

7 November 2017

County Matter Mineral Application

Amendment of conditions 3 and 4 of planning permission WSCC/050/13/SR to allow retention of wellsite, including plant and equipment, to 2032

Storrington Oilwell Site, Pulborough Road, Cootham, Storrington, West Sussex, RH20 4HP

Application No: WSCC/035/17/SR

Report by Head of Planning Services

Local Member: Paul Marshall

District: Horsham

Executive Summary

This report concerns a proposal for the continuation of hydrocarbon (oil) production at Storrington oil site for a further 15 years. The site already benefits from an extant planning permission for production that requires the cessation of production and restoration of the site by 31 December 2017.

The report provides a generalised description of the site and a detailed account of the proposed development, and appraises it against the relevant policy framework from national to local level.

The main policies of relevance to this application are policies 1, 14, 16, 19, 22, 26, 27, 47, 53, 58, 60, 62 and 63 of the West Sussex Minerals Local Plan (2003); policies 1, 24, 25, 26, 30, 32 and 33 of the Horsham District Planning Framework (2015); and policies M7a, M12, M13, M15, M16, M17, M18, M19, M20, M22 and M24 of the emerging West Sussex Joint Minerals Local Plan.

There have been no objections to the application.

Consideration of Key Issues

The main material planning considerations are whether:

- there is a need for the development;
- the development is acceptable in terms of highway capacity and road safety;
- the development is acceptable in terms of impact on local residents; and
- the development is acceptable in terms of impact on the environment.

Need for the Development

The NPPF gives 'great weight' to the benefits of mineral extraction, including to the economy and highlights that minerals can only be worked where they are found. Planning Policy Guidance on Minerals notes that oil and gas will continue to form part of the national energy supply, and gives a clear steer from Government that

there is a continuing need for indigenous oil and gas. The West Sussex Minerals Local Plan (2003) notes that planning permission for commercial oil development will normally be granted, subject to being the 'best option' in the area of search and other environmental considerations. The present proposal would make use of an existing well on a site with established infrastructure to continue extracting known and exploitable oil reserves and so is considered to represent the 'best option'. It is, therefore, concluded that there is an identified need for local oil and gas production, and that there is an identified need for development on this site to maximise oil reserves.

Highway Safety

The continued use of the site to allow the remaining reserves to be extracted would result in a low number of traffic movements. The development would not result in significant impacts on the highway network or road safety. It is, therefore, considered that the impact on highway capacity and road safety is acceptable.

Impact on Local Residents

It is considered that the proposal would not result in unacceptable impacts on local residents. Vehicular movements associated with the development are low and noise emissions have been shown to be within an acceptable range and the noise monitoring scheme would ensure the operator complies with identified noise limits. Given that the conditions imposed have shown to be historically complied with, the development is considered acceptable with regards to its impact upon local residents.

Impact on the Environment

Although the proposed development would be of an industrial nature within a rural setting, it is small in scale and well-screened from public views, negating any visible impacts and, therefore, it is considered that the proposal is acceptable in landscape terms. The development does not pose a risk to the water environment, either at the surface or groundwater and the potential impact of the development on ecology would be minimal. The Minerals Planning Authority is content that other complimentary regimes can control emissions to air and the also the water environment. Overall, subject to the imposition of suitable conditions and approved documents, the impact of the development on the environment and the surrounding landscape is considered to be minimal.

Conclusion

The extension of time until 2032 to allow for continued production of oil at the Storrington Oilwell site has the potential to result in impacts on the highway, local residents, and the environment. However, no statutory objections have been received nor has the Minerals Planning Authority received any representations to the proposed extension of time.

It is concluded that the number of vehicles movements associated with continued production activities is not significant in order to raise concerns regarding highway capacity or road safety. The site as existing has limited visibility and would not have an adverse impact on the character of the area. The impacts of the development would be mitigated and controlled through the planning regime. Furthermore, the site is monitored through the environmental permitting and health

and safety regimes to ensure that water quality would not be compromised and that emissions to air would be acceptable.

Although 15 years is a long period of time, the development is still a temporary use of the land. In addition, the production of oil to maximise the remaining reserves is would help to meet an identified need for hydrocarbon production with minimal impacts.

Overall, the development accords with the development plan and other material considerations, including the National Planning Policy Framework. Therefore, it is considered that the proposal is acceptable subject to the imposition of appropriate conditions to control the potential impacts.

Recommendation

That planning permission be granted subject to the conditions and informatives set out in **Appendix 1** of this report.

1. Introduction

- 1.1 This report concerns an application to vary conditions 3 and 4 of application WSCC/035/13/SR to allow the continuation of hydrocarbon (oil) production at Storrington oilwell site, Pulborough Road, Cootham, Storrington for a further 15 years, that is, until December 2032.
- 1.2 The proposal is not seeking any physical extension to the site or intensification of activity and no physical works are proposed.

2. Site and Description

- 2.1 The application site is located in Horsham District, in the countryside west of the village of Storrington (see [Appendix 2: Site Location Plan](#)). It extends to some 2.8 hectares in area, forming a trapezoid shape roughly parallel to the A283. It is separated from the carriageway by a mature hedgerow, with a stone boundary wall to 1.5 metres in height fronting the road. There is also a close-boarded fence to 1.8 metres in height adjacent to the site's bell-mouth entrance. The site is screened from views from the road.
- 2.2 The site is on the eastern side of the A283 which separates it from South Downs National Park, the Parham Park Site of Special Scientific Interest (SSSI), and Parham Historic Parkscape/Grade II* Registered Park and Garden (which includes an area of Ancient Woodland).
- 2.3 Parham Airfield and Storrington Gliding Club are located immediately east of the site, beyond which is open countryside.
- 2.4 The site has a short access road shared with Pulborough Rugby Club and Instone Air Services, which sit beyond it to the east and south respectively.
- 2.5 The nearest residential properties are at Oak Farm some 240m south-east, Douglas Lodge some 250m south west, and Bog Common Cottages some 225m to the north. The closest public footpath is approximately 180m south-east of the well pad.

3. Relevant Planning History

- 3.1 Planning permission was originally granted in 1985 for the establishment of an exploratory borehole at the site. Permission was then granted in 1986 to appraise the hydrocarbons found and to drill a further borehole.
- 3.2 Subsequent planning permissions were granted to develop the site for the production of hydrocarbons, as follows:
- **SR/1/94:** Retention and further development of oilfield for production purposes. Granted 15 December 1994, with an expiry date of 31 December 2010.
 - **SR/68/96:** Variation of condition 3 of SR/1/94 to authorise the development of the site to an amended design and the production of oil and gas to an amended phasing of operation (granted by Planning Committee on 8 April 1997, with an expiry date of 31 December 2012).
 - **SR/99/98:** Installation of additional ground flare of similar design and construction as existing flare (granted by Planning Committee on 26 March 1999, with an expiry date of 31 December 2012. The flare to which this permission relates has now been removed).
 - **SR/57/00:** Two gas turbine generators, switch room, transformer and associated equipment (granted by Planning Committee on 8 November 2000, with an expiry date of 31 December 2012. The generators to which this permission relates were not installed).
 - **WSCC/050/13/SR:** Retention of existing Storrington wellsite including plant and equipment and to continue to produce hydrocarbons for a further period of up to 5 years (granted by Planning Committee on 8 October 2013 with an expiry date of 31 December 2017).

4. The Proposal

- 4.1 Planning permission is sought to amend conditions 3 and 4 of planning permission WSCC/050/13/SR which state:

Condition 3

All operations hereby approved under this permission, including the restoration of the site (but not its aftercare), shall cease by 31 December 2017 or within six (6) months of the completion of production of oil and gas from the site, whichever is the sooner.

Reason: The development is of a temporary nature, so the site should be restored as soon as possible after completion of the oil and gas production activities

Condition 4

All structures, plant and machinery, both fixed or otherwise and any other engineering works approved by this application (including any hard surface constructed for any purpose) shall be removed from the application site by 31 December 2017 or within six (6) months of the completion of production of oil and gas from the site whichever is the sooner and the site shall be restored in accordance with the scheme approved under condition 5. Notwithstanding this condition, any plant or equipment required to make the site safe to a specification as may be required by Borehole Sites and

Operations Regulations 1995 and Offshore Installations and Wells (Design and Construction) Regulations 1996 (as amended) may remain in position for that purpose only.

Reason: The development is of a temporary nature, so the site should be restored as soon as possible after completion of the oil and gas production activities

- 4.2 Permission is now sought to extend the temporary permission by 15 years to allow for the remaining reserves to be extracted, after which restoration would be undertaken. As already noted, no physical development or alterations to the previously approved site are proposed.
- 4.3 The operations undertaken at the site involve the pumping of oil from wells into oil tanks using electrical pumps. At present, 46 barrels of oil per day is being produced at the site, down from 80 barrels of oil per day when the site was considered by the Planning Committee in 2013. Current production results in up to two tankers of oil being taken from the site each week (four movements), plus staff car movements.
- 4.4 Gas and water is also drawn up from wells and separated into tanks before the oil is loaded and taken off site. The water is re-injected into the well, and the gas is flared.
- 4.5 The site contains a sealed, impermeable platform containing three wells with 'nodding donkeys' and one well for the re-injection of water. The pad also contains various equipment including a fire water tank, water injection pump, processing plant (for gas separation and treatment), seven horizontal storage tanks (for oil and water), substations and switch rooms, and a five metre high flare. There is a site office alongside the entrance, and a workshop beyond this (see [Appendix 3: Site Layout Plan](#)).
- 4.6 The site is enclosed with a security fence to two metres in height within which are grassed earth bunds formed from the topsoil and subsoil stripped from the site. There is planting within and around the site, and a tall hedgerow along the A283.
- 4.7 Once operations have been completed, it is proposed that the land would be restored in accordance with the previously-approved scheme (see [Appendix 4: Landscape Restoration Plan](#)). This involves restoration to agriculture by sealing and abandoning the wells, removing plant, equipment and sealed areas, and replacing stored sub-soil and top-soil. The abandonment of the wells would be regulated by the Health and Safety Executive and the Environment Agency.

5. **Environmental Impact Assessment (EIA)**

- 5.1 The need for EIA was considered in relation to this application in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations').
- 5.2 The proposal does not fall within Schedule 1 of the EIA Regulations for which EIA is always required and which for petroleum extraction applies to development involving the extraction of more than 500 tonnes per day

(Schedule 1, Part 14). Currently, the site produces 46 barrels of oil per day, which amounts to around 6.5 tonnes.

- 5.3 It would however fall within Schedule 2, Part 2 (e) which relates to 'Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale' so there is a need to consider the whether there is the potential for 'significant environmental effects', in which case EIA would be necessary. The Screening threshold set out in column 2 to Schedule 2 for such development is where 'the area of the development exceeds 0.5 hectare' which it does. The site is not located within a 'sensitive area', within the definition of the EIA Regulations.
- 5.4 The development proposals are also considered to fall within Schedule 2 to the EIA Regulations, namely Part 13(b) as relating to a 'change to or extension' to Schedule 2 development.
- 5.5 The Annex to Planning Policy Guidance (PPG): Environmental Impact Assessment (6 March 2014) sets out indicative thresholds when considering whether EIA is necessary. For part 2(e) the indicative thresholds refer to EIA being more likely for development sites of 10 hectares or more, or where production is expected to be more than 100,000 tonnes of petroleum per year. The present proposal would not fall within either of these criteria as only around 2,398 tonnes would be produced each year from 46 barrels per day. Further, based on the site's operations to date, it is not considered that the potential for adverse impacts on air or water, or the risk of accidents is significant.
- 5.6 Taking into account the EIA Regulations 2017, as expanded upon by the above considerations, it is considered that the proposals would not have the potential for significant effects on the environment within the meaning of the EIA Regulations. Therefore, EIA was not considered necessary.

6. Policy

Statutory Development Plan

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the statutory development plan unless material considerations indicate otherwise (as confirmed in paragraph 2 of the National Planning Policy Framework ('the NPPF')). For the purposes of the application, the following approved or adopted planning policy documents form the statutory development plan: the West Sussex Minerals Local Plan (2003) ('MLP') and the Horsham District Planning Framework (2015) ('HDPF').
- 6.2 The key policies in the development plan that are material to the determination of the application are summarised below, and their conformity or otherwise with the NPPF considered. In addition, reference is made to relevant national planning policy guidance, emerging planning policies and other policies that guide the decision-making process and which are material to the determination of the application.

West Sussex Minerals Local Plan (2003)

- 6.3 Given the age of the MLP, and the emergence of the replacement Plan, only the policies that are consistent with the NPPF should be given full weight. The main

policies from the MLP which are in accordance with the NPPF and of relevance to the present application are:

- Policy 1 – Principles of Sustainable Development
- Policy 14 – Seeks appropriate restoration, protecting the physical characteristics of the land
- Policy 16 – Safeguarding the Water Environment
- Policy 19 – Seeks to protect residential and other amenity, and to mitigate any impact
- Policy 22 – Seeks to incorporate detailed reclamation for the site (restoration, aftercare and after-use)
- Policy 26 – Relates to oil/gas exploration and requires that the proposal is the best option in comparison with alternative sites and is acceptable in relation the surrounding area.
- Policy 27 – Notes that permission will normally be granted for hydrocarbon exploration subject to compliance with Policy 26, *“having regard to the limited duration and area of activity.”*
- Policy 47 – Consideration of numbers, type and routing of vehicles likely to be generated.
- Policy 53 – Seeks the incorporation of satisfactory means for the retention, protection and maintenance of existing trees.
- Policy 58 – Requires appropriate stripping, handling and storage of soils
- Policy 60 – Seeks appropriate protection from noise
- Policy 62 – Seeks appropriate protection from lighting
- Policy 63 – Seeks appropriate control of hours of working

Horsham District Planning Framework (2015)

6.4 The HDPF was adopted in November 2015 and forms part of the ‘Development Plan’. The relevant policies are:

- Policy 1 - Sustainable Development;
- Policy 24 - Environmental Protection;
- Policy 25 - Natural Environment and Landscape Character;
- Policy 26 - Countryside Protection;
- Policy 30 – Protected Landscapes
- Policy 32 - Quality of New Development;
- Policy 33 - Development Principles; and

West Sussex Joint Minerals Local Plan: Proposed Submission Draft (Regulation 19, January 2017) (‘JMLP’)

6.5 The JMLP has recently been subject to an Examination in Public following two rounds of public consultation. In accordance with paragraph 216 of the NPPF, given its advanced stage of preparation it can be given significant weight, though the relevant policies may be given less weight where there are

unresolved objections. The following sets out the relevant considerations and the weight accorded to them in the determination of this application.

- 6.6 Policy M7a of the JMLP is of greatest relevance to the present application as it relates to 'hydrocarbon development not involving hydraulic fracturing'. This policy is subject to significant challenge and so should be afforded little weight at this stage.
- 6.7 Clause (a) of the policy notes that extensions to existing oil/gas sites, including extensions of time, will be permitted provided that, in summary:
- i. They are located outside South Downs National Park and Areas of Outstanding Natural Beauty;
 - ii. The site is the least sensitive, deliverable location from which the target reservoir can be reached;
 - iii. Any unacceptable impacts can be minimised and/or mitigated;
 - iv. Restoration/aftercare would be to a high quality standard; and
 - v. No unacceptable impacts would arise from the on-site storage or treatment of hazardous substances or contaminated fluids above or below ground.
- 6.8 The more generic 'development management' policies of relevance to the proposal are as follows:
- Policy M12: Character – supports development which would not have an unacceptable impact on the separate identity of towns and villages and reinforce the main attributes of the wider character areas; [policy subject to minor objection and so can be given substantial weight]
 - Policy M13: Protected Landscapes – supports development outside protected landscape which would not undermine the objectives of the designation; [policy subject to minor objection and so can be given substantial weight]
 - Policy M15: Air and Soil – supports development which would not have unacceptable impacts on the intrinsic quality of air and soil or their management; [policy not subject to objection and so can be given significant weight]
 - Policy M16: Water Resources – supports development which would not cause unacceptable risk to water quality or quantity; [policy subject to some relatively minor challenge and so can be given significant weight]
 - Policy M17: Biodiversity and Geodiversity – supports development which avoids/mitigates/remedies significant harm to wildlife species and habitats; [policy subject to significant challenge and so little weight should be afforded]
 - Policy M18: Public Health and Amenity – supports development which would not result in an unacceptable impact on public health and amenity through on site operations or vehicle movements; and which safeguards public right of way routes; [policy subject to some challenge and so less weight afforded].

- Policy M19: Flood Risk Management – supports development which would not result in increased flood risk on site or elsewhere; [not challenged and so should be afforded significant weight]
- Policy M20: Transport – supports development with adequate transport links; maximises the use of the Lorry Route Network rather than local roads; does not have an unacceptable impact on highway capacity; provides safe access to the highway; provides vehicle turning on site; and minimises vehicle movements; [not challenged and so should be afforded significant weight]
- Policy M22: Cumulative Impact – supports development provided an unreasonable level of disturbance does not result from cumulative impact; [policy subject to challenge and so little weight should be afforded].
- Policy M24: Restoration and Aftercare – supports development with restoration schemes which ensure that land is restored at its earliest opportunity to a high quality. [not challenged and so should be afforded significant weight].

National Planning Policy Framework (2012)

- 6.9 The NPPF sets out the Government’s planning policies for England and outlines how these are expected to be applied. The Framework is a material consideration in determining planning applications. At the heart of the NPPF is a presumption in favour of sustainable development.
- 6.10 Paragraph 142 sets out the importance of minerals to support sustainable economic growth, highlighting that minerals can only be worked where they are found, and the importance of making best use of them to secure their long-term conservation.
- 6.11 Paragraph 144 sets out matters to consider in determining applications for minerals development including (in summary): giving great weight to the benefits of mineral extraction including to the economy; ensuring that there are no unacceptable adverse impacts on the natural and historic environment, human health, or aviation safety, and taking into account cumulative impacts; ensure that unavoidable noise, dust and vibrations are mitigated; and providing for restoration at the earliest opportunity to the highest standard.
- 6.12 The other paragraphs in the NPPF of relevance to the application are:
 Paragraph 7 (three dimensions of sustainable development); paragraph 14 (presumption in favour of sustainable development, and approving development that accords with the development plan); 17 (core planning principles); 109 (protection and enhancement of the natural and local environment); 110 (minimising pollution and other adverse effects); 120 (ensuring new development appropriate for location taking into account impact of pollution on health and the environment); 123 (impact of noise health and quality of life); 186 (positive decision making); 196 (determining applications in accordance with the development plan); 197 (presumption in favour of sustainable development); and 203-206 (use of planning conditions).

Planning Practice Guidance (PPG)

6.13 Planning Practice Guides (PPGs) were first published in March 2014 to accompany the NPPF. As with the NPPF, these are a material consideration in considering planning applications.

PPG: Minerals

6.14 PPG: Minerals (October 2014) sets out the Government's approach to planning for mineral extraction in both plan-making and the planning application process.

6.15 Paragraph 12 sets out the relationship between planning and other regulatory regimes noting that *"the planning system controls development and the use of land in the public interest"* including ensuring development is appropriate for its location and an acceptable use of land.

6.16 It notes that *"the focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under regimes. Mineral planning authorities should assume that these non-planning regimes will operate effectively."*

6.17 Paragraph 13 sets out the environmental issues minerals planning authorities should address including noise, air quality, lighting, visual impact, traffic, risk of contamination to land, geological structure, flood risk, impacts on protected landscapes, surface and in some cases ground water issues, and water abstraction.

6.18 Paragraph 14 sets out issues which are for other regulatory regimes to address. For hydrocarbon extraction this links to paragraphs 110 to 112 which sets out the key regulators in addition to the Mineral Planning Authority, namely:

- Department of Energy and Climate Change (DECC)[now the Oil and Gas Authority]: issues petroleum licences, gives consent to drill, responsibility for assessing risk of and monitoring seismic activity, grant consent for flaring or venting;
- Environment Agency: protect water resources (including groundwater aquifers), ensure appropriate treatment of mining waste, emissions to air, and suitable treatment/management of naturally occurring radioactive materials (NORMs). Assess chemical content of fluids used in operations.
- Health and Safety Executive: regulates safety aspects of all phases of extraction, particularly ensuring the appropriate design and construction of a well casing for any borehole.

6.19 Paragraph 17 notes that the cumulative impact of mineral development can be a material consideration in determining planning applications.

6.20 Paragraphs 91 to 128 relate specifically to hydrocarbon extraction.

6.21 Paragraph 93 notes that planning permission is required for each phase of hydrocarbon extraction, while paragraph 94 notes that applications can cover

more than one phase and paragraph 118 notes that both vertical and horizontal drilling can be included in one application.

6.22 Paragraph 100 explains that the production phase,

"...normally involves the drilling of a number of wells. This may be wells used at the sites at the exploratory and/or appraisal phases of hydrocarbon development, or from a new site. Associated equipment such as pipelines, processing facilities and temporary storage tanks are also likely to be required."

6.23 Paragraph 124 states that Mineral Planning Authorities should take account of Government energy policy which makes it clear that energy supplies should come from a variety of sources' including onshore oil and gas. It also refers (and electronically links) to the Annual Energy Statement 2013 which notes, among other things, that the UK needs to make the transition to low carbon in order to meet legally-binding carbon emission reduction targets (paragraph 1.2) and that levels of production from the UK continental shelf are declining so the UK will become increasingly reliant on imported energy (paragraph 1.3). The three stated priorities in delivering the UK's energy policies in the near term are:

- *"helping households and businesses take control of their energy bills and keep their costs down;*
- *unlocking investment in the UK's energy infrastructure that will support economic growth; and*
- *playing a leading role in efforts to secure international action to reduce greenhouse gas emissions and tackle climate change."* (paragraph 1.6).

6.24 Paragraph 3.69 of the Annual Energy Statement 2013 states:

"With oil and gas remaining key elements of the energy system for years to come (especially for transport and heating), the Government is committed to maximising indigenous resources, onshore and offshore, where it is cost-effective and in line with safety and environmental regulations to help ensure security of supply."

Other PPGs

6.25 PPG: Air Quality notes that when deciding whether air quality is relevant to a planning application, considerations could include whether the development would (in summary): significantly affect traffic (through congestion, volumes, speed, or traffic composition on local roads); introducing new point sources of air pollution; give rise to potentially unacceptable impact (such as dust) during construction; or affect biodiversity (paragraph 5).

6.26 PPG: Noise notes that noise can override other planning concerns (paragraph 2), and that the acoustic environment should be taken account of in making decisions, including consideration of (in summary) whether a significant adverse effect is likely to occur; whether an adverse effect is likely to occur; and whether a good standard of amenity can be achieved (paragraph 3).

6.27 PPG: Climate Change notes that addressing climate change is one of the core land use planning principles the NPPF expects to underpin decision taking.

7. Consultations

7.1 **Horsham District Council (Planning & Environmental Health):** No objection subject to previous conditions being attached to the current proposal and restoration to agricultural land as previously agreed.

7.2 **Storrington Parish Council:** No objection

7.3 **Environment Agency:** No objection. Notes that the applicant proposes no change or intensification of operations.

7.4 **Natural England:** Refers to their previous comments of the 2013 application, to which they made no objection. Notes that the proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

7.5 **Southern Water:** No comments to make.

7.6 **Sussex Police:** No objection.

7.7 **South Downs National Park Authority:** No objection

7.8 **WSCC Tree Officer:** No response

7.9 **WSCC Archaeology:** No response

7.10 **WSCC Ecology:** No objection. Notes the application is for continued use of a low volume facility with no change in activity, intensity or area-extent; as such, no ecological impacts are expected.

7.11 **WSCC Highways:** No objection.

7.12 **WSCC Flooding:** No objection. Notes that there are no flood risk concerns or drainage considerations that require comment.

7.13 **Parham Parish Council:** No response.

7.14 **WSCC Councillor Paul Marshall:** No comments received.

8. Representations

8.1 The application was publicised in accordance with The Town and Country Planning (Development Management Procedure)(England) Order 2015. This involved the erection of four site notices located around the application site, and advertisement in the local newspaper, and 13 neighbour notification letters.

8.2 No representations have been received.

9. Consideration of Key Issues

9.1 The main material planning considerations in relation to this application are whether:

- there is a need for the development;
- the development is acceptable in terms of highway capacity and road safety;
- the development is acceptable in terms of impact on local residents; and
- the development is acceptable in terms of impact on the environment.

Need for the Development

9.2 In considering the need for oil/gas exploration, the NPPF notes that "*Minerals are essential to support sustainable economic growth and our quality of life*" and that "*...minerals are a finite natural resource, and can only be worked where they are found...*" (NPPF paragraph 142). Paragraph 144 requires that in determining planning applications local planning authorities "*give great weight to the benefits of mineral extraction, including to the economy*", though this must be balanced against the weight given to environmental impacts of a development.

9.3 Paragraph 124 of PPG: Minerals provides a clear steer that nationally, energy, including oil and gas, should come from a variety of sources, giving the following response to the hypothetical question:

"Do mineral planning authorities need to assess demand for, or consider alternatives to oil and gas resources when determining planning applications?"

Mineral planning authorities should take account of Government energy policy, which makes it clear that energy supplies should come from a variety of sources. This includes onshore oil and gas, as set out in the Government's Annual Energy Statement published in October 2013."

9.4 The Annual Energy Statement referred to in this paragraph notes that energy policy is underpinned by two key factors: the need to reduce carbon emissions and to ensure energy security (paragraph 1.1). It makes it clear that while renewable energy must form an increasing part of the national energy picture, oil and gas remain key elements of the energy system for years to come (paragraph 3.69).

9.5 One of the three key priorities outlined in the Annual Energy Statement is '*unlocking investment in the UK's energy infrastructure that will support economic growth*' (paragraph 1.6). Paragraph 3.69 of the Statement notes the Government is committed to maximising indigenous resources, subject to safety and environmental considerations.

9.6 Taking this into account, the present proposal is considered to accord with the approach set in national guidance by maximising and exploiting existing known indigenous oil reserves at an established site.

- 9.7 At the local level, Policy 26 of the West Sussex Minerals Local Plan (2003) states that *“commercial development of oil and gas resources will be permitted where it is demonstrated to the satisfaction of the Minerals Planning Authority that the proposal presents the best option in comparison with other alternative sites within the area of search...”*. This feeds into consideration of whether there is a need for this development on this site in particular.
- 9.8 As noted in paragraph 6.7, emerging Policy M7a supports proposals for oil production not involving hydraulic fracturing subject to certain criteria, including that the site is outside the national park and areas of outstanding natural beauty; and that the site is the least sensitive, deliverable location from which the target reservoir can be reached. The remainder of the criteria are considered in the following sections.
- 9.9 The site is not within the National Park or an area of outstanding natural beauty and so meets this requirement.
- 9.10 In terms of consideration of whether the site is the ‘least sensitive, deliverable location from which the target reservoir can be reached’, paragraph 147 of the NPPF states that minerals planning authorities should *“when planning for on-shore oil and gas development...address constraints on production and processing within areas that are licensed for oil and gas exploration or production”*. This makes it clear that any consideration of constraints should be limited to sites that are covered by a Petroleum Exploration and Development Licence (PEDL). As hydrocarbons can only be exploited within a given PEDL area, it is considered reasonable to limit consideration of alternative sites to a single PEDL area.
- 9.11 The application site is within PEDL 205, a rectangular shaped of some 18 square kilometres. The area covered by the PEDL is generally rural, but also covers the village of Storrington. The site itself sits within the West Sussex countryside. PEDL 205 is therefore the ‘search area’ for the purposes of this application.
- 9.12 By using the existing site, the operator can make use of existing geological data, and utilise the existing boreholes and the associated infrastructure on site including the well pad, oil and water storage tanks, site office, flare, fire water tank and access road. Taking into account the work required to bring a site into production such as site clearance/soil stripping, drilling of a borehole, appraisal/testing of oil flow and the associated HGV movements, it is considered that making use of the existing site, data and plant and equipment is the best option for extracting the remaining reserves.
- 9.13 Taking the above into account, it is concluded that there is a need for continued production at the site to maximise the known oil reserves. It is also concluded that the site represents the best option within the search area (i.e. the PEDL boundary).
- 9.14 For the avoidance of doubt, hydraulic fracturing (‘fracking’) was not permitted under WSCC/050/13/SR and it is not proposed under the current application. Furthermore, hydraulic fracturing cannot be carried out at the site without further permissions and authorisations being secured.

- 9.15 *The NPPF gives 'great weight' to the benefits of mineral extraction, including to the economy and highlights that minerals can only be worked where they are found. Planning Policy Guidance on Minerals notes that oil and gas will continue to form part of the national energy supply, and gives a clear steer from Government that there is a continuing need for indigenous oil and gas. The West Sussex Minerals Local Plan (2003) notes that planning permission for commercial oil development will normally be granted, subject to being the 'best option' in the area of search and other environmental considerations. The present proposal would make use of an existing well on a site with established infrastructure to continue extracting known and exploitable oil reserves and so is considered to represent the 'best option'. It is, therefore, concluded that there is an identified need for local oil and gas production, and that there is an identified need for development on this site to maximise oil reserves.*

Highway Capacity and Road Safety

- 9.16 The use of the site currently results in up to four tanker movements each week (up to two tankers coming to, and leaving the site each week). This level of vehicles, along with those of staff travelling to/from the site, is not considered significant, particularly as the site is located on an A-road (the A283).
- 9.17 WSCC's Highways Officers have not raised any concerns in relation to the continued use of the site, noting that they are not aware of any highway safety issues that have arisen as a result of the existing operation and that the number of movements is limited to no more than 22 HGV movements per day (11 vehicles traveling to/from the site). Current operations are far below this, with two tankers entering and leaving the site each week, plus a small number of staff car movements, and this is likely to decrease as oil reserves are depleted.
- 9.18 The eventual restoration of the site would result in movements for the period of restoration, but given the site's location on the A283 and the short length of time, it is not considered this would compromise highway safety or capacity.
- 9.19 In conclusion, WSCC Highways states that *"there is no evidence to suggest that the extension of time would give rise to any highway issues"*. Overall, the extension of time would not increase the movements that have already been considered as acceptable.
- 9.20 *The continued use of the site to allow the remaining reserves to be extracted would result in a low number of traffic movements. The development would not result in significant impacts on the highway network or road safety. It is, therefore, considered that the impact on highway capacity and road safety is acceptable.*

Impact on Local Residents

- 9.21 The use of the site for oil production has not resulted in any representations in response to this application. Further, no objection has been raised by Horsham District Council.
- 9.22 The use of the application site for oil production results in few off-site impacts. It is well-screened from view, and does not result in any emissions that would affect local amenity. The wellsite results in little noise, and is enclosed with

bunds which help to minimise any noise impacts. It is distant from 'sensitive receptors', including residential properties, which are, at closest, 225 metres away from the red-line boundary, further still to the well-pad and, therefore, the noise generating equipment itself.

- 9.23 A condition attached to the 2013 permission set a maximum noise level of 35dB(A) LAeq to be achieved at residential properties, which has been carried over to subsequently permissions and which would also be included in the new permission. A Noise Survey submitted with this application has demonstrated that such levels have been achieved, with maximum noise levels of 33dB LAeq.
- 9.24 A further condition, also carried through historic permissions, approved a Noise Monitoring Scheme (NMS). The NMS committed to the provision of a Noise Survey at least annually to demonstrate compliance. The condition would also be recommended for this application. Therefore, it is considered that noise impacts can be managed in a way which ensures that impacts on residential amenity are limited to an acceptable level.
- 9.25 As the site is located on the A283, tankers and other HGVs which will be required for the site decommissioning, do not need to use any minor local roads with potential detriment to residential amenity.
- 9.26 Taking into account the above, and the request from Horsham District Council's that conditions from the previous permission are carried over; it is proposed that the site is subject to the same conditions attached to the 2013 permission. These include the noise restrictions already mentioned; restrictions on hours of site preparation and restoration works to between 0700 and 1800 Monday to Friday (and between 0700 and 1300 on Saturdays), and for HGVs between 0700 and 1800 any day; ensuring lighting was not visible from residential properties, and requiring the restoration of the site to agriculture following completion.
- 9.27 To date, these measures have proved sufficient to ensure that the site operates without harm to residential amenity.
- 9.28 Therefore, it is considered that the development is acceptable in terms of its impact on residential amenity, subject to the imposition of appropriate conditions.
- 9.29 *It is considered that the proposal would not result in unacceptable impacts on local residents. Vehicular movements associated with the development are low and noise emissions have been shown to be within an acceptable range and the noise monitoring scheme would ensure the operator complies with identified noise limits. Given that the conditions imposed have shown to be historically complied with, the development is considered acceptable with regards to its impact upon local residents.*

Impact on the Environment

Landscape/character

- 9.30 The application site is located adjacent to agricultural land and land used by the rugby club and a gliding club within a rural area characterised by open fields and woodlands. The key visible elements of the development are the storage

tanks, flare and the nodding donkeys. The portacabins on-site for the workshop and office facilities are single storey. Access to the site is via a shared access road, also used by the rugby club and the business to the south of the well-site.

- 9.31 Although the development is industrial in nature, the site is very enclosed to the north and west by thick, mature trees and vegetation. The south and east is screened by the topsoil bund, now grassed, with additional trees planted to compliment the site and surroundings. The distance and screening by mature trees and hedgerows is significant meaning that there are limited public views into the site. Any views from the A283 are going to be transient in nature, primarily as people travel in vehicles this road.
- 9.32 Additional planting along the eastern boundary was sought by the WSCC Tree Officer as part of the extension of time in the 2013 permission and an updated landscaping scheme was discharged and implemented. Given the further extension of time, extending the protection and maintenance of the landscaping scheme is considered necessary to mitigate the potential visual impacts of the development.
- 9.33 Upon completion of the proposed operations, all plant, buildings and equipment would be removed from the site and the site would then be restored to agricultural grassland using the material in the surrounding soil bunds. This will happen by 31 December 2032 or within six months of completion of oil and gas production, whichever comes earlier. Therefore, there would be no long-term impact on the landscape as a result of the current proposal.

Water Environment

- 9.34 PPG: Minerals notes that *"surface, and in some cases ground water issues"* should be addressed by minerals planning authorities as well as flood risk and water (paragraph 13). The impact on the water environment is, therefore, a material planning consideration.
- 9.35 In considering the potential impacts on the water environment, it is important to note that the County Council must assume that other, non-planning regimes operate effectively (PPG: Minerals, paragraph 112). In relation to water, this means assuming that the construction, design and operation of the borehole have been undertaken appropriately, in accordance with Health and Safety Executive (HSE) requirements. It also means assuming that the Environment Agency will ensure that surface equipment operates satisfactorily, and that mining waste and naturally occurring radioactive materials (NORMs) are appropriately managed.
- 9.36 Nonetheless, as already noted, paragraph 112 of PPG: Minerals notes that before granting permission the County Council will need to be satisfied that the issues dealt with under other regimes can be adequately addressed 'by taking advice from the relevant regulatory body'.
- 9.37 With reference to the present proposal, the site is not within an area considered to be at increased risk of flooding, nor is it within a groundwater source protection zone.

- 9.38 Impacts on water quality would be mitigated by ensuring potentially-polluting activities are undertaken on an impermeable surface with sealed drainage system. Such matters were considered when the site was established, and appropriate measures put in place. The site's water management system is contained, with the wellsite covered with an impermeable membrane which drains to a lined drainage ditch around the perimeter. The site contains groundwater monitoring boreholes which are checked by the Environment Agency through the Environmental Permitting regime. Through these measures, the impact on the water environment is minimised and any impacts over the course of the site's operations would have been and will continue to be identified. In addition, the Environment Agency has not raised any objection to application.
- 9.39 The main risks to groundwater are through failure of the well casing, leaking of chemicals and hydrocarbons, and through migration of liquid from the borehole. All of these matters are addressed through regulation by the Environment Agency and Health and Safety Executive.
- 9.40 Taking the above into account, it is considered that the development does not pose a risk to the water environment.

Other environmental matters

- 9.41 The site is on the opposite side of Pulborough Road is the Parham Park Site of Special Scientific Interest (SSSI). West Sussex County Council's ecologist was consulted and raises no objection to the proposal, noting that the application "*is for continued use of a low volume facility with no change in activity, intensity or area-extent; as such, no ecological impacts are expected*".
- 9.42 The site is not considered to result in adverse impacts on air quality. Although production concentrates on oil, some gas is also drawn from the well and, because of the small amounts, are flared (the accepted means of disposal). Emissions from the flare are monitored by the Environment Agency as part of the Environmental Permitting regime.
- 9.43 Taking the above into account, it is considered that the impacts of the proposed development can be controlled through appropriate conditions and by other complimentary regulatory bodies to ensure that the development, and its subsequent restoration, would not results in significant impacts on the environment.
- 9.44 *Although the proposed development would be of an industrial nature within a rural setting, it is small in scale and well-screened from public views, negating any visible impacts and, therefore, it is considered that the proposal is acceptable in landscape terms. The development does not pose a risk to the water environment, either at the surface or groundwater and the potential impact of the development on ecology would be minimal. The Minerals Planning Authority is content that other complimentary regimes can control emissions to air and the also the water environment. Overall, subject to the imposition of suitable conditions and approved documents, the impact of the development on the environment and the surrounding landscape is considered to be minimal.*

10. Overall Conclusion and Recommendation

- 10.1 The extension of time until 2032 to allow for continued production of oil at the Storrington Oilwell site has the potential to result in impacts on the highway, local residents, and the environment. No objections to the proposed extension of time have been received from statutory consultees or from third parties.
- 10.2 It is concluded that the number of vehicles movements associated with continued production activities is not significant in order to raise concerns regarding highway capacity or road safety. The site as existing has limited visibility and would not have an adverse impact on the character of the area. The impacts of the development would be mitigated and controlled through the planning regime. Furthermore, the site is monitored through the environmental permitting and health and safety regimes to ensure that water quality would not be compromised and that emissions to air would be acceptable.
- 10.3 Therefore, the production of oil to maximise the remaining reserves would help to meet an identified need for hydrocarbon production with minimal impacts.
- 10.4 Overall, the development accords with the development plan and other material considerations, including the National Planning Policy Framework. Therefore, it is considered that the proposal is acceptable subject to the imposition of appropriate conditions to control the potential impacts.
- 10.5 It is **recommended**, therefore, that planning permission be granted subject to the conditions and informatives set out at Appendix 1.
- 10.6 The conditions have been carried over from the original planning permission, unless they have been formally discharged and are no longer required. Where appropriate, some conditions have been updated, for example, to referring to plans that have been discharged previously.

11. Resource Implications and Value for Money

- 11.1 This is not a material planning consideration and cannot, therefore, be considered in determining this application. There will be no requirement for additional resources unless the decision is challenged and there is a requirement to defend the County Council's position at any subsequent appeal.

12. Equality Duty

- 12.1 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act 2010. Officers considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

13. Risk Management Implications

- 13.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the determination of planning applications must be made in accordance with the policies of the development plan unless material considerations indicate

otherwise. If this is not done, any decision could be susceptible to an application for Judicial Review.

14. **Crime and Disorder Act Implications**

14.1 This decision has no implications in relation to crime and disorder.

15. **Human Rights Act Implications**

15.1 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

15.2 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

15.3 The Committee should also be aware of Article 6, the focus of which (for the purpose of this committee) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

Michael Elkington

Head of Planning Services

Contact: Chris Bartlett (phone 0330 222 6946).

Background Papers

As set out in Section 6

List of Appendices

Appendix 1 – Conditions and Informatives

[Appendix 2 – Site Location Plan](#)

[Appendix 3 – Site Layout Plan](#)

[Appendix 4 – Landscape Restoration Plan](#)

Appendix 1: Conditions and Informatives

CONDITIONS

PLANS

1. The proposed development shall not take place other than in accordance with the following approved plans and documents:
 - Storrington Well Site: Location Plan (ref. STO-02);
 - Storrington Well Site: Site Plan (ref. STO-01C);
 - Storrington Well Site: Lighting Plan (ref. STO-03A);
 - Dimension and Photographic Schedule (of Storrington Wellsite – Plant and Equipment);
 - Landscape Restoration Plan (drawing number NPA 10705 801 Revision P02);
 - Supplementary Landscape Proposals Plan (drawing number NPA 10705 501 Revision P02); and,
 - Noise Monitoring Scheme (AT4118/S1/BCP 29th August 1997)

along with submitted documents including the Planning Statement (prepared by Island Gas Limited, dated September 2017), save as varied by the conditions hereafter.

Reason: To ensure the development is carried out as proposed

TIME LIMITS

2. All operations hereby approved under this permission, including the restoration of the site (but not its aftercare), shall cease by 31 December 2032 or within six (6) months of the completion of production of oil and gas from the site, whichever is the sooner.

Reason: The development is of a temporary nature, so the site should be restored as soon as possible after completion of the oil and gas production activities.

3. All structures, plant and machinery, both fixed or otherwise and any other engineering works approved by this application (including any hard surface constructed for any purpose) shall be removed from the application site by 31 December 2032 or within six (6) months of the completion of production of oil and gas from the site whichever is the sooner and the site shall be restored in accordance with the scheme approved under condition 4. Notwithstanding this condition, any plant or equipment required to make the site safe to a specification as may be required by Borehole Sites and Operations Regulations 1995 and Offshore Installations and Wells (Design and Construction) Regulations 1996 (as amended) may remain in position for that purpose only.

Reason: The development is of a temporary nature; accordingly the site should be restored as soon as possible after completion of the oil and gas production activities.

RESTORATION

4. The approved 'Landscape Restoration Plan' (drawing number NPA 10705 801 Revision P02) shall be adhered to and implemented in full in accordance with the timescales set out in condition 3.

Reason: To ensure satisfactory restoration of the site.

NOISE MONITORING

5. Noise monitoring shall be undertaken in accordance with the Noise Monitoring Scheme previously submitted to and approved by the County Planning Authority (ATL Consulting report AT4118/S1/BCP dated 29 August 1997), with assessment to be undertaken in accordance with British Standard 7445-1: 2003 (or any subsequent amendment to that Standard).

Reason: In the interests of the amenities of local residents.

NOISE LIMITS

6. Operations on the site shall at all times be undertaken such that the maximum noise levels from the on-site operations measured at the facades of the nearest residential properties do not exceed 35dB(A) Laeq/1hr. If so required by the County Planning Authority tests shall be carried out by the operator in order to demonstrate that their operations conform to this requirement.

Reason: In the interests of the amenities of local residents.

SILENCING MEASURES

7. No plant or equipment shall be used on the site unless fitted and operated at all times with silencing measures to a standard not less than the manufacturer's UK standard specification for that equipment.

Reason: In the interests of the amenities of occupiers of nearby residential properties.

RESTORATION WORKING HOURS

8. Site restoration works shall be carried out only between the hours of 0700 and 1800 between Monday and Friday, and between 0700 and 1300 on Saturdays, and not at all on Sundays, bank holidays or public holidays.

Reason: In the interests of the amenities of local residents.

FLARING

9. No gas flaring or venting shall be carried out at the site other than through the flaring equipment described in the application.

Reason: In the interests of the amenities of local residents, and protection of the environment.

FIRE FIGHTING

10. Throughout the period of operations hereby approved, fire precautions and fire-fighting equipment shall be provided and maintained at the site in accordance with the requirements of the County Fire Officer. Fire water tanks shall remain on site filled and maintained to a standard adequate for fire-fighting purposes.

Reason: In the interests of fire safety

HGV ACCESS

11. Except in the case of emergency, no heavy goods vehicles shall enter or leave the site except between the hours of 0700 to 1800.

Reason: in the interests of the amenities of local residents.

HGV NUMBERS

12. There shall be no more than twenty-two heavy goods vehicles movements (eleven vehicles coming to, and leaving the site) in any day.

Reason: in the interests of highway safety and residential amenity.

LIGHTING

13. No lighting on the site shall be directly visible from any residential property or from the A283 public highway.

Reason: in the interests of the amenity of the countryside and highway safety.

POLLUTION PROTECTION (i)

14. Any proposals for the storage of fuel or oil must be stored in accordance with the Control of Pollution (Oil Storage)(England) Regulations 2001. Any facilities, above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. Such facilities shall be constructed and completed in accordance with plans approved in writing by the County Planning Authority.

Reason: To minimise the risk of pollution of watercourses.

POLLUTION PROTECTION (ii)

15. No liquid waste or trade effluent shall be discharged from the site.

Reason: To minimise the risk of pollution of the water environment.

HIGHWAY SAFETY

16. No vehicle shall leave the site in such a condition that earth and mud adhere to the wheels in a quantity which may introduce hazard or nuisance on the highway and actions to be taken in the event of mud and debris arising from the development being present on the highway.

Reason: In the interests of highways safety.

LANDSCAPE PROTECTION

17. The approved Supplementary Landscape Proposals Plan (drawing number NPA 10705 501 Revision P02) shall be adhered to and the landscaping detailed on the plan shall be maintained throughout the lifetime of the development hereby permitted. Any trees, shrubs or plants which are removed or become seriously damaged, diseased or die throughout the lifetime of the development hereby permitted shall be replaced in the next planting season with others of such size and species as may be agreed in writing with the County Planning Authority.

Reason: In the interests of the amenity and of the environment of the development.

INFORMATIVES

- A. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the County Planning Authority has approached the determination of this application in a positive way, and has worked proactively with the applicant by discussing issues of concern as early as possible and giving them the opportunity to provide further information/changes to overcome material impacts.

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