ Net Zero, The UK’s Contribution to Stopping Global Warming, CCC (May 2019), page 252.

⁴⁸ Policies for the 6th Carbon Budget and Net Zero, Committee on Climate Change (Dec 2020), page 137.

⁴⁹ Policies for the 6th Carbon Budget and Net Zero, Committee on Climate Change (Dec 2020), page 140.

⁵⁰ Policies for the 6th Carbon Budget and Net Zero, Committee on Climate Change (Dec 2020), page 140.

⁵¹ The 6th Carbon Budget and Net Zero, Committee on Climate Change (Dec 2020), page 152.

⁵² Committee on Climate Change, Net Zero: The UK’s contribution to stopping global warming’ report (May 2019), Forward, paragraph 2, page 34.

⁵³ Overarching National Policy Statement for Energy (EN-1) (2011), para 3.6.1, page 30.

⁵⁴ Overarching National Policy Statement for Energy (EN-1) (2011), para 3.8.8, page 38.

⁵⁵ Overarching National Policy Statement for Energy (EN-1) (2011), para 3.8.8, page 38.

⁵⁶ Draft Overarching National Policy Statement for Energy (EN-1) (Sept 2021), 2.3 Meeting net zero, para 2.3.8.

⁵⁷ National Planning Policy Framework (July 2021) paragraph 203, page 58.

⁵⁸ National Planning Policy Framework (July 2021) paragraph 10, page 5.

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

'Great weight' should be given to the benefits of mineral extraction, 'including to the economy'.⁶⁰ Mineral planning authorities should 'plan positively' for hydrocarbons whilst ensuring 'appropriate monitoring and site restoration' is provided.⁶¹

Linking the benefits of hydrocarbons to the wider economy **NPPF Chapter 6: Building a strong, competitive economy**, states 'significant weight'⁶² should be placed on the need to support economic growth and productivity; decision makers should recognise the 'specific locational requirements of different sectors'⁶³ and enable 'the development and diversification' of agricultural businesses.⁶⁴

NPPF Chapter 15: Conserving & enhancing the natural environment, requires decisions 'protect and enhance' valued landscapes and recognise the 'intrinsic character and beauty of the countryside'.

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

4.3.3 National Planning Practice Guidance (NPPG)

Minerals 'make an essential contribution to the country's prosperity and quality of life'⁶⁵. Decision-makers should recognise:

- 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
- consider Government energy policy which is predicated upon supply from a variety of sources inclusive of onshore oil and gas⁶⁶.

The NPPF and NPPG state that the focus of the planning system should be on the acceptable use of land, rather than the control of processes or emissions because these matters are subject to separate control regimes⁶⁷ governed by:⁶⁸

- **Department of Energy & Climate Change:** issues PEDL's and grants consent to drill once other permissions and approvals are in place;
- **Environment Agency:** protects water resources (including groundwater aquifers), monitors the disposal of waste and emissions to air; and
- **Health and Safety Executive:** which regulates the safety aspects of hydrocarbon extraction.

These non-planning regimes regulate development through alternative procedures. Decision-makers can assume that these regimes will operate effectively⁶⁹ to avoid or mitigate any material harm.

4.4 Other Government Statements, Strategies and Statistics

4.4.1 Government Statements

4.4.1.1 Ministerial Statements

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

⁶¹ National Planning Policy Framework (July 2021) paragraph 215(a), page 62.

⁶² National Planning Policy Framework (July 2021) paragraph 81, page 23.

⁶³ National Planning Policy Framework (July 2021) paragraph 83, page 23.

⁶⁴ National Planning Policy Framework (July 2021) paragraph 84(b) page 23.

⁶⁵ National Planning Practice Guidance, Minerals, para 001.

⁶⁶ National Planning Practice Guidance, Minerals, para 124.

⁶⁷ National Planning Policy Framework (July 2021) para 188, page 54 and National Planning Practice Guidance, Minerals, para 012.

⁶⁸ National Planning Practice Guidance, Minerals, para 110.

⁶⁹ Frack Free Balcombe Residents Association v West Sussex County Council [2014] EWHC 4108 Admin.

On 4th November 2019 the Rt Hon. Andrea Leadsom, Secretary of State for Business, Energy and Industrial Strategy, made the following statement to the UK Parliament:

'The Government continues to recognise the importance of natural gas as a source of secure and affordable energy as we aim to reach net zero emissions by 2050.

The Committee on Climate Change predict that we will still be consuming almost 70% of the gas we consume today in 2050 under our net zero target as significant reductions across building, industry and power are offset by demand for gas to produce hydrogen.

It is therefore critical that the UK continues to have good access to natural gas from both domestic and international markets'.⁷⁰

4.4.1.2 Annual Energy Statements (AES) (2010, 2012, 2013 and 2014)

AES 2010 records that UK energy security is heavily dependent on international developments which constitutes a vulnerability.⁷¹ Accordingly, AES 2012 encourages 'investment in indigenous oil and gas production for the economy and security of supply', supporting 'new ways of tapping our indigenous resources'⁷² and 'maintaining UK oil and gas production'⁷³.

AES 2014 records that the UK's 'net-importer' status 'changes the way we need to view and tackle our energy security' and it is the aim of Government to 'maximise the recovery of domestic... reserves to prevent possible disruption to our energy supplies'⁷⁴.

Bringing forward new UK oil and gas fields will ensure that UK 'gas is tapped while it is cost-effective to do so',⁷⁵ our energy systems remain 'resilient in the face of a wide number of risks'⁷⁶ and that the sector continues to make a 'substantial contribution to our economy'.⁷⁷

4.4.2 Government Strategies

4.4.2.1 The Gas Generation Strategy (2012)

As we decarbonise our electricity system gas will provide the 'crucial' capacity needed to back-up our intermittent renewable supply⁷⁸ but it also has a 'critical role' to play beyond power.⁷⁹ The UK's 'net-importer' status means we are vulnerable to the influence of geopolitical events, gas price volatility and trade disputes.⁸⁰ To mitigate these risks, the aim of Government energy policy is to avoid being over-dependent on any individual fuel source in the overall energy mix. Diversity of fuel sources and supply routes is therefore 'key'.⁸¹

4.4.2.2 Industrial Strategy: Building a Britain Fit for the Future (November 2017)

⁷⁰ Statement to the House of Commons (UNI: HCWS68). Statement to the House of Lords (UIN: HLWS68).

⁷¹ Annual Energy Statement 2010: Department of Energy & Climate Change, para 5, page 8.

⁷² Annual Energy Statement 2012: Department of Energy & Climate Change, para 1.8, page 7.

⁷³ Annual Energy Statement 2012: Department of Energy & Climate Change, para 1.9, page 8.

⁷⁴ Annual Energy Statement 2014: Department of Energy & Climate Change, para 39, page 18.

⁷⁵ Annual Energy Statement 2014: Department of Energy & Climate Change, paragraph 45, pages 19.

⁷⁶ Annual Energy Statement 2014: Department of Energy & Climate Change, para 245, page 59.

⁷⁷ Annual Energy Statement 2014: Department of Energy & Climate Change, para 197, page 51

⁷⁸ Gas Generation Strategy: Department of Energy & Climate Change, Executive Summary, para 1, page 6.

⁷⁹ Gas Generation Strategy: Department of Energy & Climate Change, Chapter 4, paragraph 4.2, page 43.

⁸⁰ Gas Generation Strategy: Department of Energy & Climate Change, Chapter 4, paragraph 4.7, page 45.

⁸¹ Gas Generation Strategy: Department of Energy & Climate Change, Chapter 4, paragraph 4.13, page 47.

There should be an ‘intelligent use of our oil and gas assets and expertise’. While the move towards clean growth is clear, ‘oil and gas remain one of the most productive sectors of the UK economy, supporting 200,000 jobs directly and in the supply chain,⁸²generating £24bn in annual exports⁸³.

4.4.2.3 British Energy Security Strategy (2022)

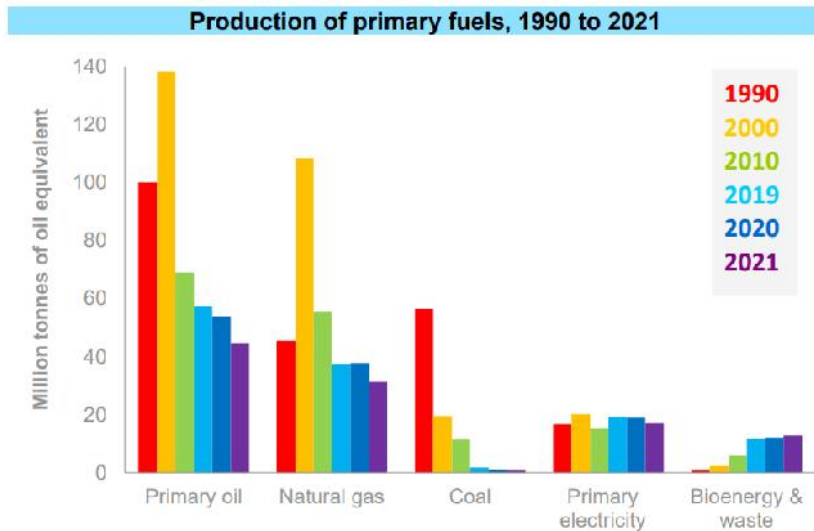
Half the UK’s current demand for gas is met from domestic supplies. In 2050, we may still use a quarter of the gas that we use now. So, to reduce our reliance on imported fossil fuels, thus UK must fully utilise domestic reserves⁸⁴.

It states gas is the ‘glue that holds our electricity system together and it will be an important transition fuel’. Accordingly, there is no contradiction between the commitment to net zero and a strong and evolving domestic hydrocarbon industry; ‘Indeed, one depends on the other’.

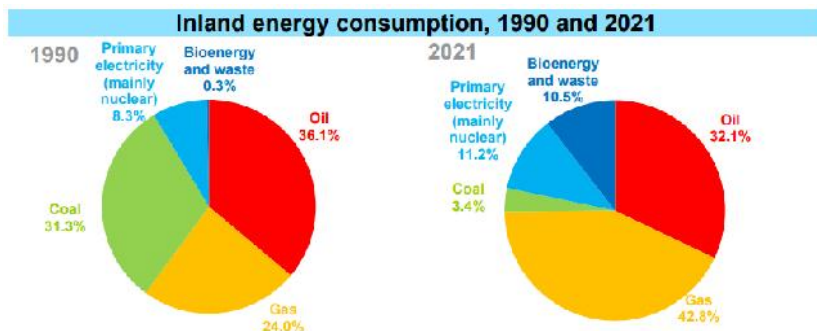
4.4.3 Government Statistics

The Government’s UK Energy in Brief (2022) and the Energy and Emissions Projections (2023) monitor the UK’s energy system; the key findings are:

- **Production of Primary Fuels (1990 to 2021)⁸⁵**



- **Inland Energy Consumption (1990 v 2021):⁸⁶**



⁸² Oil and Gas UK (2017) Oil & Gas UK Economic Report 2017.

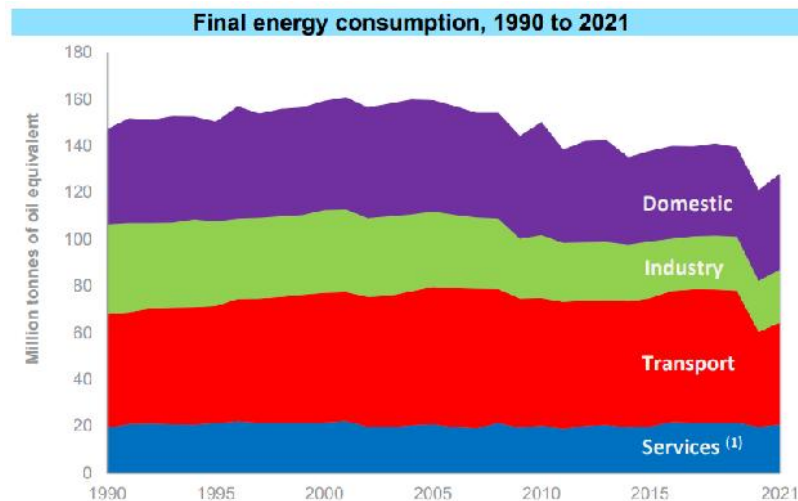
⁸³ Office of National Statistics (2015), Statistical Bulletin - UK Trade: December 2015, Table 8 – Value of Trade in Goods by Commodity.

⁸⁴ British Energy Security Strategy (7 April 2022): Oil & Gas

⁸⁵ Department for Business, Energy and Industrial Strategy, UK Energy in Brief 2022, page 8.

⁸⁶ Department for Business, Energy and Industrial Strategy, UK Energy in Brief 2022, page 9.

- Final Energy Consumption (1990 to 2021)⁸⁷



2021		Million tonnes of oil equivalent				
	Industry	Domestic	Transport	Services ¹	Total	
Coal & manufactured fuels	1.3	0.5	0.0	0.0	1.8	
Gas	9.2	27.4	0.1	7.9	44.6	
Oil	2.6	2.5	41.0	3.7	50.3	
Electricity	7.3	9.4	0.5	7.4	24.6	
Bioenergy and heat	2.4	1.4	1.5	1.7	7.0	
Total	22.8	41.1	43.6	20.7	128.2	

- %GDP from Energy Industries:** following a peak of 10.4% in 1982 the contribution has reduced to 2.5% by 2021. Of the totals, 51% derives from electricity (including renewables); and 23% derives from oil and gas extraction.⁸⁸
- Employment in Energy Industries:** 175,000 which amounts to 6% of all industrial employment.⁸⁹
- Investment in Energy Industries:** amounts to £16.5 billion in 2021 with 69% in electricity (inclusive of renewables) and 17% in oil and gas extraction (with 11% in gas alone).⁹⁰
- Import Dependency:** in 2021, 38% of all the energy used in the UK was imported⁹¹ and 57% of our gas supplies were imported.
- Energy Projections:** primary energy demand in 2024 is 167 million tonnes of oil equivalent (Mtoe)⁹² of which 74% will be met by oil and gas. In 2040, demand will be 166 Mtoe of which 70% will be met by oil and gas.

4.5 Wider Benefits for Hydrocarbon Development

4.5.1.1 Domestic Production

The CCC state the benefits of achieving Net Zero will be ‘significant’ and they include:

- Improved quality of life:** benefits to human health from amongst other things an ‘increased resilience to climate change’.

⁸⁷ Department for Business, Energy and Industrial Strategy, UK Energy in Brief 2022, page 10.

⁸⁸ Department for Business, Energy and Industrial Strategy, UK Energy in Brief 2022, page 5.

⁸⁹ Department for Business, Energy and Industrial Strategy, UK Energy in Brief 2022, page 6.

⁹⁰ Department for Business, Energy and Industrial Strategy, UK Energy in Brief 2022, page 7.

⁹¹ Department for Business, Energy and Industrial Strategy, UK Energy in Brief 2022, page 11.

⁹² Department for Business, Energy and Industrial Strategy, Energy and Emissions Projections 2022-2040 Summary of Update (October 2023), Annex E: Primary energy demand (revised 10 March 2023) ‘With Existing Measures’.

- **Lower risks from climate change:** the avoidance of flooding (a direct benefit) and a reduced exposure to food price volatility and geo-political conflict (an indirect benefit).
- **Industrial opportunities:** a boost from being an ‘early mover’ in key sectors (e.g. emerging low-carbon technologies) with benefits for exports, productivity and employment; ‘*the shift in resources from imported fossil fuels to UK investment could stimulate further economic activity*’.

In summary, Net Zero relies upon gas. In helping to secure future gas supplies the proposed development would help deliver a ‘*well-managed transition*’ that improves people lives and ‘*crucially*’ reduces their exposure to climate change risks.⁹³

Indigenous supply represents the most efficient use of resources by virtue of proximity to the end user. It avoids the emissions of transporting and shipping imported LNG which has a greater emissions intensity when compared to UK onshore domestic gas.

The UK must ‘*not simply off-shore*’ emissions to other parts of the world.⁹⁴ Actions that the UK can take to ‘*reduce its consumption emissions could be as effective in tackling climate change as actions to reduce territorial emissions*’. Indigenous supply would afford UK regulators the opportunity to control the exploration and extraction process in the best interests of climate change mitigation.

The CCC state that by reducing our reliance upon imported fossil fuels the UK would enhance its ‘*energy sovereignty*’⁹⁵. Indigenous supply would deliver the same ‘*hedge against price volatility*’ and avoid the potential ‘*damaging economic impacts*’ of import dependency.

4.5.1.2 The Kimmeridge/Portland ‘Geological Concept’

The near identical geology shared by Broadford Bridge and sites in Surrey indicate the Kimmeridge limestone and Portland sandstone reserves may be linked⁹⁶. One of the benefits of retaining Broadford Bridge would be the potential confirmation of a Kimmeridge/Portland ‘*Geological Concept*’; an open and continuous network of hydrocarbon deposits capable of flowing to surface without stimulation. Confirmation of this regional system will be key to the future recovery of deposits across the Weald.

4.6 Overall Assessment of Influence

The material planning considerations are:

- The UK’s domestic oil and gas industry has a ‘*critical role*’ to play in maintaining energy security,⁹⁷ diversifying the energy mix,⁹⁸ complementing renewable energy and providing the ‘*Blue hydrogen bridge*’⁹⁹ to future zero-carbon green hydrogen production.

⁹³ Net Zero, The UK’s Contribution to Stopping Global Warming, CCC (May 2019), page 30.

⁹⁴ Net Zero, The UK’s Contribution to Stopping Global Warming, CCC (May 2019), page 105.

⁹⁵ Net Zero, The UK’s Contribution to Stopping Global Warming, CCC (May 2019), page 251/2.

⁹⁶ The Kimmeridge limestone reservoirs are the primary target of the Broadford Bridge wells.

⁹⁷ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 134.

⁹⁸ Net Zero, The UK’s Contribution to Stopping Global Warming, CCC (May 2019), page 251/2.

⁹⁹ Policies for the 6th Carbon Budget and Net Zero, Committee on Climate Change (Dec 2020), page 140.

- It is a ‘major contributor to our economy’¹⁰⁰ and during the transition it will remain ‘one of the most productive sectors of the UK economy’¹⁰¹ bestowing ‘crucial’ benefits¹⁰² that make an ‘essential contribution to the country’s prosperity and quality of life’.¹⁰³
- With natural gas at the heart of energy security, CCC finds a ‘well-managed transition can be achieved, lives can be improved..., people can benefit from an improved environment and, crucially, a reduced exposure to climate risks’.¹⁰⁴ The UK will continue to rely on natural gas for ‘decades to come’¹⁰⁵ as we work to ‘eliminate carbon emissions’ from the energy system¹⁰⁶.
- Net Zero 2050 will be ‘largely funded and delivered by private companies and individuals’¹⁰⁷. It will require investment from many operators, large and small,¹⁰⁸ in many locations exploiting many different technologies. The proposed development represents precisely the kind of investment required by national energy and planning policy that makes the ‘best use’ of our mineral resources,¹⁰⁹ reduces the vulnerability of being a net-importer of energy and delivers the sustainable growth envisaged by the NPPF.
- It adopts best practice that make development acceptable in rural locations and it will achieve the same levels of assimilation as the historic drilling operations elsewhere within the Weald.

Oil and gas are the dominant source of energy in the UK¹¹⁰. The proposed extension of time 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’¹¹¹.

The ‘clear rationale’ derives from the benefits recorded above. Hydrocarbon exploration is active within the Weald Basin but has yet to yield the data needed to establish geological connectivity. This data will determine if the Broadford Bridge Site has the potential to play a major role in the future recovery of the fuel, feed-stocks and energy supplies essential to the UK economy.

Within this context the Applicant considered the option of applying for a ‘permanent consent’ but discounted it on grounds of prematurity. Should the future review of data establish resource recovery to be viable 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

¹⁰⁰ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 134.

¹⁰¹ UK Industrial Strategy: Building a Britain Fit for the Future (November 2017), page 149 and Oil and Gas UK (2017) Oil & Gas UK Economic Report 2017.

¹⁰² UK Gas Generation Strategy: Department of Energy & Climate Change, Ministerial Forward, para 2, page 4.

¹⁰³ National Planning Practice Guidance, Minerals, paragraph 001.

¹⁰⁴ Net Zero, The UK’s Contribution to Stopping Global Warming, CCC (May 2019), page 30.

¹⁰⁵ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 135.

¹⁰⁶ Energy White Paper, Powering our net zero future, December 2020: HM Government (BEIS), page 84.

¹⁰⁷ The 6th Carbon Budget and Net Zero, Committee on Climate Change (Dec 2020), page 13.

¹⁰⁸ Overarching National Policy Statement for Energy (EN-1) (July 2011) paragraph 2.1, page 8.

¹⁰⁹ National Planning Policy Framework (July 2021) paragraph 209, page 59.

¹¹⁰ Digest of Energy Statistics (DUKES) (2018), Table 1.C: Fossil Fuel and low carbon dependencies 2015-2017.

¹¹¹ National Planning Practice Guidance, Minerals, para 014.

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.

Overall, the proposal achieves a high degree of consistency with the other relevant material considerations; a benefit that weighs significantly in favour of consent.

5. FINAL PLANNING BALANCE

The proposal is *'sustainable development'* in compliance with Development Plan. It engages the NPPF *'presumption in favour of sustainable development'* with full force. It draws strong support from other material considerations and it represents precisely the kind of investment envisaged by Government energy policy if the UK is to make the *'best use'* of its mineral resources¹¹², reduce the vulnerability of being an energy importer 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 and tilted further when the potential benefits unique to hydrocarbon development are factored into the balance, namely;

- the *'crucial'* and *'critical role'* gas will play in keeping the lights on and the economy working¹¹³;
- the *'great weight'* attributed to the economic benefits of mineral extraction¹¹⁴; and
- the *'essential'* nature of oil and gas for the production of UK goods and services¹¹⁵.

The presumption requires decision-makers approve development that accord with the development plan. Accordingly, the Applicant respectfully requests that planning consent be granted without delay.

¹¹² National Planning Policy Framework (July 2021) para 209, page 59.

¹¹³ Gas Generation Strategy: Department of Energy & Climate Change, para 2, page 4 and para 4.2, page 43.

¹¹⁴ National Planning Policy Framework (July 2021) para 211, page 60.

¹¹⁵ National Planning Policy Framework (July 2021) para 209, page 59.

APPENDIX 1: SITE LOCATION PLAN



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APPENDIX 2: ECOLOGICAL HABITAT ASSESSMENT 2023 REPORT

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Broadford Bridge Well Site Ecological Technical Note edp8415_r001a

QA: TRo/NDo_FMi/CTi_221123

1 INTRODUCTION

- 1.1 This Ecological Technical Note has been prepared by The Environmental Dimension Partnership Ltd (EDP) on behalf of UK Oil & Gas PLC in relation to Broadford Bridge Well Site (hereafter referred to as the 'Well Site') and wider survey area in Broadford Bridge, West Sussex (hereafter referred to as the 'wider survey area').
- 1.2 EDP is an independent environmental planning consultancy with offices in Cirencester, Cardiff, and Cheltenham. The practice provides advice to private and public sector clients throughout the UK in the fields of landscape, ecology, archaeology, cultural heritage, arboriculture, rights of way and masterplanning. Details of the practice can be obtained at our website (www.edp.uk.co.uk).
- 1.3 This Ecological Technical Note has been produced to meet the requirement for the application to extend the permission by 24 months to enable the completion of the Phase 4 site retention and restoration within the Well Site and, due to the time lapsed, an update Extended Phase 1 survey is required. This Note therefore provides an updated summary of the key ecological constraints and opportunities identified by an Extended Phase 1 Habitat survey of the Well Site, undertaken in October 2023.
- 1.4 To date the Broadford Bridge Well Site has been constructed and the exploratory well drilled and tested. An access track was constructed through the arable field off the B2133. Following the completion of Phase 3: testing, there would be no mobilisation of additional equipment to the Well Site, and no change in the footprint. The 2023 application is to extend the permission by a further 24 months to enable the completion of the Phase 4 site retention and restoration.
- 1.5 Previous ecological surveys of the Well Site and wider survey area were undertaken by AECOM in 2011 and 2012, which included an Extended Phase 1 survey followed by a range of protected species surveys (badger (*Meles meles*), bats, birds, great crested newt (*Triturus cristatus*) and hazel dormouse (*Muscardinus avellanarius*)). Further update surveys at the Well Site were undertaken by AECOM in 2018, 2019 and 2021. This Technical Note should therefore be read in conjunction with the Protected Species reports and the Updated Ecological Appraisal reports produced by AECOM in 2012, 2018, 2019 and 2021.

2 SITE CONTEXT

- 2.1 The Well Site is located west of the village of Broadford Bridge, West Sussex and is centred approximately at Ordnance Survey Grid Reference (OSGR) TQ 090 217. The Well Site measures approximately 2.1 hectares (ha).
- 2.2 The Well Site is located within farmland consisting of a network of woodland copses and pasture fields. The access track runs north-east from the Well Site linking it to Adversane Lane (B2133). The Well Site is situated between two woodland copses; Pocock's Wood to the west and Prince's Wood to the east.
- 2.3 The wider survey area comprises areas of woodland, a network of interconnected hedgerows, semi-improved and improved grassland, a small area of marshy grassland which surrounds a small field pond, and small areas of tall ruderal. There are a number of dry and wet ditches associated with the hedgerows.

3 BASELINE METHODOLOGY

- 3.1 This section describes the methodologies employed in determining the baseline ecological conditions within and around the Well Site.

Desk Study

- 3.2 The desk study is an important element of undertaking an initial ecological appraisal of a site proposed for development, which entails the initial collation and review of contextual information, such as designated sites, together with known records of important habitats or species. The desk study involved collating biodiversity information from the following sources:
- Sussex Biodiversity Record Centre (SBRC); and
 - Multi-Agency Geographic Information for the Countryside (MAGIC) website¹
- 3.3 The update desk study was undertaken during October 2023 and involved obtaining the following information:
- International statutory designations (10km radius around the Well Site);
 - National statutory designations and non-statutory local sites (1km radius around the Well Site);
 - Annex II bat species² records (6km radius around the Well Site);

¹ www.magic.gov.uk

² Bat species listed in Annex II of the EC Habitats Directive, namely Greater horseshoe, Lesser horseshoe, Barbastelle and Bechstein's bats

- All other protected, priority and notable species records (1km radius around the Well Site); and
- All other notable habitat records (500m radius around the Well Site).

3.4 These search areas are considered sufficient to cover the potential zones of influence of the proposed development in relation to designated sites, habitats and species.

Extended Phase 1 Habitat Survey

3.5 The survey technique adopted for the Extended Phase 1 Habitat survey was at a level intermediate between a standard Phase 1 survey technique, involving habitat mapping and description, and a Phase 2 survey, based on detailed habitat and species surveys. The survey involved identifying and mapping the main habitat types (including Priority Habitats) and scoping any potential protected or Priority Species populations. This level of survey is not intended to compile a complete floral and faunal inventory for the Well Site.

3.6 The update Extended Phase 1 Habitat survey was undertaken by a suitably experienced surveyor on 16 October 2023.

Limitations

3.7 The optimum time of year for a Phase 1 Habitat survey to be undertaken is between April and September, to enable the majority of botanical species to be detected. As this survey was undertaken outside of this optimum period, there is a possibility that some annual species (especially those relating to the ground flora of the woodland) may not have been recorded. However, given the nature of the habitats within the Well Site, and the previous survey work undertaken, this is not considered to be a significant limitation.

Badger Survey

3.8 During the update Extended Phase 1 Habitat survey the Well Site was found to support suitable foraging habitats for badger. A survey to record any evidence of badger activity within the Well Site was therefore undertaken during the Extended Phase 1 Habitat survey.

3.9 During the survey, any signs of badger activity such as holes, latrines, trails, snuffle holes and hairs on fencing or vegetation were recorded. Where holes of a size and shape consistent with badgers were identified, the following signs of badger activity were searched for in order to determine whether they were currently in use:

- Fresh spoil outside entrances;
- Bedding material (typically dried grass) outside entrances;
- Holes being cleared of leaf litter/other debris;
- Badger guard hairs; and
- Footprints and fresh tracks leading to/from the holes.

Limitations

- 3.10 Badger surveys can be undertaken at any time of year and are, therefore, not limited by seasonal factors, although there is an advantage to undertaking a badger survey in November after the vegetation has died back, as setts and other signs can be more visible.
- 3.11 The badger survey could not be extended to outside the survey area due to a lack of access to the wider landscape. Therefore, potential badger setts in the surrounding area may not have been recorded.

Bat Surveys

Preliminary Roost Assessment of Trees

- 3.12 Owing to the presence of suitably mature trees within or adjacent to the Well Site, a preliminary ground level roost assessment of these trees was undertaken to record any external evidence of roosting bats or any features capable of supporting roosting bats.
- 3.13 The survey was completed on 16 October 2023 by a suitably experienced ecologist in accordance with the best practice guidelines³. The trees were searched as thoroughly as possible from ground level with all elevations covered where these could be accessed.
- 3.14 Suitable features for roosting bats recorded (where present) include the following:
- Loss/peeling/fissured bark;
 - Natural holes e.g. rot holes, cavities and wounds from fallen limbs;
 - Woodpecker holes;
 - Cracks/splits or hollow tree trunks/limbs;
 - Bat, bird or dormouse boxes; and
 - Crevices formed by thick-stemmed ivy.
- 3.15 Signs of roosting bat presence recorded (where present) include the following:
- Bat/s roosting *in situ*;
 - Bat droppings within, around or beneath a potential roost feature;
 - Staining around or beneath a feature;
 - Audible squeaking from the roost at dusk or during warm weather; and
 - Large/regularly used roosts may produce a distinctive odour.

³ Collins, J. (ed.) (2023). *Bat Surveys: for Professional Ecologists: Good Practice Guidelines* (4th edition). The Bat Conservation Trust, London.

3.16 Based upon the evidence/features identified, each tree was assigned to one of the following categories:

- Known or confirmed roost – European Protected Species (EPS) licence likely to be required for works to tree to be completed lawfully;
- High suitability – one or more potential roost features present that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time;
- Moderate suitability – one or more potential roost features present that could be used by bats but are unlikely to support a roost type of high conservation status (with respect to roost type only);
- Low suitability – a tree of sufficient size and age to contain potential roost features but with none seen from the ground, or features seen but with only very limited roosting potential; and
- Negligible suitability – no potential to support roosting bats.

Limitations

3.17 As with any ground level assessments of trees, certain features may not be visible or fully visible from the ground.

3.18 Bats are mobile animals and will move between a series of different tree roost sites, frequently establishing and occupying different potential roost features depending on seasonal requirements and resources available locally. Furthermore, existing potential roost features on trees can be transient and new features formed regularly. This survey, therefore, only provides a snapshot of the conditions present at the Well Site at the time of survey.

3.19 It should be noted that this type of assessment is based on features visible from ground level and is not considered to be a definitive bat roosting survey.

4 BASELINE RESULTS

4.1 This section identifies and evaluates those ecological features/receptors that lie within the Well Site's potential Zone of Influence, and which are pertinent in the context of the proposed development.

Designated Sites

4.2 As stated within the previous ecological reports, the Well Site and wider survey area are not covered by any statutory designations and there are four internationally designated sites within 10km of the Well Site. These include The Mens Special Area of Conservation (SAC), and the Arun Valley SAC/Special Protection Area (SPA)/Ramsar. The Mens SAC and Arun Valley SAC/SPA/Ramsar have a number of component Sites of Special Scientific Interest (SSSI) with boundaries that are within/overlapping with the European designations, but none are within the 1km study area for national designations.

Non-statutory Designations

- 4.3 As stated within the previous ecological reports, no part of the Well Site and wider survey area are covered by any non-statutory designations and there are no non-statutory designated sites within 1km of the study area.

Habitats

- 4.4 The majority of the habitats remain the same as the previous survey, conducted in 2021. The previously mapped cultivated/disturbed amenity grassland within the Well Site is now predominately scrub/tall ruderal habitat. Additional species recorded include dominant common nettle (*Urtica dioica*) and thistle (*cirsium* sp.).
- 4.5 Within the wider survey area some areas of improved grassland have become unmanaged and have established as tall ruderal vegetation, and water levels within a number of ditches have changed, with some sections now wet while others have dried.
- 4.6 The distribution of different habitat types within the Well Site and wider survey area are illustrated on **Plan EDP 1**. In addition, illustrative photographs of the habitats present are provided in **Appendix EDP 1**.

Protected, Priority or Other Notable Species

- 4.7 The likelihood of presence, or confirmed presence, of protected, priority or other notable⁴ wildlife species within the Well Site is summarised below with reference to desk study records, habitat suitability and detailed surveys where relevant.

Badgers

- 4.8 No evidence of badgers was recorded on-site during the update survey.
- 4.9 Given that badgers are mobile animals, and that suitable foraging and commuting opportunities exist within the wider survey area, it is possible that the wider survey area could support badgers in the future.

Bats

- 4.10 During the updated desk study four records of bats were returned within 1km of the Well Site. Species included common pipistrelle (*Pipistrellus pipistrellus*), soprano pipistrelle (*Pipistrellus pygmaeus*), brown long-eared bat (*Plecotus auritus*) and whiskered bat (*Myotis mystacinus*).

Bat Roosting- Tress

- 4.11 With respect to trees, three trees were identified as having low suitability for bat roosting during the previous surveys within the wider survey area. No changes were identified during the update survey in 2023 and these trees still exhibit suitable roosting features of low suitability. The tree locations are shown **Plan EDP 1**.

⁴ Notable species are those which are not legally protected but are formally identified as being of conservation concern

Bat Foraging and Commuting

- 4.12 There is no suitable habitat for foraging and roosting bats within the Well Site. However, the wider survey area is considered to offer some suitable habitat for foraging and commuting bats, albeit primarily confined to its boundaries (hedgerows and mature trees) and woodland, which provide linear features for dispersal of a bat population across the wider landscape.

Birds

- 4.13 During the update desk study multiple breeding bird species were recorded which included three species of bird listed on Schedule 1 of the *Wildlife and Countryside Act 1981* (as amended); hobby (*Buteo subbuteo*), red kite (*Milvus milvus*), and barn owl (*Tyto alba*) were recorded within 1km of the Well Site.
- 4.14 There is no suitable foraging and nesting habitat within the Well Site boundary. However, the woodland, hedgerows, poor semi-improved grassland and areas of tall ruderal within the wider survey area could provide suitable foraging and nesting resources for generalist bird species.
- 4.15 Due to the limited extent and distribution of habitats within the Well Site, the majority of bird species recorded within 1km of the wider survey area are unlikely to breed within the on-site/adjacent habitats. It is anticipated that common and widespread species, with an assemblage indicative of the local area will breed within the wider survey area.

Hazel Dormouse

- 4.16 No records of dormouse were returned within 1km of the Well Site.
- 4.17 There are no habitats suitable to support this species within the Well Site. The habitats adjacent to the Well Site are sub-optimal for dormouse, however, previous surveys recorded no dormice within the wider survey area. As such, it is considered that dormice are absent from the Well Site and wider survey area and will not be considered further in this report.

Great Crested Newt

- 4.18 No records of great crested newt were returned within 1km of the Well Site.
- 4.19 There was no suitable habitat for great crested newt within the Well Site.
- 4.20 The pond (**WB1**) previously assessed for great crested newt remained present but the fields surrounding the Well Site were of low suitability for foraging great crested newt. The high-quality habitats were the woodland copses and the connecting hedgerows, which have not been affected by the construction of the Well Site due to good connectivity between the ponds on and around site, and the woodland and hedgerows on-site. The habitat suitability of the ponds for great crested newt was of similar condition to that recorded previously.
- 4.21 The off-site pond was not assessed during this update survey.

Reptiles

- 4.22 No records of reptiles were returned within 1km of the Well Site.

- 4.23 As stated within the previous 2021 report, habitat within the Well Site was previously recorded as unsuitable for reptiles. However, since the previous update survey, the spoil heap within the Well Site has now been left unmanaged which has increased the suitability for reptiles for foraging and basking.
- 4.24 The wider survey area still remains the same as previously stated limited habitat suitable for reptiles was present. The majority of the closely grazed and mowed fields provided negligible suitability for reptiles. The poor semi-improved grassland, hedgerows and woodland edge were the most suitable habitat for reptiles. The ditches and on-site pond were suitable for foraging grass snake (*Natrix helvetica*).

Other Species Potential

- 4.25 Other protected/notable species records present within the local area included several records of hedgehog (*Erinaceus europaeus*). Habitats supported by the Well Site and wider survey area provide suitable opportunities for this species.

Invasive Species

- 4.26 During the updated desk study, a single record of Himalayan balsam (*Impatiens glandulifera*), rhododendron (*Rhododendron ponticum*) and Japanese Knotweed (*Fallopia japonica*) were recorded from within 1km of the Well Site.
- 4.27 No invasive non-native species listed on Schedule 9 of the *Wildlife and Countryside Act 1981* (as amended) were recorded within the Well Site or within the wider survey area.

5 CONSTRAINTS AND RECOMMENDATIONS

Designated Sites

- 5.1 Owing to the small scale of the operation of the Well Site and the distance between the Well Site and any statutory designated sites, no direct or indirect adverse impacts are anticipated during the construction phase of the proposed development. Similarly, and due to the nature of the proposals, no direct or indirect impacts are anticipated during the operation phase either.
- 5.2 Based on the above, no specific mitigation measures are required in respect of designated sites.

Habitats

- 5.3 Given the Well Site has already been constructed, habitats within the Well Site and wider survey area are not to be impacted by the completion of the Phase 4 site retention and restoration.

Protected, Priority or Other Notable Species

Badgers

- 5.4 Badger and their setts receive protection under the *Protection of Badgers Act 1992*, which protects badgers from deliberate harm and injury.

- 5.5 The Well Site may be used by foraging/commuting badgers, although no badger activity/setts were recorded within the Well Site. Badgers are known to be present in the wider survey area, however, as the Well Site has already been constructed impacts to badgers are deemed unlikely.

Bats

- 5.6 All species of British bat are listed as an EPS on Schedule 2 of the *Conservation Regulations* (Annex IV(a) to the *Habitats Directive*). This affords protection under the *Conservation of Habitats and Species Regulations 2017* (as amended), making it an offence to:

- Deliberately capture, injure or kill a wild animal of an EPS;
- Deliberately disturb wild animals of an EPS wherever they are occurring, in particular any disturbance which is likely to impair their ability to survive, to breed or reproduce, to affect significantly the local distribution or abundance of the species to which they belong, or in the case of hibernating or migratory species, to hibernate or migrate; or
- Damage or destroy a breeding site or resting place of a wild animal of an EPS.

- 5.7 Additional protection for bats is also afforded under *the Wildlife and Countryside Act 1981* (as amended), making it an offence to intentionally or recklessly disturb bats whilst they are occupying a structure or place which is used for shelter or protection, or to obstruct access to this structure or place. In addition, 8 of the 18 species of bat resident in the UK (greater horseshoe (*Rhinolophus ferrumequinum*), lesser horseshoe (*Rhinolophus hipposideros*), barbastelle (*Barbastella barbastellus*), Bechstein's (*Myotis bechsteinii*), soprano pipistrelle, common pipistrelle, brown long-eared and noctule (*Nyctalus noctule*) are also listed as Priority Species.

- 5.8 The extension of the Well Site operation will not impact any trees with suitability for roosting bats. The constraints posed by roosting bats remain consistent with those mentioned in the 2021 Updated Ecological Appraisal, as stated below:

"The Well Site will not result in any changes to the existing consented nocturnal lighting of the Well Site.

Any bats foraging/ commuting through the surrounding habitat do so in the context of the presence of the existing Well Site, to which it is assumed they are habituated. Even if bats chose to avoid habitats immediately surrounding the Well Site, there is a large amount of undisturbed habitat in the wider local area to which the bats have access for foraging. Therefore, even if there were disturbance effects, any disruption to bats foraging in the vicinity of the wellsite would not be expected to result in significant adverse effects on local bat populations or their local conservation status.

The potential for disturbance to bat roosts as a result of the construction and operation of the consented Well Site were examined as part of the original application and found to be not significant. There will be no changes to the consented activities on the Well Site for the Well Site, and therefore, the outcome of the previous assessment remains valid."

5.9 Therefore, as previously recommended, further survey work in respect of bats is not deemed necessary as there is no potential for the Well Site to adversely affect bats.

Birds

5.10 All wild birds, their nests and eggs are protected under Section 1 of the *Wildlife and Countryside Act 1981* (as amended). This makes it an offence to:

- Intentionally kill, injure or take any wild bird;
- Take, damage or destroy the nest of any wild bird while it is in use or being built;
- Take, damage or destroy the egg of any wild bird; or
- To have in one's possession or control any wild bird (dead or alive) or egg or any part of a wild bird or egg.

5.11 In addition, further protection is afforded to those wild bird species listed on Schedule 1, prohibiting any intentional or reckless disturbance to these species while they are nest building, or at a nest containing eggs or young, or to recklessly disturb the dependent young of such a bird. A number of bird species are also Priority Species.

5.12 The constraints posed by the presence of breeding birds remains consistent with those mentioned in the 2021 Updated Ecological Appraisal, as stated below:

"The Well Site will not result in any impacts on nesting birds, because there is no suitable habitat within the operational area of the Well Site. Any birds nesting in the woodland surrounding the Well Site (including Schedule 1 species that the desk study indicated are present within 1km of the site (red kite, barn owl, hobby) or foraging in habitats surrounding the Well Site, do so in the context of the current operational Well Site. The Well Site will not change the baseline environment in terms of noise or visual impacts, and therefore it is reasonable to conclude that a continuation of consented operations would not adversely affect nesting (or foraging) birds."

5.13 Therefore, as previously recommended, further survey work in respect of birds is not deemed necessary as there is no potential for the Well Site to adversely affect birds.

Great Crested Newt

5.14 Great crested newt is listed as an EPS, thereby receiving protection under the *Conservation of Habitats and Species Regulations 2017* (as amended). Additional protection is also afforded to this species under the *Wildlife and Countryside Act 1981* (as amended), making it an offence to intentionally or recklessly disturb great crested newt whilst they are occupying a structure or place which is used for shelter or protection, or to obstruct access to this structure or place. This species, as well as common toad (*Bufo bufo*), comprise Priority Species.

- 5.15 The constraints posed by the presence of great crested newt remain consistent with those stated in the 2021 Updated Ecological Appraisal, as stated below:

“There is no potential for the Well Site to give rise to direct impacts on individual great crested newts. This is because there is no suitable habitat for this species within the Well Site boundary, which contains only hardstanding and spoil heap.

The construction of the Well Site has not resulted in any impacts on high quality GCN terrestrial foraging, dispersal or hibernation habitat associated with the woodlands and hedgerow surrounding the Well Site. There has been no fragmentation or isolation of breeding ponds. The Well Site will similarly not impact on any habitat that may be used by foraging, dispersing or hibernating newts, because the existing footprint will not change.

There is no potential for any surface water pollution to the ponds, because the well pad is underlain with an impermeable membrane and all site surface water drainage is contained and collected within the operational area. There is therefore no reasonable risk of polluted surface water entering ponds and causing damage to breeding habitats.”

- 5.16 Therefore, as previously recommended, further survey work in respect of great crested newts is not deemed necessary as there is no potential for the Well Site to adversely affect great crested newts.

Reptiles

- 5.17 All species of widespread reptile (including common lizard (*Zootoca vivipara*), slow-worm (*Anguis fragilis*) and grass snake) receive at least limited protection from harm under the *Wildlife and Countryside Act 1981* (as amended).

- 5.18 The majority of the habitats within the Well Site are unsuitable for reptiles and therefore it is considered very unlikely that the Well Site will support a significant reptile population. However, since the previous update Extended Phase 1 Habitat survey in 2021, the vegetation within the spoil heap has increased, providing scrub/tall ruderal vegetation. Though this could be suitable reptile habitat, it is anticipated that works within the Well Site are unlikely to impact the spoil heap, however, if the habitats would require clearing, this would need to be undertaken sensitively and under ecological supervision.

Invasive Species

- 5.19 As stated within the 2021 report, there are no constraints to the Well Site and wider survey area in regard to invasive species. However, should non-native species listed on Schedule 9 of the *Wildlife and Countryside Act 1981* (as amended) be recorded within the Well Site, it is recommended that an ecologist should be contacted to provide assessment and any further mitigation that may be required.

6 SUMMARY AND CONCLUSIONS

- 6.1 EDP's update Extended Phase 1 Habitat survey has not identified any significant new ecological constraints within the Well Site and wider survey area. Some minor changes in habitat were recorded. However, no further surveys are recommended either on the Well Site or within the wider survey area. Surrounding habitats are suitable for a range of

protected and notable species, however, the extension of the Well Site's operational duration will not result in any additional development footprint or other impacts.

- 6.2 The recommendations and proposals for habitat enhancements and species enhancements made within the previous AECOM reports for the Well Site remain appropriate.

Appendix EDP 1 Site Photographs



Image EDP A1.1: Well Site with vegetated spoil heap.



Image EDP A1.2: Improved grassland within the wider survey area.



Image EDP A1.3: Hedgerow **H1** along the access track to the Well Site.



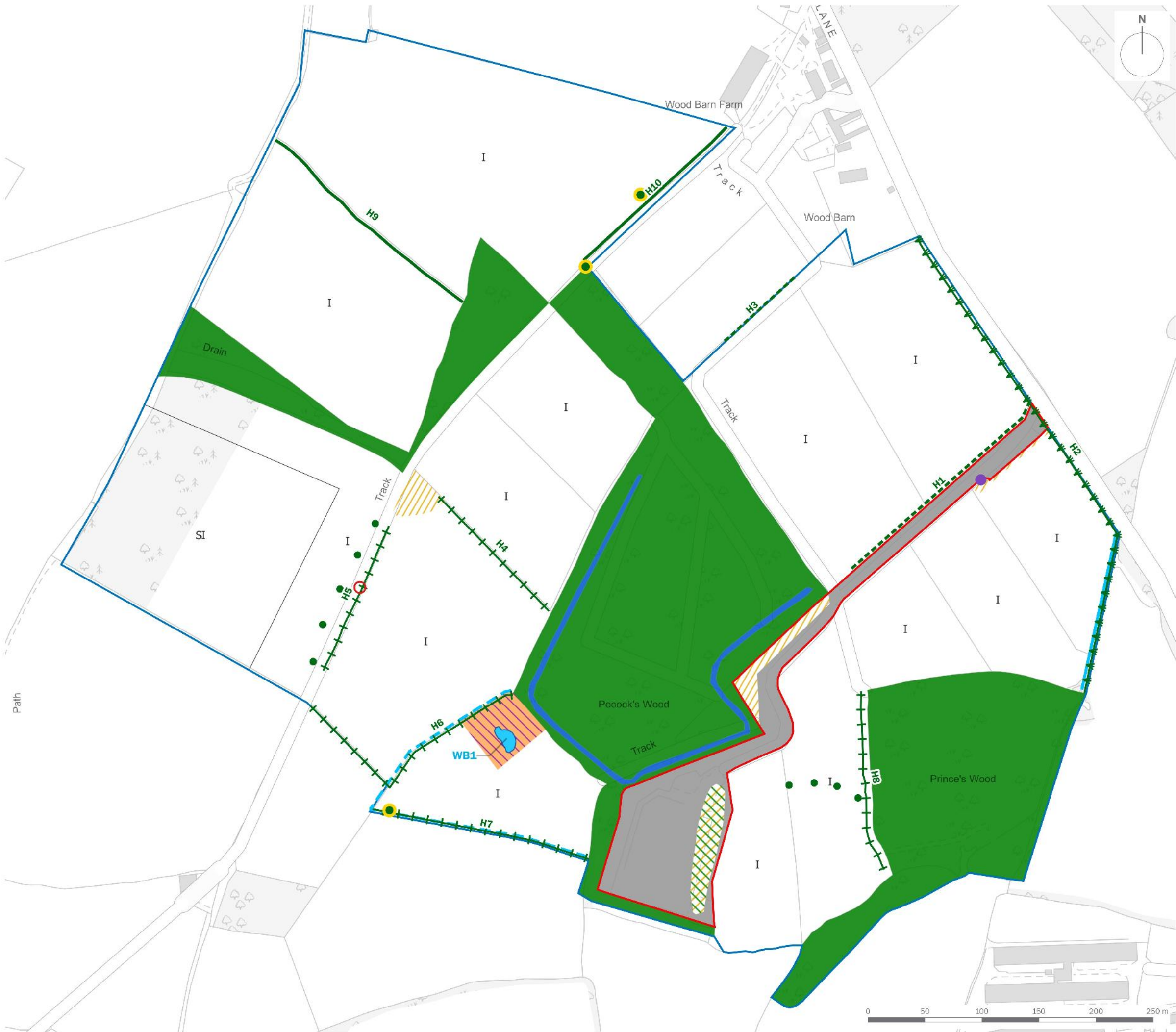
Image EDP A1.4: Broadleaved woodland within the wider survey area.



Image EDP A1.5: Pond (WB1) surrounded by marshy grassland within the wider survey area.

Plans

Plan EDP 1: Extended Phase 1 Survey
(edp8415_d001a 22 November 2023 DJo/TRo)



- Well Site Boundary
- Wider Survey Area Boundary
- Broadleaved Semi-natural Woodland
- Tall Ruderal
- Scrub and Tall Ruderal
- I Improved Grassland
- SI Poor Semi-improved Grassland
- Marsh/Marshy Grassland
- Standing Water
- Running Water/Stream
- Hardstanding
- Intact Species-rich Hedgerow and Trees
- Intact Species-poor Hedgerow and Trees
- Intact Species-poor Hedgerow
- Defunct Species-poor Hedgerow
- Wet Ditch
- Dry Ditch
- Scattered Trees (Broadleaved)
- Outlier Badger Sett (Disused)
- Rabbit Warren
- Tree with Low Bat Roost Potential

client
UK Oil & Gas PLC

project title
Broadford Bridge Well Site

drawing title
Extended Phase 1 Survey

date	22 NOVEMBER 2023	drawn by	DJo
drawing number	edp8415_d001a	checked	TRo
scale	1:3,250 @ A3	QA	GYo



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End of Statement

