

UPDATE SHEET

MINERALS/WASTE RE18/02667/CON

Horse Hill Well Site, Horse Hill, Hookwood, Horley, Surrey RH6 0HN

Retention and extension of an existing well site, HH1 and HH2 wells, and vehicular access to allow: the drilling of four new hydrocarbon wells and one water reinjection well; the construction of a process and storage area and tanker loading facility; new boundary fencing; well maintenance workovers and sidetrack drilling; and ancillary development enabling the production of hydrocarbons from six wells, for a period of 25 years.

Please note the Committee Report should be amended / corrected as follows:

CONSULTATIONS AND PUBLICITY

Parish/Town Council and Amenity Groups

Paragraph 77

The Weald Action Group - additional comments have been received in respect of: climate change; need; fracking; acidisation and cumulative impacts. Comments have also been made, questioning the adequacy of the conditions with regard to controlling the above issues.

Additional responses from local Councillors

The local Member Cllr Kay Hammond has raised concerns regarding the financial position of the applicant and recommends that a bond is in place to re-instate the site.

Officer comment

The Oil and Gas Authority (OGA) regulates the licensing of the exploration and development of hydrocarbon resources, through production consents and development programme approvals, and for every operator the OGA examines the operator's competency, their financial viability and financial capacity.

Comments have also been raised by Cllr Helyn Clack (neighbouring division) forwarding comments from local residents and groups asking for further conditions over the development, taking into account climate change and seismicity. A response has been received from Cllr Lesley Bushnell, raising concerns in respect of earthquakes, attaching an online petition with 292 signatures.

Officer comment

The officer's report is very comprehensive in addressing the need for this production stage of hydrocarbon development and takes into account climate change. Para.159 of the report concludes that the '*Government makes it clear that oil and gas remains an important part of the UK's energy mix. Policies recognise the continuing importance of fossil fuels but aim to manage reliance on them, their potential environmental effects and the risks associated with security of supply. While the Government manages the transition to a low carbon energy mix this will mean that oil and gas remain key elements of the energy system for years to come (especially for transport and heating). Based on the UK Governments current policy, it is also recognised that the proposed development would not be in conflict with the Government's climate change agenda.*'

Planning conditions need to meet certain tests, the Government policy states '*planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects under planning*'.

A condition suggesting a break in the development for a review to assess whether oil production is still required would not accord with the above planning tests. The condition is not necessary, nor enforceable or reasonable in the context of the development plan. There is currently no planning policy to support such a planning condition or restriction on the development.

A condition relating to seismicity and earthquakes is outside the controls of planning, therefore again not meeting the above tests. The area is currently being monitored by the British Geological Survey (BGS), who has deployed additional surface seismic sensors across the area to help provide an independent assessment of the seismicity. As a result of this monitoring, independent reports have concluded that there is no link between the seismicity recorded in the area and the hydrocarbon exploration, as such these events are concluded to be naturally occurring, and are not induced by human activities. It would therefore be unreasonable to restrict the operations of the applicant on this basis. In addition, the role of controlling induced seismicity falls to the Oil and Gas Authority (OGA), and they have the powers to enforce operators to monitor seismicity and stop development, as they have done in Lancashire. However, I will reiterate that the hydrocarbon development proposed at Horse Hill is not unconventional and does not involve hydraulic fracturing, therefore is not comparable to the hydrocarbon development taking place in Lancashire.

Summary of publicity undertaken and key issues raised by the public

Paragraphs 81 to 83 (*amended number of representations with additional text*)

The total number of written representations is 1667, with 726 objecting, 921 in support, with 20 making comments. One petition with 438 signatures was received, raising concerns about earthquakes.

NEED FOR HYDROCARBON DEVELOPMENT

Paragraph 134 (*is replaced as follows, amendment in bold*)

The Local Parish Council Salfords and Sidlow have objected to the application on the grounds the application does **not** meet climate change targets and the policy tests of the NPPF following the high court ruling striking out paragraph 209 (a) supporting oil and gas development. Therefore the local planning authority should consider reasonable and recent scientific evidence in relation to climate change and CO2 and methane emissions.

CONCLUSION

Paragraph 434 (*is replaced as follows, amendment in bold*)

The activity associated with constructing operation at the beginning and end of the development and undertaking drilling production would give rise to some temporary impact on amenity especially when considering the rural nature of the locality. Nevertheless, mineral working is a temporary activity, albeit covering a 25 year period. The concerns of local residents are acknowledged and have been carefully considered. **Having had regard to the environmental information contained in the Environmental Statement, national and development plan policy, consultee views and concerns raised by local residents objecting to the proposal, and taking into account need, Officers consider that, subject to the imposition of conditions, together with controls through other regulatory regimes, the development would not give rise to unacceptable environmental or amenity impacts and the development is consistent with the NPPF and the development plan, the application may therefore be permitted.**

RECOMMENDATION

(Insert the following text before the conditions)

IMPORTANT CONDITION NUMBERS 8, 11, 16, 19, 24 MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT

CONDITIONS

Conditions to be replaced as follows (amendments in bold):

Time Limits

Condition 4

The development hereby permitted shall cease no later than 25 years from the date of the implementation of the planning permission referred to in Condition 3 above or the depletion of the reservoir, whichever is the sooner. All buildings, plant and machinery (both fixed and otherwise) and any engineering works connected therewith, on or related to the application site (including any hard surface constructed for any purpose), shall be removed from the application site and the site shall be fully restored to a condition suitable for agriculture and woodland in accordance with the details set out in Condition **29**. Notwithstanding this, any plant or equipment required to make the site safe in accordance with the OGA requirements at the time and agreed with the County Planning Authority, may remain in position.

Condition 5

Prior written notification of the date of commencement for each phase of development works **(Phases 1-5 as described at Section 3 of the Planning Statement and Environmental Report)**, including workovers and sidetracks, hereby approved shall be sent in writing to the County Planning Authority not less than seven days before such commencement.

Noise

Condition 11

Prior to the commencement of the development hereby permitted a noise monitoring plan (NMP) shall be submitted to and approved in writing by the County Planning Authority (CPA), taking into account the noise limits set in Conditions **12 and 13**. The NMP shall include a methodology for undertaking noise surveys, with the results of the monitoring reported to the CPA within 14 days of monitoring. Should the site fail to comply with the noise limits, within 14 days of any breach of the noise limits, the applicant shall submit a scheme for the approval in writing **by the CPA** to attenuate noise levels to the required level which shall be implemented within 7 days of the CPA issuing approval for the scheme, or the source of noise shall cease until such a scheme is in place.

Ecology & Biodiversity

Condition 30

Twelve months prior to the decommissioning and restoration of the application site, a detailed Landscape and Ecology Management **Plan (LEMP)** shall be submitted for the approval in writing of the County Planning Authority, which shall take into account the survey mentioned **undertaken in accordance with Condition 27** above and that in the survey season prior to restoration, the species surveys, i.e. badgers, reptiles and great crested newts are repeated to ensure the restoration takes account of the requirements of these species. In addition a programme for the implementation of the restoration, monitoring and aftercare provision for the enhancement of biodiversity (biodiversity net gain) focusing on native species and the results of the pre-commencement ecological surveys, whilst taking into account the use of the land for agricultural grassland and woodland. **The LEMP shall be implemented as approved.**

Reasons (amending reasons replacing the original)

Reason 2

To ensure that site operatives are conversant with the terms of the planning permission in the interests of the local environment and amenity to accord with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.

Reason 6

To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity to comply with Surrey Minerals Plan 2011 Policy MC14.

Reason 8

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies MC15 of the Surrey Minerals Plan Core Strategy 2011; and the Reigate and Banstead Core Strategy 2014 Policy CS17 and saved Policy Mo5 and Policy Mo6 of the Reigate and Banstead Local Plan 2005. *The imposition of a pre-commencement condition is recommended by the County Highways Authority to secure the submission of a revised and updated Transport and Traffic Management Plan to safeguard the environment and local amenity in terms of traffic and highways, in accordance with the development plan policies.*

Reason 11

To ensure minimum disturbance and avoid nuisance to the locality to comply with the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14. *The imposition of a pre-commencement condition is recommended by the County Noise Consultant to secure the submission of a Noise Monitoring Plan in order to provide appropriate noise control to ensure there would be no significant adverse impact from noise nuisance on nearby receptors, in accordance with the development plan policies.*

Reason 16

To ensure minimum disturbance and avoid nuisance to the locality to comply with the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14. *The imposition of a pre-commencement condition is recommended by Officers in order to secure a lighting scheme so that final detailed site lighting has been fully assessed to ensure that there would be no significant adverse impact from light pollution on nearby receptors from the development, in accordance with the development plan policies.*

Reason 17

To avoid endangering the safe movement of aircraft and operation at Gatwick Airport, and in the interest of residential amenity and the local environment and to comply with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.

Reason 18

To avoid endangering the safe movement of aircraft and operation at Gatwick Airport, and in the interest of residential amenity and the local environment and to comply with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.

Reason 19

To ensure that the works maintain the required level of environmental protection and land stability. *The imposition of a pre-commencement condition is recommended by the County Geotechnical Consultant to secure the submission of a Construction Environmental Management Plan to ensure there would be no significant adverse impact from pollution on groundwater, land and the environment, and for land stability in accordance with the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC12 and MC14.*

Reason 20

To ensure that the works are constructed as designed and maintain the required level of environmental protection and land stability. To safeguard the environment and protect the

amenities of the locality in accordance with the terms of the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC12 and MC14.

Reason 21

To safeguard the environment and protect the amenities of the locality in accordance with the terms of the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC12 and MC14.

Reason 23

To safeguard the environment and protect the amenities of the locality in accordance with the terms of the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC12 and MC14.

Reason 24

To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, and to ensure protection of groundwater and surface water from activities at the site. *The imposition of a pre-commencement condition for a surface water drainage scheme is recommended by 1) the Environment Agency to ensure protection of groundwater and surface water from the activities at the site; and 2) the Lead Local Flood Authority to ensure that the development is compliant with SuDS as required the NPPF, its technical standards and governmental ministerial statement for SuDS, and in accordance with the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.*

Reason 25

To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, and to ensure protection of groundwater and surface water from activities at the site, in accordance with the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.

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